

## **Planning Services Committee 29 August 2002**

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Minutes of the meeting of the **Planning Services Committee** held on **29 August 2002** when there were present:

Cllr S P Smith (Chairman)

Cllr K A Gibbs (Vice-Chairman)

Cllr Mrs L Barber

Cllr C I Black

Cllr Mrs R Brown

Cllr P A Capon

Cllr Mrs T J Capon

Cllr R G S Choppen

Cllr Mrs H L A Glynn

Cllr T E Goodwin

Cllr J E Grey

Cllr A J Humphries

Cllr C A Hungate

Cllr Mrs L Hungate

Cllr T Livings

Cllr Mrs J R Lumley

Cllr Mrs E Marlow

Cllr J R F Mason

Cllr Mrs M D McCarthy

Cllr R A Oatham

Cllr J M Pullen

Cllr P K Savill

Cllr C G Seagers

Cllr M G B Starke

Cllr Mrs M S Vince

Cllr Mrs M J Webster

Cllr P F A Webster

Cllr Mrs M A Weir

Cllr Mrs B J Wilkins

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs R S Allen, R A Amner, T G Cutmore, D F Flack, C C Langlands, C J Lumley, G A Mockford, C R Morgan, Mrs M A Starke and J Thomass

### **OFFICERS PRESENT**

A Bugeja	Head of Legal Services
J Whitlock	Planning Manager
K Steptoe	Team Leader
P Whitehead	Team Leader
A Wyatt	Committee Administrator

### **384 MINUTES**

The Minutes of the Meeting held on 25 July 2002 were agreed as a correct record and signed by the Chairman.

### **385 DECLARATION OF INTERESTS**

Members' interests relating to the Schedule of Development Applications and Recommendations were received as follows:

**Item R2** – Councillors T Livings, Mrs J R Lumley, R A Oatham and J Pullen, each declared personal interests by virtue of being Rayleigh Town Councillors.

**Item 5** - Councillor Mrs M J Webster declared a personal interest by virtue of being Vice-Chairman of Rayleigh Mount Local Committee and also by virtue of living in close proximity to the application site. Councillor P F A Webster also declared a personal interest by virtue of living in close proximity to the application site.

**Item 6** - Councillor S P Smith declared a personal interest by virtue of being a customer of an adjoining property.

**Item 9** – Councillors Mrs H L A Glynn and Mrs M A Weir declared personal interests by virtue of being Hawkwell Parish Councillors.

**386 ARTICLE 4 DIRECTIONS REMOVING PERMITTED DEVELOPMENT RIGHTS (TO ERECT MEANS OF ENCLOSURE AND TO SITE CARAVANS) ON LAND WEST OF WAKERING ROAD, GREAT WAKERING**

The Committee considered the report of the Head of Planning Services regarding the apprehended breach of planning control on land to the west of Wakering Road, Great Wakering.

Mindful of the detail of the report in respect of this item, Members wished to place on record their concern regarding this activity and agreed that the removal of Permitted Development Rights was the most appropriate course of action that could be taken by the Local Planning Authority.

**Resolved**

That the Head of Planning Services be authorised to make arrangements for the service of Article 4(1) and 4(2) directions under the General Permitted Development Order 1995 (as amended) on the land to the west of Wakering Road, Great Wakering, to secure the remedying of the apprehended breach of planning control. (HPS)

**387 TREE PRESERVATION ORDERS – MONITORING AT THE ETHELDORE RESIDENTIAL SITE**

The Committee considered the report of the Corporate Director (Finance and External Services) which updated Members on the situation regarding 8 trees at the above site.

Noting the situation with regard to the 8 trees, that building had now been completed on all 8 plots, but to plant the trees during the Summer

would limit their chance of success, Members agreed that it would be appropriate for all 8 semi-mature trees to be planted at the earliest opportunity within the new planting season; this was estimated to be in October or November.

### **Resolved**

That progress made in respect of the works required made under the Breach of Condition Notice at the Etheldore Residential Development Site be noted. (CD(F&ES))

### **388 SCHEDULE OF DEVELOPMENT APPLICATIONS AND RECOMMENDATIONS**

Members had before them the current Schedule of Development applications and recommendations.

#### **Item R1- 02/00296/COU - Land at Pelhams Farm, Hall Road, Rochford**

**Proposal** - change of use of agricultural land to football and cricket pitches

Mindful of Officers recommendation for approval, Members considered nevertheless that the application should be refused on Highways grounds, and it was

### **Resolved**

That the application be refused for the following reasons

1. The development is not within walking distance of the town or railway station nor is there a bus service. The lack of public transport will mean that virtually all journeys to and from the development will be car borne. As there is no alternative to the car, the movements to and from the site will be significantly higher than the existing use.
2. The proposal is not considered to be sustainable due to the reliance on the use of private cars, which is contrary to the intentions of Government Policy.

Note: Cllr Mrs H L A Glynn wished it recorded that she cast her vote against refusal of the above application.

**Item R2 - 02/00496/OUT - King George V Field, Eastwood Road, Rayleigh.**

**Proposal** - outline application to erect new sports pavilion with first floor offices (demolish existing pavilion)

Mindful of Officers recommendation for approval, Members considered that the application should be deferred for further discussions with the applicant, in liaison with the Chairman of the Planning Services Committee and Group Leaders, on whether they were willing to enter into a legal agreement controlling their occupation alone of the first floor offices.

**Resolved**

That the application be deferred, for further negotiation with the applicants on the point above.

**Item R3 - 02/00532/OUT - Land rear of 65 Great Wheatley Road, Rayleigh.**

**Proposal** - outline application to erect one dwelling

Consideration of this item was deferred for a Member site visit.

**Resolved**

That a Member site visit be arranged. (HAMS)

**Item 4 - 02/00513/GD - Nazewick Farm, Foulness Island, Southend-on-Sea**

**Proposal** - demolition of agricultural building

**Resolved**

That the application be approved subject to the conditions in the Schedule.

### **Item 5 - 02/00553/FUL - Land adjacent 4 The Bailey, Rayleigh.**

**Proposal** - erect split level three-bed detached bungalow

Noting the update information provided within the Planning Services addendum, and concurring with Officers view, it was

#### **Resolved**

That the application be deferred due to inaccuracies within the submitted application.

### **Item 6 - 02/00437/FUL - 26A Eastwood Road, Rayleigh.**

**Proposal** - erect part two storey, part three storey, public house and restaurant building with ancillary residential flat (demolish existing building)

Members received a presentation from Officers which brought to their attention the situation with regard to the first-floor accommodation at the adjacent property. The Committee was also advised of a revised ground floor layout that had been received in the office and which sought to overcome the highway issues detailed in the report with improved visibility splays and an increased delivery area.

Mindful of this, Members considered that the Officers recommendation for refusal should stand, although the reasons for refusal numbered 1 and 2 should be amended to take the above into account.

#### **Resolved**

That permission be refused for this proposal for the following reasons:

- (1) The development proposal constitutes a use which will encourage the congregation of significant numbers of people at the site into the late evening. The closest residential use is located immediately adjacent to the proposed use, at the first-floor of 28 Eastwood Road. The arrangement of that residential use is such the bedroom is immediately adjacent to the delivery bay, terrace and front entrance of the proposed use. Other residential uses are in close proximity at 22E Eastwood Road and the maisonettes on the north side of Eastwood Road. It is the view of the LPA that the proposed use, by virtue of the activity generated in terms of people calling at and leaving the site, will be unacceptable and detrimental to amenity of the occupiers of the closest residential uses.

- (2) The regulation for the provision of a frontage delivery bay to Eastwood Road leads to the situation where this element is a dominant feature in the frontage views of the proposed building. This feature and the raised and enclosed terrace area, gives, in the view of the Local Planning Authority, a bleak and fragmented appearance to the front of the building to the detriment of the views of the area and the street scene.
- (3) As per the Schedule.

**Item 7 - 01/00947/FUL - New Reeds Nursery site, land adjacent Temple Lodge, Sutton Road.**

**Proposal** - erect composting shed, materials store and meter housing buildings

**Resolved**

That the application be approved subject to the conditions in the Schedule.

**Item 8 - 02/00551/FUL - The Yard Crouchman's Lane, Poynters Lane, Great Wakering.**

**Proposal** - change of use of existing buildings and addition of northern extension to create business centre

Consideration of this item was deferred for a Members site visit.

**Resolved**

That a Members site visit be arranged. (HAMS)

**Item 9 - 02/00424/FUL - Land adjoining 87 Rectory Avenue, Rochford**

**Proposal** - erection of 40 (No) 2 - 4 bed, two and three storey dwellings (including 5 No.affordable units), Estate Road and other associated works together with the creation of a wildlife receptor site

Members received a presentation in respect of this item and noting the points outlined within the Planning Services Addendum it was

**Resolved**

That the application be approved subject to the completion of a legal agreement dealing with the heads of agreement in the Schedule and also the conditions outlined in the Schedule and as amended below:

**Condition 17** - Condition to be expanded to cover matters addressed in the HHH&CC's consultation response regarding the remediation/decontamination of the site.

**Add Condition Head 24** - Ensuring gates within the alleyway are locked.

The meeting closed at 9.27pm

Chairman .....

Date .....