

Planning Services Committee - 14 December 2000

Minutes of the meeting of the **Planning Services Committee** held on **14 December 2000** when there were present:

Cllr R E Vingoe – Chairman

Cllr R Adams	Cllr V H Leach
Cllr R S Allen	Cllr Mrs S J Lemon
Cllr R A Amner	Cllr T Livings
Cllr Mrs R Brown	Cllr J R F Mason
Cllr P A Capon	Cllr G A Mockford
Cllr T G Cutmore	Cllr C R Morgan
Cllr D M Ford	Cllr P J Morgan
Cllr Mrs J E Ford	Cllr R A Pearson
Cllr G Fox	Cllr Mrs L I V Phillips
Cllr J E Grey	Cllr S P Smith
Cllr Mrs H L A Glynn	Cllr M G B Starke
Cllr Mrs J Hall	Cllr P D Stebbing
Cllr D R Helson	Cllr Mrs M J Webster
Cllr Mrs J Helson	Cllr P F A Webster
Cllr Mrs L Hungate	Cllr D A Weir
Cllr C C Langlands	Cllr Mrs M A Weir

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs C I Black, K A Gibbs, Mrs J M Giles, A Hosking and Mrs W M Stevenson.

OFFICERS PRESENT

S Scrutton	-	Head of Planning Services
A Bugeja	-	Head of Legal Services
J Whitlock	-	Planning Manager
K Steptoe	-	Team Leader
J Bostock	-	Principal Committee Administrator

425 MINUTES

The Minutes of the Meeting held on 23 November 2000 were approved as a correct record and signed by the Chairman subject to deletion of the final two lines at the base of page 7.

426 DECLARATIONS OF INTEREST

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

Items D4 and D7

Councillors D M Ford and Mrs J E Ford each declared an interest by virtue of Councillor D M Ford's employment.

Item 3

Councillor G Fox declared an interest by virtue of living above the premises subject to the application and left the Meeting during its consideration.

Councillor R S Allen declared a non-pecuniary interest by virtue of having previously instructed the Agent.

427 CONSULTATION FROM CASTLE POINT BOROUGH COUNCIL

The Committee considered the report of the Head of Planning Services on a consultation from Castle Point Borough Council for the construction of an environmental pond, earth banking and formation of spoil heaps, land east of St Michael's Road and south of Arterial Road, Daws Heath.

Resolved

That Castle Point Borough Council be informed that the comments of this Council are as follows:-

No objection is raised with regard to the principle of the proposed development, provided that control is exercised to ensure that the pond is utilised for a private or conservation purpose and that there is no general public access to the site (or, if public access is to be created, appropriate measures are put in place with regard to car parking etc.). (HPS)

428 ADOPTION OF PLANNING ENFORCEMENT POLICY

The Committee considered the report of the Head of Planning Services on the adoption of a Planning Enforcement policy for the Authority.

The Committee agreed a motion moved by Councillor Mrs H L A Glynn and seconded by Councillor P F A Webster that the words "even though it may have initially been authorised" be removed from paragraph 3(iv). It was also agreed that the term "genuine" in the first line of paragraph 1(i) should be replaced with the term "alleged".

Resolved

That, subject to the above adjustments, the Enforcement Policy be formally adopted and published as Rochford District Council's policy on Minutes Part 3

429 BREACH OF PLANNING CONTROL AT BARNFLEET VILLAS, POYNTERS LANE, GREAT WAKERING

The Committee considered the report of the Head of Planning Services on various breaches of planning control at the above site.

Resolved

That the Corporate Director (Law, Planning and Administration) be authorised to take all necessary action, including the issue of notices and action in the courts, to secure the remedying of the breach of planning control. (HPS)

430 BREACH OF PLANNING CONTROL AT WRINGTON, EASTWOOD RISE, EASTWOOD

The Committee considered the report of the Head of Planning Services on the failure of the applicant to submit details relating to Condition 10 of planning permission 99/00375/FUL regarding land levels on the site.

Resolved

That the Corporate Director (Law, Planning and Administration) be authorised to take all necessary action, including the issue of notices and action in the courts, to secure the remedying of the breach of planning control. (HPS)

431 BREACH OF PLANNING CONTROL AT LICHFIELD, BOSWORTH ROAD, EASTWOOD

The Committee considered the report of the Head of Planning Services on the failure to comply with Condition 6 of planning permission F/0563/97/ROC regarding the use of the cellar as habitable accommodation and retaining the cellar in its approved form.

Resolved

That the Corporate Director (Law, Planning and Administration) be authorised to take all necessary action, including the issue of notices and action in the courts, to secure the remedying of the breach of planning control. (HPS)

432 BREACH OF PLANNING CONTROL AT 4 CREEKSEA FERRY ROAD, CANEWDON

The Committee considered the report of the Head of Planning Services on the change of use of land to residential garden, the storage of a temporary building and use of a caravan as living accommodation without the benefit of planning permission.

Resolved

That the Corporate Director (Law, Planning and Administration) be authorised to take all necessary action, including the issue of notices and action in the courts, to secure the remedying of the breach of planning control. (HPS)

433 BREACH OF PLANNING CONTROL AT “GRIPS”, 58 EASTWOOD ROAD, RAYLEIGH

The Committee considered the report of the Head of Planning Services on a breach of planning control, namely the installation of roller security shutters at the above site.

Resolved

That the Corporate Director (Law, Planning and Administration) be authorised to take all necessary action, including the issue of notices and action in the courts, to secure the remedying of the breach of planning control. (HPS)

434 SCHEDULE OF DEVELOPMENT APPLICATIONS AND RECOMMENDATIONS

The Committee had before them the current schedule of planning applications for consideration.

Item D1 – 00/00540/OUT – Cherry Orchard Nursery, Cherry Orchard Lane, Rochford

Proposal – Outline application for Agricultural Manager’s dwelling.

Members concurred with Officers that it would be appropriate to defer this application for further examination of the financial justification.

Resolved

That the application be deferred for further examination of the financial justification.

Item D2 – 00/00406/OUT – 232 Eastwood Road, Rayleigh

Proposal – Outline application to demolish existing bungalow and erect five detached 4 bed houses

Mindful of Officers' recommendation for approval, Members considered nevertheless, that the proposal comprised an unacceptable form of backland development. Mention was made of the potential for the development to set a precedent, overlooking, impact on wildlife, flooding and trees.

Resolved

That the application be refused for the following reason:-

1. The proposals represent a form of backland development which has been judged against the appropriate policies of the Rochford District Local Plan. In that respect it is considered that the proposals are inadequate in respect of the impact of access arrangements, the relationship between the new and existing dwellings and the scale of the development proposed.

Although in outline form the proposals represent the development of four large dwellings to the south of the existing Eastwood Road frontage development. It is considered that the scale of the properties and garages when judged against the land available for vehicle parking and circulation and residential garden, will result in a form of development which is cramped in appearance and which has an unduly over dominant impact on the amenity of existing occupiers in adjacent dwellings. Particularly given the siting of the houses on Plots 2 and 5 close to the edge of the application site and their relationship to the existing properties fronting Eastwood Road. The new private drive arrangement serving the site along the side boundaries of 232 and 234 Eastwood Road is not satisfactory and will cause a loss of amenities to the occupiers thereof.

2. The site contains a number of trees protected by Tree Preservation Order. The development proposals require that at least one of these trees will be removed and that others of them will be under threat either as a direct result of the development or as a result of pressure for their removal after development. It is the view of the LPA that the loss and/or potential loss of these trees is unjustified and results in an unacceptable impact on the visual amenity of the area.
3. The current state of the site is such that it may be of interest in wildlife terms and may provide a habitat or foraging ground for protected animal species. At present no information has been

supplied to the LPA to establish the precise ecological interest of the land. In the absence of such information it is not clear whether the proposed development will result in harm to such protected animals.

4. The application site is bounded by a watercourse to its southern boundary. Whilst the layout of the site is such that the built forms of development are located outside of the 1 in 100 year flood event contour, the Local Planning Authority is of the view that this form of site layout both exacerbates the cramped nature of the layout on the site and is still not acceptable in relation to flooding as it results in a situation where significant parts of the curtilages of two of the proposed plots remain within the flood risk area.

Item 3 – 00/00758/COU – 20 High Street, Great Wakering, Southend-on-Sea

Proposal – Change of use of Florist Shop (Class A1) to Estate Agent (Class A2)

Resolved

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

Item 4 – 00/00806/GD – AWE Headquarters site, Foulness Island, Southend-on-Sea

Proposal – Erect warehouse building

Resolved

That the application be approved subject to the conditions in the schedule and an additional Condition3:-

Condition 3 – SC97 Archaeological Site access. The letter to set out the Council's Resolution to draw out the Local Planning Policies with regard to wildlife impact and also requesting the removal of the building if it should become redundant for its intended purpose.

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Item 5 – 00/00289/FUL – Holy Trinity Church, Hockley Road, Rayleigh

Proposal – Erect memorial wall and associated works to north west of church

Consideration of this application was deferred for a Members' site visit.

Resolved

That a Members' site visit be arranged. (HAMS)

Item 6 – 00/00609/FUL – 1A Church Road, Barling

Proposal – Demolish existing bungalow and garage. Erect detached 4-bed chalet with detached double garage.

Resolved

That authority be delegated to the Head of Planning Services to determine the application in accordance with the recommendation set out in the Committee report, subject to there being no further issues raised as a result of the re-consultation process and on the basis of the bedroom window on the upstairs flank elevation being removed and the change of a sitting room flank window into a high level window.

Item 7 – 00/00377/COU – DERA Headquarters, Potton Island, Great Wakering

Proposal – Change of Use of DERA Headquarters buildings to corporate training use (to incorporate manager's flat).

Consideration of this application was deferred for a Members' site visit and further information.

Resolved

That a Members' site visit be arranged and further information obtained concerning lease arrangements and controls and how and where training activities will take place, particularly any outside the compound area. (HAMS/HPS)

Item 8 – 00/00068/FUL – Blounts Farm, Murrels Lane, Hockley

Proposal – Erect new mushroom growing unit (46m x 88m x 7m high) and refurbishment of existing buildings.

Mindful of officers' recommendation of approval, Members considered nevertheless that the proposal would be detrimental by virtue of its size and scale and be inappropriate for the Green Belt and an area of Landscape Improvement within the historic heart of the community.

Resolved

That the application be refused for the following reasons:-

Reason 1 : The Rochford District Local Plan First Review shows the site to be within the Metropolitan Green Belt and the proposal is considered to be contrary to Policy GB1 of the Local Plan and to Policy S9 of the Essex Structure Plan. Within the Green Belt, as defined in these policies, planning permission will not be given, except in very special circumstances, for the construction of new buildings or for the change of use or extension of existing buildings (other than reasonable extensions to existing buildings, as defined in Policies GB2 and GB7 of the Local Plan), for purposes other than agriculture, mineral extraction or forestry, small scale facilities for outdoor participatory sports and recreation, cemeteries or similar uses which are open in character. Any development which is permitted shall be of a scale, design and siting, such that the appearance of the countryside is not impaired.

In the opinion of the LPA, the proposed building measuring some 83m x 47m x 7m high would by reason of its size, siting and industrial appearance be detrimental to the appearance, character and openness of the Green Belt. Furthermore, it cannot fail but to adversely affect this particularly attractive countryside hereabouts which comprises open ground rising to the small cluster of dwellings and Church to the North West and the distant views enjoyed thereabouts.

Reason 2 : The proposal falls within a Landscape Improvement Area and by reason of its siting, design and materials, the building will not improve the character of the area, contrary to Policy RC8 of the Rochford District Local Plan First Review and NR13 of the Essex Structure Plan .

Item 9 – 00/00319/FUL – Land at Glencrofts, Hawkwell

Proposal – Erect one 4-bed and three 5-bed detached dwellings with attic rooms, three with attached double garages, one with detached double garage and access road.

Resolved

That the application be deferred for further information regarding drainage.

Item 10 – 00/00320/FUL – Land at Glencrofts, Hawkwell

Proposal – Erect two 4-bed and two 5-bed detached dwellings with attic rooms. Three with attached double garage and one with detached double garage, layout access road.

Resolved

That the application be deferred for further information regarding drainage and amphibians.

NOTE: Councillor J R F Mason wished it to be recorded that he had voted against the above decision.

435 One to One Personal Communications Ltd.

NOTE: The Chairman admitted this item of business as urgent in view of the set time requirement for a decision.

The Committee considered the report of the Head of Planning Services on a proposal to erect a 15M monopole telecommunications mast, one trisector antenna, one dish antenna and ancillary development at ATE Telephone Exchange, Highams Road, Hockley.(00/00815/DPDP24)

On a motion moved by Councillor D A Weir and seconded by Councillor P F A Webster it was:-

Resolved

- (1) That Notice be issued to the applicant that the development can be carried out in accordance with the details submitted
- (2) That a formal submission be made to the Secretary of State for the Environment, Transport and the Regions requesting amendments to the Town and Country Planning Act as outlined in the report.

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- (3) That a copy of the submission be sent to the Local Government Association, Essex MP's, Essex County Council Members, the Rural Town Planning Institute and the Association of Essex Authorities support their submissions to the Secretary of State.
- (4) That a press release be prepared which fully explains the Council's concerns and the existing limits of control over proposals for new telecommunication masts, particularly those below 15M in height. (HPS)

The meeting closed at 10.14 p.m.

Chairman

Date