



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY  
PLANNING SERVICES COMMITTEE 29th May 2003**

All planning applications are considered against the background of current Town and Country Planning legislation, rules, orders and circulars, and any development, structure and locals plans issued or made thereunder. In addition, account is taken of any guidance notes, advice and relevant policies issued by statutory authorities.

Each planning application included in this Schedule is filed with representations received and consultation replies as a single case file.

The above documents can be made available for inspection as Committee background papers at the office of Planning Services, Acacia House, East Street, Rochford.

If you require a copy of this document in larger print, please contact the Planning Administration Section on 01702 – 318191.

## **PLANNING SERVICES COMMITTEE - 29 May 2003**

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### **ASHINGDON AND CANEWDON**

Cllr Mrs T J Capon

Cllr T G Cutmore

### **FOULNESS AND GREAT WAKERING**

Cllr T E Goodwin

Cllr C G Seagers

Cllr Mrs B J Wilkins

### **WHEATLEY**

Cllr J M Pullen

Cllr Mrs M J Webster

### **WHITEHOUSE**

Cllr S P Smith

Cllr P F A Webster

## **PLANNING SERVICES COMMITTEE 29th May 2003**

### **REFERRED ITEM**

- |    |   |        |
|----|---|--------|
| R1 | 03/00166/FUL<br>Extend Both Existing Spectator Stands, Erect Toilet Building and Turnstile Block (to upgrade ground facilities)<br>Great Wakering Rovers Football Club Little Wakering Hall Lane Great Wakering | PAGE 4 |
|----|---|--------|

### **SCHEDULE ITEMS**

- |   |  |                               |
|---|--|-------------------------------|
| 2 | 03/00171/OUT<br>Detached Dwelling And Garage<br>The Bungalow Fambridge Road Ashingdon  | Mr Peter Whitehead<br>PAGE 7  |
| 3 | 03/00103/FUL<br>Erect Three Storey Block of Eight Flats (1 and 2 Bed)<br>Layout Foot Access (No Vehicle Access)<br>Land Rear Of 4-6 Eastwood Road Rayleigh | Mr Peter Whitehead<br>PAGE 14 |
| 4 | 03/00304/FUL<br>Construct Concrete Hardstanding (To Serve as Skateboard Facility)<br>King George Playing Field Eastwood Road Rayleigh                      | Miss Lorna Maclean<br>PAGE 24 |

**PLANNING SERVICES COMMITTEE - 29 May 2003      Item R1**  
**Referred Item**

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**TITLE :**                    **03/00166/FUL**  
**EXTEND BOTH EXISTING SPECTATOR STANDS, ERECT**  
**TOILET BUILDING AND TURNSTILE BLOCK (TO UPGRADE**  
**GROUND FACILITIES)**  
**GREAT WAKERING ROVERS FOOTBALL CLUB, LITTLE**  
**WAKERING HALL LANE, GREAT WAKERING**

**APPLICANT:**            **GREAT WAKERING ROVERS F.C.**

**ZONING:**                **ALLOTMENTS**

**PARISH:**               **GREAT WAKERING PARISH COUNCIL**

**WARD:**                  **FOULNESS AND GREAT WAKERING**

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In accordance with the agreed procedure this item is reported to this meeting for consideration.

This application was included in Weekly List no. 673 requiring notification of referrals to the Head of Planning Services by 1.00pm on Tuesday 6<sup>th</sup> May 2003, with any applications being referred to this Meeting of the Committee. The item was referred by Councillor D A Weir.

The item which was referred is appended as it appeared in the Weekly List together with a plan.

**NOTES**

- 1.1 This application proposes the extension of both spectator stands, the erection of a toilet building and turnstile block to upgrade the ground's facilities.
- 1.2 The site is located in an open area as part of the existing football ground premise. Subject to the recommended conditions, no amenity issues have arisen out of this application.

- 1.3 **County Surveyor (highways) – De Minimus. Local Plans –** I do not believe that the proposal are concordant with policy, nor PPG2 or Replacement Structure Plan policy C2. The proposal will incrementally impact upon the Green Belt and do not constitute either small scale or participatory facilities. I therefore believe the scheme to be inappropriate development within the Green Belt. **Environment Agency –** No objection. **Anglian Water –** No objection. An advisory note should be added to any permission to the effect that the proposals may be refused at Building Regulations stage as they must comply with Part H of the Building Regulations. The applicant will be required to contact Anglian Water with regard to building over/ near to a public sewer. **Housing, Health and Community Care –** Advisory comments with regard to no noise amplification.

**APPROVE**

- 1 SC4 Time Limits Full - Standard
- 2 SC14 Materials to be Used (Externally)
- 3 SC43 Amplification Prohibited

**Relevant Development Plan Policies and Proposals:**

GB1 of the Rochford District Local Plan First Review

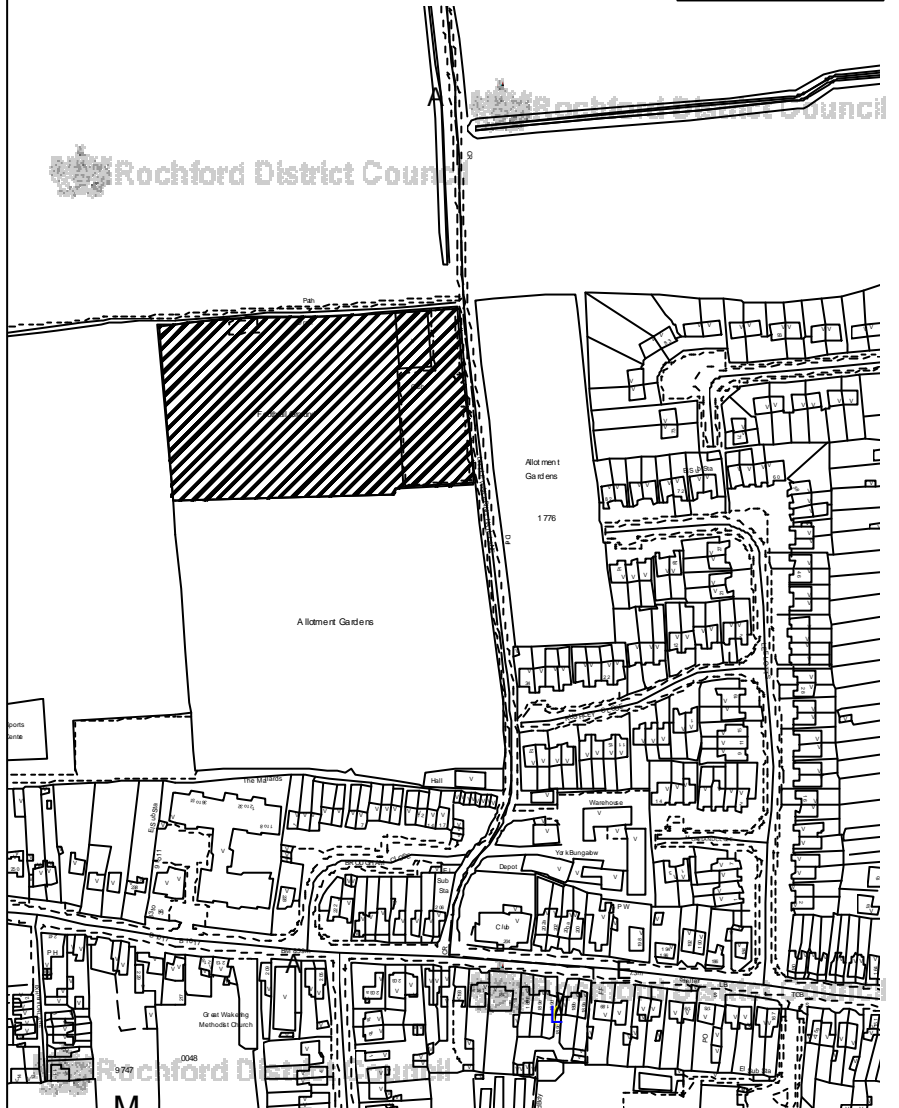


Shaun Scrutton  
Head of Planning Services

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For further information please contact Lee Walton on (01702) 546366.

03/00166/FUL



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**TITLE :** 03/00171/OUT  
ERECTION OF DETACHED BUNGALOW AND GARAGE  
(OUTLINE APPLICATION)  
LAND AT THE BUNGALOW FAMBRIDGE ROAD SOUTH  
FAMBRIDGE

**APPLICANT :** MR JOHN MAUNDERS

**ZONING :** RESIDENTIAL/METROPOLITAN GREEN BELT

**PARISH:** ASHINGDON PARISH COUNCIL

**WARD:** ASHINGDON & CANEWDON

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#### **PLANNING APPLICATION DETAILS**

- 2.1 The application proposes the erection of a detached bungalow on land to the side of an existing property known as "The Bungalow". The application site currently accommodates a number of dilapidated outbuildings, lying within the recognised curtilage of The Bungalow.
- 2.2 The application is in outline form, with all matters reserved at this stage. The application is, however, accompanied by an indicative plan illustrating one means of accommodating a bungalow and attached garage on the site.

#### **RELEVANT PLANNING HISTORY**

- 2.3 None

#### **CONSULTATIONS AND REPRESENTATIONS**

- 2.4 **Ashingdon Parish Council** - the application site is for a site which is residential land on the edge of the Green Belt. No objection provided that all policies relating to the green belt are adhered to.
- 2.5 **Essex County Council (Highways)** - *de minimis*
- 2.6 **Head of Housing Health & Community Care** - No adverse comments, subject to SI16 (Control of Nuisances).
- 2.7 **Anglian Water** - no comments
- 2.8 **Environment Agency** - advisory comments regarding foul and surface water drainage

- 2.9 **English Nature** - has sent a standard response advising that the proposal would not affect any Sites of Special Scientific Interest and asking that if protected species are known to be present on the site it be contacted further for advice.

## **MATERIAL PLANNING CONSIDERATIONS**

### 2.10 **Site Allocation**

Within the Rochford District Local Plan First Review, the application site largely lies within the residential allocation of South Fambridge. A small portion of the site, shown to be part of the garden of the proposed bungalow, lies within the Metropolitan Green Belt. This piece of land currently forms part of the garden of The Bungalow. Its use as part of the garden of a further property on the site would not, therefore, result in a change of use or present a problem in policy terms.

### 2.11 **Spatial Issues**

The indicative plans show the footprint of a bungalow with attached garage, contained within the residential allocation. The proposed bungalow would be situated on the site of a large group of outbuildings, which are now fairly dilapidated. The proposed property would be set back from the road further, in fact, than the existing outbuildings, and broadly in line with the adjacent property. Whilst the scale, design and siting of proposed bungalow would need to be considered at reserved matters stage, the siting of a bungalow in the position shown on the indicative plan does not appear unreasonable in street scene terms.

### 2.12 **Other Considerations**

The other key material consideration in this case concerns a Council resolution to restrict house numbers in South Fambridge, which dates back to the 1980s. The background to this is broadly as follows:

- 2.13 Prior to the publication of the Rochford District Local Plan, the village of South Fambridge was situated in the Metropolitan Green Belt (on the County Council's Essex-Wide Approved Review Development Plan (1976)). In the 1980s, as part of the preparation of the original Rochford District Local Plan, the District Plan Working Party prepared the South Fambridge Village Plan Brief. At that time, an application had been received for residential development on the site of a former engineering works. The Council considered the replacement of this factory with low density housing was reasonable, but also considered that the character of the village should be maintained. To this end, a limit on house numbers in South Fambridge was considered. The Minutes of the Development Control Committee 16<sup>th</sup> February 1989, refers to, *'the desirability of placing an upper limit on the number of houses that could be accommodated in the village envelope so as to preserve and enhance the existing character of this rural settlement.'*



- 2.14 As part of the Village Plan Brief, it therefore resolved to limit the number of housing units in South Fambridge to 61. (NB: the figure was originally set at 60 units, but was subsequently increased to 61 in response to an amended layout for the development of new housing proposed in the village). The figure of 61 housing units took into account the then-existing 31 houses in the village, together with the redevelopment of the engineering works and several other smaller developments. The figure of 61 houses was set since it was considered that new development should not more than double the size of the village.
- 2.15 The limit on housing units was not incorporated into the Rochford District Local Plan (1988). However, within that Plan the village was removed from the Metropolitan Green Belt and provided with a residential allocation. This allocation included the area of the former engineering works, which was subsequently developed for housing. Similarly, the limit on housing units was not incorporated into the First Review of the Local Plan (1995). Nevertheless, the limit on house numbers remains in place, and is material to the consideration of the current application.
- 2.16 It is calculated that there are currently 61 housing units in South Fambridge, excluding the Anchor public house. The current application would increase the number of housing units in the village by one, hence the application is technically contrary to the limit on housing units. The question though is the weight that should be applied to this 'limit'. Should the figure of 61 housing units be applied as an absolute limit, with some flexibility or, indeed, be considered to have outlived its usefulness, having been superseded by more recent government guidance, etc.?
- 2.17 The fact that the 'limit' on housing units was not incorporated in a policy in either Local Plan does mean that this factor is not granted the full weight of a policy, but still carried some weight as supplementary guidance. Indeed, a report of the District Plan Working Party on 19<sup>th</sup> January 1989, notes that the Brief should be of 'informal status', which does suggest that even then it was considered that the figure of 61 units should be used as guidance, rather than as an absolute figure.
- 2.18 Clearly too, there have been major shifts in planning policy guidance since the late 1980s. PPG3 (Housing) sets out that Councils should seek to make most efficient use of land allocated for housing purposes. At the same time though current policy guidance seeks to reduce car use, and promote new housing at higher densities in areas well served by public transport and close to shops, schools and other essential facilities.
- 2.19 **Sustainability**  
South Fambridge is one of the District's more remote settlements, if not the most. There are no shops in the village and, with the recent closure of the Anchor public house, the village would appear to have no social or other facilities. Moreover, there is no employment or, indeed, public transport link to/from the village. Therefore, it can only be concluded that most trips from the village, even to buy a pint of milk, etc., are by car. So, providing significant numbers of new houses in South Fambridge would not, on the face of it, meet the government's sustainability objectives.

- 2.20 However, with the closure of village shops, etc., it is fair to say, that many other of the District's settlements are also remote from essential facilities., e.g. Hawkwell, Great Stambridge, Barling, etc. Moreover, whilst such settlements may be served by buses, the frequency of these is not such that they provide a credible alternative to the car. Despite this, when considering an application for new housing with the residential allocation of these settlements, the issue of sustainability would not normally be granted much weight.
- 2.21 With regard to South Fambridge, it should be noted that the reason for limiting house numbers in the village was not because of the remoteness of the village from facilities but in order to preserve and enhance the existing character of this rural settlement.
- 2.22 Having regard to these points then, it is not considered that it would be reasonable to distinguish between South Fambridge and other settlements, in terms of sustainability, or that there any firm policy basis on which to do so.
- 2.23 This being so, the question is whether the erection of the bungalow proposed in the current application would materially and detrimentally affect the character of the village.
- 2.24 **The Character of the Village**  
Notwithstanding, the limit on housing units, South Fambridge has a residential allocation and here, as elsewhere, due regard must be had to the guidance of PPG3, which seeks to make most efficient use of urban land.
- 2.25 Whilst it would be the case that the extension of the village outside the existing residential allocation would detrimentally affect the village's existing compact scale and character, this would involve extending the village into the Green Belt which would, clearly, fly in the face of Green Belt policy. It is questioned though whether the replacement of buildings within the residentially allocated part of the village or the erection of dwellings on any other areas of land that may also remain within this area would, subject to compliance with all of the Council's normal spatial criteria and standards, necessarily affect the character of the village, though of course each case must be determined on its individual merits.
- 2.26 Looking at the current proposal, as one approaches the village of South Fambridge from Ashingdon, the proposed bungalow will be the first property on the left-hand-side, before one reaches the existing property known as The Bungalow. As indicated above, it will be broadly situated on the footprint of some existing outbuildings. The provision of a bungalow in this general location is considered reasonable. It is not considered that it will appear out of place, or demonstrably affect the character of the village. Although it is not considered a crucial factor here, regard should also be had to the mass of buildings the proposed bungalow will replace.
- 2.27 In this case, therefore, whilst regard has been had to the limit on housing units, it is difficult to conclude that the current application would demonstrably affect the character of the village, such that it could reasonably be resisted.

**CONCLUSION**

- 2.28 The application proposes the erection of a detached bungalow within the residential allocation of South Fambridge. Elsewhere, subject to the issues of design, siting, and compliance with normal spatial standards, this would be a straightforward application. However, in South Fambridge, a Council resolution passed in the late 1980s sought to limit house numbers in South Fambridge to 61, so as to preserve and enhance the existing character of the village.
- 2.29 There are currently 61 housing units in South Fambridge, excluding the Anchor public house. The current application would raise the number of housing units by one, contrary to the limit on house numbers.
- 2.30 As discussed above, the provision of a bungalow would not appear unreasonable. Although the application is in outline form, it is apparent that the plot is large enough to accommodate a house, garage, garden, etc., and it is considered that it would appear reasonable in street scene terms.
- 2.31 Moreover, it is considered difficult to conclude that the development would demonstrably affect the character of the village; and, in this respect, it should be remembered that the limit on housing units was put in place to preserve the village's character.
- 2.32 Whilst it is considered that the limit on housing units must be taken into account, it is not considered that the figure of 61 units should be considered prescriptively. It does not form part of the Local Plan, and even reports written about the Village Plan Brief note that it should have an 'informal status.' Certainly, in the current case, it is not considered that the proposal will demonstrably affect the village's character. This being so, approval is recommended.

**RECOMMENDATION**

- 2.33 It is proposed that this Committee **RESOLVES** to **APPROVE** the application, subject to the following conditions:
- 1 SC1 Reserved Matters - Standard
  - 2 SC3 Time Limit Outline - Standard
  - 3 SC9A Removal of Buildings
  - 4 SC49A Means of Enclosure
  - 5 SC75 Parking & Turning Space
  - 6 SC90 Surface Water Drainage
  - 7 SC91 Foul Water Drainage

**Relevant Development Plan Policies and Proposals:**

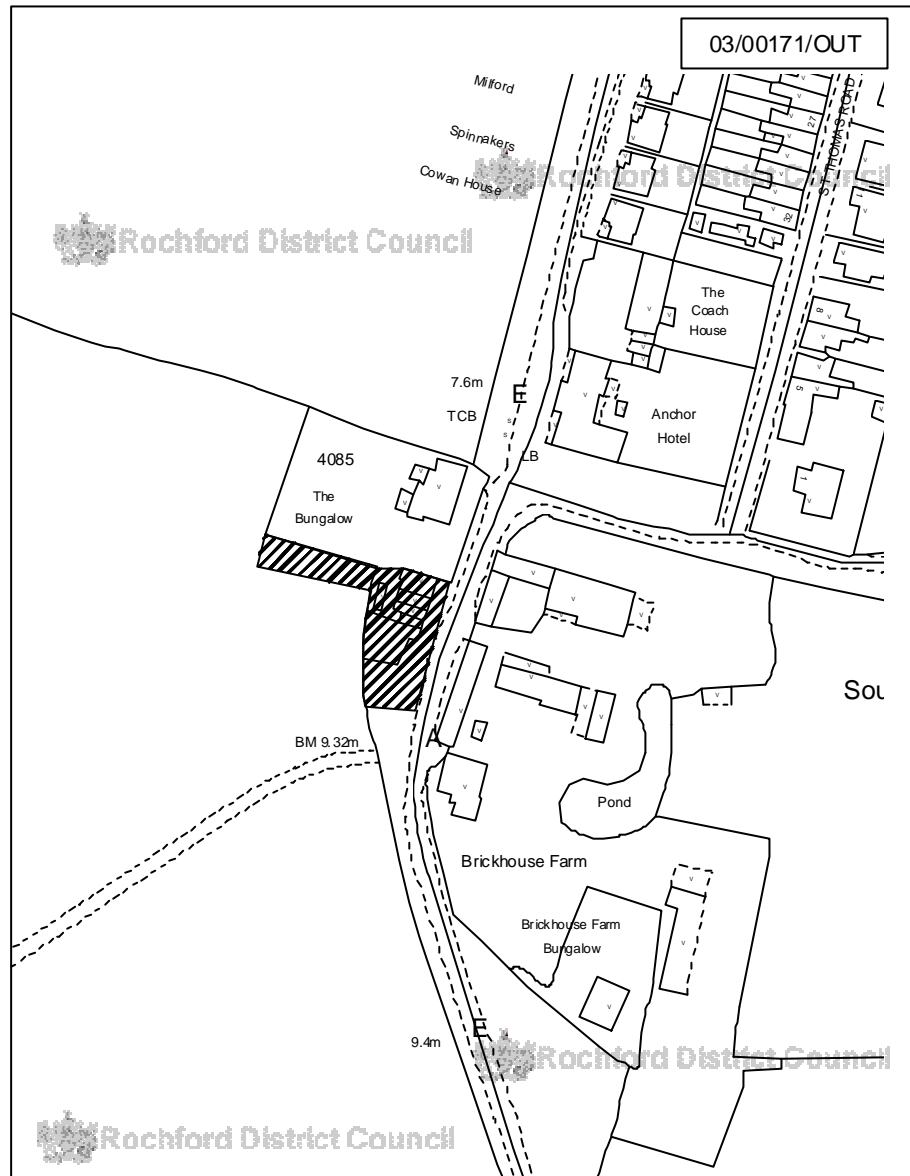
H11 Rochford District Local Plan First Review

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Shaun Scrutton  
Head of Planning Services

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For further information please contact Peter Whitehead on (01702) 546366.



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NTS



**TITLE :**                    **03/00103/FUL**  
**ERECT THREE STOREY BLOCK OF EIGHT FLATS (1 AND 2-BED), LAYOUT AND FOOT ACCESS**  
**LAND R/O 4 AND 6 EASTWOOD ROAD RAYLEIGH**

**APPLICANT :**            **ABBA CARS LTD**

**ZONING :**                **POLICE STATION**

**PARISH:**                **RAYLEIGH TOWN COUNCIL**

**WARD:**                  **WHITEHOUSE**

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**PLANNING APPLICATION DETAILS**

- 3.1 The application proposes the erection of a three storey block of flats, containing 5no 2-bed flats and 3no 1-bed flats. The block would have an overall height of 9.2m.
- 3.2 The building is proposed on a parcel of land to the rear (west) of 6 and 8 Eastwood Road. An alleyway between Nos. 6 and 8 would provide pedestrian access to the site. No parking spaces whatsoever are proposed on the application site. Indeed, given the size of the footprint of the building relative to the size of the site, none could be provided. This alley currently provides vehicular access to areas of car parking to the rear of nos. 6 and 8.
- 3.3 No.6 Eastwood Road is currently in use as a betting shop (Coral), and has a flat and office above. No.8 is a hairdressers shop.
- 3.4 Rayleigh Police Station, itself a three storey building, lies to the west of the site. An access road serving the Police Station's car park lies between the Police Station building and the application site. Kennels used by the Police for the temporary holding of stray dogs lie in an area beside the access road, again adjacent to the application site.
- 3.5 Somerfields Car Park lies immediately to the south-west of the application site. This car park provides parking for Somerfield customers, and rear servicing for the store. The main delivery bay for Somerfields is situated approximately 35m from the application site.

**RELEVANT PLANNING HISTORY**

CU/034/98 - Use of site for parking of staff cars from the adjacent Somerfield supermarket . APPROVED.

01/00240/FUL - Two Storey Office Building. Layout Area for Deliveries and Taxi Storage. APPROVED.

**CONSULTATIONS AND REPRESENTATIONS**

- 3.6 **Essex County Council (Highways)** - No objection
- 3.7 **Essex County Council (Archaeology)** - notes that the site lies on the edge of the Medieval town of Rayleigh, and that remains of a Medieval or post-Medieval date may survive within the application site. A condition is recommended requiring a watching brief on the site.
- 3.8 **Local Plans** - within the current Local Plan, the land lies within the Police Station annotation. Essex Police have been contacted regarding land needs, pursuant to the Replacement Local Plan, and advise that there are no additional land requirements. In the Replacement Local Plan, therefore, the land is unlikely to retain the Police Station annotation. The site's Town Centre location and the availability of services and facilities make it suitable for residential development.
- 3.9 **Anglian Water** - no objection, subject to approval of foul and surface water drainage
- 3.10 **Environment Agency** - advisory comments re discharging foul drainage to the main sewer, and the use of sustainable drainage systems
- 3.11 **Rayleigh Civic Society** - raise the following concerns:
- the proposal constitutes backland development
  - access to the site is inadequate, for emergency and service vehicles
  - the proposal represents overdevelopment
  - no parking is intended. This will force people to use the Castle Road car park and/or approach the site via the Eastwood Road passageway, resulting in hazardous manoeuvres
  - unsatisfactory relationship to the established pattern of surrounding buildings
- 3.12 **Essex Police** - have responded as neighbours of the site. They see no major reason to object to the proposals, but draw attention to the following:
- "As an Operational [Police] Station, Rayleigh is functional 24 hours a day. This means that disturbances to residents may be unavoidable. The car park at the rear of the Station is used by all shifts at all times. The proposed flats will be virtually right next to the access ramp to this car park. Also, from time to time, the police response vehicles will need to exit the station in full response mode. This may involve the use of lights and sirens. Again, this would disturb residents, especially late at night."

- "Stray dogs are often housed in kennels overnight at the station. These kennels are situated on the boundary between the station and the proposed flats. Occasionally, the dogs do bark for quite some time. Again, whether during the day or late at night, this will of course disturb nearby residents."
- The station's security may be put at risk. The windows of the flats facing the station offer vantage points to view the station's innards; for example the opportunity to view notice boards may be possible, however unlikely
- The station's perimeter security may be affected. At present anyone crossing the existing vacant site to climb the perimeter fence would be seen; development of the flats may mean that such persons would be concealed. On the other hand, development of the site with flats would offer some natural surveillance to the perimeter.

3.13 **Head of Housing Health & Community Care** reports that there is the potential for disturbance by way of noise from a number of significant sources close to the site of the proposed development, which could be dealt with using Environmental Health legislation, inc. the Police Station, Somerfields supermarket, other rear service areas to nearby shops, and a public car park and footpath. The response advises that there may not be a technical solution to prevent noise from giving rise to disturbance to residents of the proposed development, and goes on to say that no approval should be granted until a noise survey has been submitted. A number of conditions are recommended, should approval be granted.

3.14 Three other letters have been received in response to the neighbour notification. These object to the proposals on the following broad grounds:

- Building excessively high
- Vehicular access inadequate
- Inadequate parking facilities for occupants of flats, or their guests
- Access to site is used by pedestrians walking through to the Castle Road Car Park
- Access not big enough to allow construction traffic onto the site
- Dirt and noise
- Flats too close to existing premises (on Eastwood Rd) and will restrict light
- Overlooking
- Unauthorised parking to the rear of Nos.4-8 is already a problem
- TV reception may be impaired by the building

### **MATERIAL PLANNING CONSIDERATIONS**

3.15 The key planning issues in this case are considered to be as follows:

1. Whether the zoning of the land for Police use represents a reason for objection to the proposals
2. Whether the backland location of the building is appropriate



3. Whether the proposed building will result in a loss of amenity to occupiers of existing flats etc facing the site
4. Whether the absence of any on-site parking to serve the development is acceptable and whether access to the site is acceptable
5. Whether the building would provide satisfactory living conditions for its occupants, having regard to existing land uses around the site.

**3.16 Zoning**

Within the current Local Plan, the site is zoned as part of the Police Station. The site is not, however, owned by the Police. Moreover, recent discussions with the Police reveal that they have no requirement to acquire additional land. Given these points, it is not considered that the zoning of the site presents a policy problem.

- 3.17 Attention should also be drawn to the fact that permission has been granted for office development (under ref. 01/00240/FUL), which remains valid today.

**3.18 Backland Location**

The site lies in a backland location, to the rear of the terrace of properties fronting Eastwood Road. The backland location of the site is unusual, but not unique in this general area. To the south-west of the site, a number of industrial units are also situated in a backland location. Clearly, the appropriateness of a building in this backland location has been previously considered, and found acceptable: permission has been granted for office development on the site. The Police Station is also a deep building, projecting well into the hinterland away from the road frontage.

- 3.19 In visual terms then, the backland location of the proposed building is considered acceptable, and compliant with Policies H11, H16 and H20.

**3.20 Impact of the Development upon Existing Residents**

Permission has previously been granted for a two storey office building on the site. To the occupants of flats above 4 and 6 Eastwood Road, the approved building would present a flank elevation 13m wide by 9.2m in height (overall).

- 3.21 The current proposal would present a flank elevation some 15.4m wide by 9.2m in height (overall).

- 3.22 The proposed building is larger than the approved building, and would present an unrelieved brick wall to the occupants of flats above 4 and 6 Eastwood Road, against the articulated flank elevation and gabled roof of the approved office building. This said, it is not considered that the scale or appearance of the building would be demonstrably harmful to occupants of the flats, merely a little plain.

- 3.23 Of the three units above Nos.4 and 6 Eastwood Road, the two outside units are in residential occupation, the middle one is in office use.

- 3.24 Both residential units have windows facing towards the application site. The distance from these windows to the proposed building is some 18-19m. The proposed building would be visible from these windows but not, it is considered, overbearing. A view either side of the building would be maintained.
- 3.25 The outlook from the middle unit would be most affected by the development, since it would look out 'square on' to the flank wall of the building. However, the unit is in office use, and little weight is generally attached to the amenities of the occupants of offices, against those of the occupants of dwellings. Moreover, the distance from the office unit to the proposed flats (18-19m) is reasonable and, as discussed above, it would be difficult to demonstrate actual harm.
- 3.26 The building now proposed is three storey, against the two storey building previously permitted. (The three storey building would be the same height as the two storey building (9.2m), because the central section of its roof would be flat).
- 3.27 Buildings fronting Eastwood Road at this point are generally two storey. However, the Police Station is a three storey building, somewhat higher than the proposed flats; and, indeed, is also a building of substantial depth and bulk. The Police Station would form part of the backdrop to the proposed flats.
- 3.28 Having regard to these points, it is not considered that the flats now proposed would appear out of scale or context with existing development. It is considered that the proposals would accord with Policies H11, H16 and H20.
- 3.29 **Car Parking and Access to the Site**  
As noted above, the application as submitted makes no provision whatsoever for on-site car parking. In a letter accompanying the application, the applicants explain the lack of on-site parking by noting that the site is a sustainable one, well served by public transport. The applicants also draw attention to the proximity of the site to public car parks, and the fact that shops can be reached on foot.
- 3.30 The Council has formulated revised parking standards, to take into account the government's up-to-date advice (PPG13) which seeks to reduce car use. The thrust of this guidance is that in central urban areas where shops and services are reachable on foot, and where good public transport links exist, on-site car parking to serve residential developments should be minimal or, indeed, absent. Application of the Council's revised standard requires a maximum of one space per unit. The provision of less spaces than this is concordant with the standard.
- 3.31 It is agreed that the site is just such a location where the absence of any on-site parking might be acceptable. While it cannot be guaranteed that the absence of on-site parking would dissuade residents of the proposed flats from owning/using cars (which is, of course, the government's objective), the site is reasonably close to major town centre car parks, which would offer residents or their guests a place to park. In the circumstances then, the absence of parking within the site is considered acceptable. In this regard, it should also be noted that the highway authority does not object to the proposal. This said, there is one access-related aspect of the proposal which has raised concern.

- 3.32 The site is a backland site, accessed via a narrow alleyway. Parking spaces do exist to the rear of Nos.6 and 8, although these are intended for the use of the hairdressers, bookmakers and units above. Pedestrian access is also available via the alley between Castle Road Car Park and Eastwood Road.
- 3.33 Whilst the site is reasonably close to car parks, the inability to park on the site would certainly be inconvenient. It is considered likely that there would be occasions when residents would drive into the alleyway, perhaps hoping to park in one of the spaces designated to Nos. 6 and 8, albeit for a short time; to drop off partners, to pick people up, etc. Alternatively, they would risk waiting in the alley.
- 3.34 It should be noted that any vehicle associated with the proposed flats that drove into the alley would be unlikely to be able to turn and leave the alley in forward gear. (To turn, vehicles would need to use one of the parking spaces to the rear of Nos.6 and 8, the availability of which could not be guaranteed or secured). Vehicles would therefore be likely to reverse down the alley, and out onto the pavement, without being able to see whether any pedestrians were seeking to cross the alley. They would then reverse out onto Eastwood Road. Whilst the highway authority has not objected to the application, Officers consider that this manoeuvre would be dangerous, particularly to pedestrians. Vehicles reversing down the alley would also potentially come into conflict with pedestrians walking up the alley or, indeed, other vehicles.
- 3.35 However, the local planning authority considers that vehicles driving into the alley or leaving the alley in forward gear would also have the potential to cause conflict and danger to pedestrians using the alley, or crossing it at its junction with Eastwood Road, and consider any intensification of its use to be undesirable.
- 3.36 Moreover, it would not necessarily be apparent to persons making deliveries to the flats or other tradespeople that there was no parking on the site. If the flats fronted a road, the absence of car parking would be immediately apparent. Callers would then have to seek somewhere appropriate to park. However, the flats are located in a backland location, and the absence of a parking/turning area serving them would not be apparent from the road. It is considered they would be likely to drive into the alley, expecting to find a car park/turning area serving the flats. The absence of a parking/turning area to meet their needs would lead to the problems just discussed.
- 3.37 This application can be clearly distinguished from the permission for office development, ref. 01/00240/FUL. In that case, the proposal included a limited area on-site for parking (storage of taxis) plus a parking space for a disabled person. In addition, a turning area and delivery areas were proposed. Accordingly, it is not considered that the office development would suffer from the shortcomings apparent in relation to the current application.

- 3.38 Concern relating to conflict between vehicles using the alley, and pedestrians, which would worsen with any intensification of the use of the alley, is nothing new. Permission was granted under ref. CU/0034/98/ROC for Somerfields to use the current application site as a car park for its own staff. Access was to be gained directly from Somerfields existing car park, requiring that vehicles cross the alley/footpath. That permission was subject to a large number of conditions, including the provision of barriers to protect pedestrians when vehicles were crossing the alley/footpath to access/exit the car park, and seeking to prevent vehicles using the alleyway to enter the car park.
- 3.39 Because of the above concerns, the current proposal is considered unacceptable. This aspect of the proposals would be contrary to Policy H20, which requires, in respect of backland development, 'an adequate and satisfactory means of access', and Policy TP15 which requires, 'adequate space for loading and unloading and turning of vehicles within the site of commercial and other development as appropriate.'
- 3.40 **Living Conditions for the Flats' Occupants**  
As noted above, the site is location adjacent to the Police Station, which is in use 24 hours a day. The general use of the access would result in noise at all times of the day and night, with vehicles arriving and departing, and car doors slamming, etc. The Police also draw attention to the dog kennels adjacent to the site boundary, and the disturbance that could take place from dogs barking. The site also abuts Somerfields car park, and is close to the store's main delivery bay. HGVs delivering goods typically arrive when the store is closed and the car park empty. Deliveries certainly take place the late evening (9-11pm).
- 3.41 Whilst it is inevitable that these land uses would result in some noise and activity at anti-social hours, the site is located within the town centre where such must be accepted to a degree. People buying the flats would be seeking the locational advantages of living in a town, and could not reasonably expect the tranquillity of a rural area. Whilst it is considered that the fabric of the flats, including the windows, would need to be designed to attenuate any noise arising from adjoining land uses, it is considered that this could be achieved by planning condition, were the proposal acceptable in all other respects. It is not considered that the degree of noise likely to arise on adjoining sites renders the site unacceptable for residential use.
- 3.42 In terms of amenity space, the applicant concedes that this is below the Council's normal standard, but draws attention to government guidance that this should largely be a matter for the developer to decide, and notes the proximity of the site to King George's Playing Field.
- 3.43 The amenity space shown is adequate to provide landscaping to the site, and provide a limited sitting out area. It is accepted that flat dwellers in towns have different expectations, and that the Council's normal standard for amenity space should not be employed prescriptively. A similar approach has been taken in respect of other similar flatted schemes in the town centre.

## CONCLUSION

- 3.44 The application proposes the erection of a three storey block containing 8no. flats.
- 3.45 A previous permission has been granted for a two storey office development.
- 3.46 The site is a backland site, accessed via a narrow alleyway off Eastwood Road. No parking spaces are proposed. Whilst the absence of car parking is consistent with government advice, the absence of a stopping/turning area within the site is considered unacceptable. Because alternative car parking is some distance from the site, and parking on Eastwood Road is prohibited (and the access is close to a bus stop too), it is considered that cars will nevertheless drive into the alley to get as close to the flats as possible to pick up people or drop them off. It is also considered that delivery drivers, etc., will drive into the alley expecting to find a parking/turning area. Any intensification by vehicles using the alley is considered undesirable, and potentially hazardous to pedestrians, in particular, using the alley and walking along Eastwood Road.
- 3.47 Whilst the proposals is considered reasonable in all other respects, the access concerns discussed above are considered sufficient to recommend refusal of the application.

## RECOMMENDATION

- 3.48 It is proposed that this Committee **RESOLVES** to **REFUSE** the application for the following reason:-
  - 1. In the opinion of the Local Planning Authority, whilst the absence of parking spaces to serve the proposed development is considered consistent with the Town Centre location of the site, the absence of an on-site turning area and stopping area for loading/unloading or to drop off/pick up people is not considered acceptable. The development is proposed on a backland site accessed via a narrow alley. The alley is wide enough for vehicular traffic; indeed, parking is provided at the head of the alley for the occupants of premises adjoining the application site. The alley also provides pedestrian access between Castle Road Car Park and Eastwood Road, and is well used in this regard. In the Local Planning Authority's view, irrespective of the absence of parking/turning facilities on the site, it is considered that residents of the flats and their visitors would be attracted to use the alley to load/unload or pick up/drop off people. Moreover, given that it would not be apparent from the road that a parking/turning facility did not exist to serve the flats, it is considered that deliverymen and other callers, would assume the presence of such facilities and drive into the alley to reach the flats. In any case, vehicles entering the alley to reach the flats would be unlikely to be able to turn and would, therefore, need to leave the alley in reverse gear.

In the Local Planning Authority's view such a manoeuvre would likely be prejudicial to the safety of pedestrians on the pavement at the junction of the alley with Eastwood Road and pedestrians walking up/down the alley itself. Such a manoeuvre could also result in a conflict with other vehicles driving into the alley, and be a source of highway danger for vehicles leaving/entering Eastwood Road. The means of access to the proposed flats is, therefore, considered unsatisfactory and inadequate, and contrary to Policies H20 and TP15 of the Rochford District Local Plan First Review.

**Relevant Development Plan Policies and Proposals:**

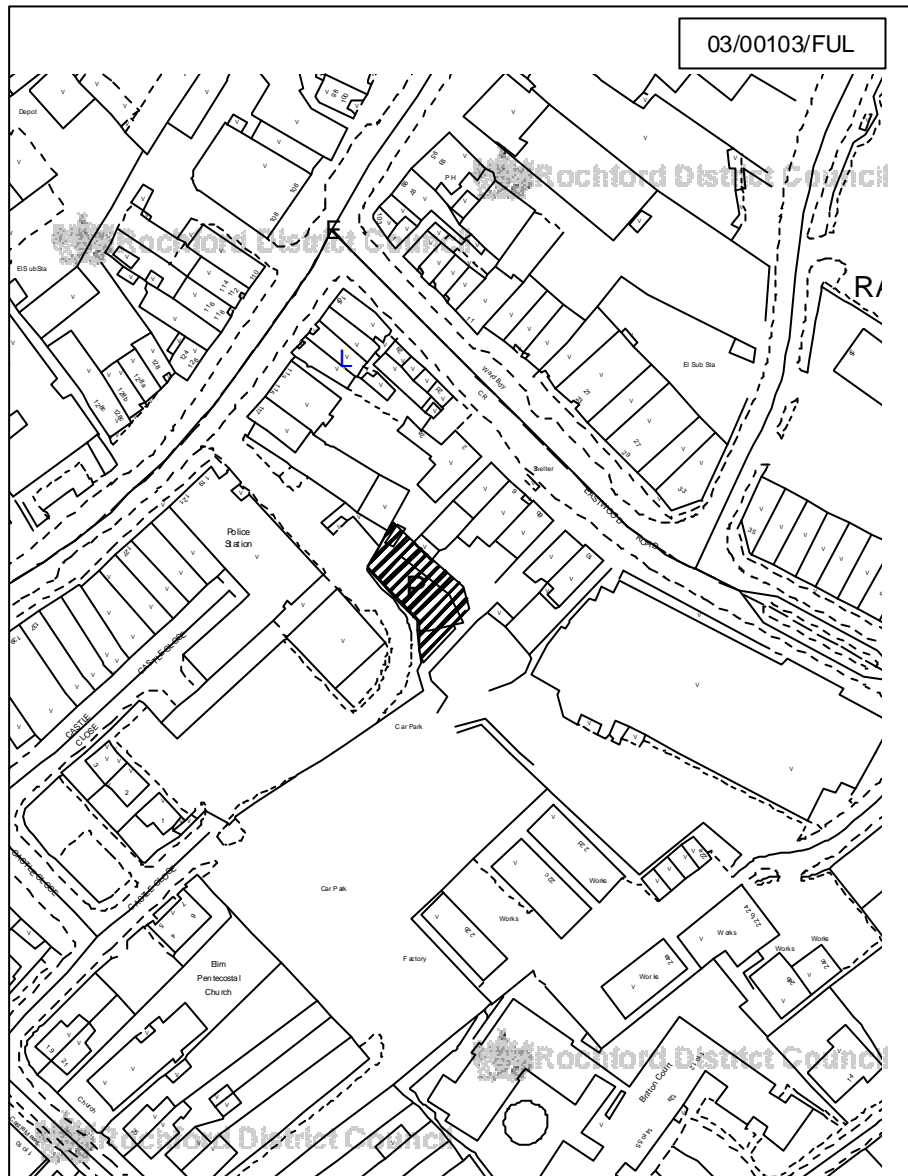
H11, H19, H20, TP15 Rochford District Local Plan First Review



Shaun Scrutton  
Head of Planning Services

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For further information please contact Peter Whitehead on (01702) 546366.



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NTS



**TITLE :** 03/00304/FUL  
**CONSTRUCT CONCRETE HARDSTANDING (TO SERVE AS  
SKATEBOARD FACILITY)  
KING GEORGE PLAYING FIELD, EASTWOOD ROAD,  
RAYLEIGH**

**APPLICANT :** RAYLEIGH TOWN COUNCIL

**ZONING :** EXISTING PUBLIC OPEN SPACE

**PARISH:** RAYLEIGH TOWN COUNCIL

**WARD:** WHEATLEY

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#### **PLANNING APPLICATION DETAILS**

- 4.1 The application proposes a hardstanding measuring 11 m by 28.3 m situated to the north west corner of King George's playing field. It is located to the north of the bowling green and overlaps a car park used by the bowling club.
- 4.2 It is understood from background discussions and a site meeting with the applicant, that the concrete hardstanding is to be the location for a skateboarding facility, including other bespoke equipment and ramps for such use. The particulars of the application do not expressly detail such a use, but it is being considered on this basis. The provision of such equipment is within certain specified limits, classified as permitted development.

#### **RELEVANT PLANNING HISTORY**

01/00651/FUL – Installation of a tarmac basketball practice area. Permission granted.

01/790/FUL – The installation of a hardstanding for a skateboarding facility. The application was refused and dismissed at appeal. The planning inspector was of the view that the close proximity of the facility to the doctor's surgery would lead to an unacceptable level of noise and disturbance within the building where a quiet environment is necessary for medical diagnosis and treatment, also the close proximity to the two Rose Gardens commonly quiet contemplative areas in recreation grounds was unacceptable.

02/00496/FUL - Outline application to erect new sports pavilion with first floor offices (demolish existing pavilion). Permission granted.



02/1088/FUL – Installation of a concrete hardstanding to be used for a skateboarding facility. Refused permission. It was considered that it would be detrimental to the amenities currently enjoyed in the area of the rose gardens and the residential properties to the East, by virtue of the noise and disturbance that would result in the use of such a facility.

### **CONSULTATIONS AND REPRESENTATIONS**

- 4.3 **Rayleigh Town Council** – unable to comment on the application as they are the applicants.
- 4.4 **Essex County Council (Highways)** – have no objections.
- 4.5 **Woodland & Environmental Specialist** - comments that the hardstanding can be constructed without the loss of the tree identified. No materials, vehicles, or works to be stored or carried out around or beneath adjacent trees and such trees should be protected during construction.
- 4.6 **Head of Housing, Health & Community Care** - Note: It is understood that the applicant is considering using the hardstanding for skateboarding facilities. The impact of skateboards hitting ramps creates significant noise levels. There are reports of this causing noise problems for residential properties in excess of 300m. The closest residential properties on two sides are less than 100m from the proposed area, as are NHS buildings. If skateboarding provisions are considered on this site, a noise impact assessment should be carried out, prior to any works commencing. Discussions to ascertain the applicant's intentions would be beneficial. The following Condition and Informative be recommended:
- 4.7 Condition:  
No skateboarding ramps shall be erected on the hardstanding until a noise attenuation scheme for protecting surrounding noise sensitive properties has been submitted and approved by the Local Planning Authority. Any works that form part of the approved scheme shall be maintained in the approved form while the hardstanding is in use for skateboarding purposes.
- 4.8 Informative:  
The applicants should be advised that it is difficult to provide noise attenuation for skateboarding areas. The most effective attenuation would be by the provision of barriers, but these will have safety and visual impact implications. It may not be feasible to provide adequate attenuation at the proposed location. Hence it is important that a noise impact assessment is carried out prior to considering use of the hardstanding as a skateboarding area.

- 4.9 **Coombewood Mental Health Resource Centre** – object to the noise pollution and disruption which this development could lead to and the potential vandalism. They feel that the proposal would be detrimental for both local residents and patients under daily care at the centre.
- 4.10 **Rayleigh and District Chamber of Commerce** – are concerned that the proposal would not alleviate the problem of skateboarders using the High Street and public footpaths as the park gates close at dusk. They are also concerned that skateboarders will attempt to make unauthorised access to the playing field in the winter months when the gates will close earlier. Other issues raised are the loss of car parking facilities, loss of visual amenity and general amenity by virtue of potential noise to nearby residential properties, and the loss of trees within the site.
- 4.11 28 households have objected to the proposal these comprise 16 residents from the immediate surroundings, 7 from Rayleigh residents further afield and 5 from people associated with the bowling club. The main issues raised are;
- concern over potential noise and the close proximity with residential properties, a Mental Health Resource Centre, and a baby clinic,
  - the loss of a tree,
  - increased potential for vandalism and litter,
  - the loss of car parking space,
  - loss of visual amenity which a hardstanding would lead to.
- 4.12 One letter has been received from a Rayleigh resident in favour of the application.

### **MATERIAL PLANNING CONSIDERATIONS**

- 4.13 The issues to be considered are set out in this report as:
- relevant policy
  - any impact on amenity
  - impact on nearby trees
  - loss of car parking space

#### **Relevant Policy**

- 4.14 The site for the hardstanding is located in an area designated as public open space and includes football pitches, childrens play space and opportunities for informal recreation. The relevant local plan policies are LT3 which aims to encourage the provision of indoor and outdoor sports facilities and H24 which seeks to safeguard residential amenity when new development is proposed.

**Impact on amenity**

- 4.15 Policy LRT1 of the Essex and Southend on Sea Replacement Structure Plan (2001) seeks to ensure that leisure uses are compatible with surrounding land uses. Additionally, Local Plan Policy LT3 takes into account a number of issues when assessing proposals for sports facilities including, the likely noise and disturbance resulting from the activities, and the impact on the visual amenities of the area.
- 4.16 Members may be aware of the previous applications outlined in the History section. The Inspector on the Appeal (01/790/FUL) came to the view that a distance of 70m to residential premises was acceptable as noise from the activity would dissipate over this distance. On the subsequent application, this Authority considered (02/1088/FUL) that 40m to the flats at King George's Court with their semi-private sitting-out areas was insufficient, taken together with the impact on the rose garden area.
- 4.17 Assessing the proposed location, the nearest residential properties to the proposed hardstanding are the flats at Webster Court, which are approximately 33m away. Environmentally, these flats are very different to those at King George's Court, being in a more central part of the Town Centre within a mixed use development on land allocated for business use B1. The phase 1 building on the site is Office and Beautician use. Phase 2 building is office on the ground floor with car parking and servicing in an inner courtyard towards the rear of the site at street level, with 17 residential flats on the first and second floors, 6 of these being at the rear of the building facing towards King George's Playing Field. However, many of the rooms to these units have other or alternative aspects. The majority of the flats are located in the middle or towards the front of the building fronting onto Websters Way. The flats are sited in a town centre location with a busy road, Websters Way to the west, and a well used car park to the south west thus they will currently experience a certain degree of traffic noise.
- 4.18 Additionally whilst those flats at King George's Court in relation to the earlier application experience unrestricted views onto King George's playing field, these flats at Webster Court have intervening substantial buildings between them and King George's playing field. These buildings will act as a barrier between King Georges Court and the proposed facility.
- 4.19 It is considered weighing up the above particular circumstances of these flats, that an unacceptable loss of amenity would not arise.
- 4.20 To the North of the site there is a row of residential properties located in Bull Lane. The nearest properties in Bull Lane are some 60-65m away. Additionally, there is a residential feeder road between King George's Field and the dwellings thus any noise from the skateboarding activities or from people congregating in numbers would be mitigated by the traffic noise.

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- 4.21 As well as nearby residential properties there are two NHS clinics to the west of the site. Mapline House, a baby clinic is approximately 22 m from the proposed site and Coombewood Mental Health Resource Centre is some 40 m away at its closest. However, it is the rear of this building that faces the Playing Field, being a blank elevation, the resource centre actually fronts Websters Way and Bull Lane with its entrance a distance of some 60m from the application site. Coombewood House is open 9 a.m. - 5 p.m. with 3 Outpatient Clinics per week and group activities for patients are also organised in addition to the Clinics. There are a small number of patient appointments which are organised out of the normal working hours 9-5.
- 4.22 On the Appeal application for a hardstanding (01/00790/FUL) the Inspector felt that the provision of skateboarding equipment only 15 m distant from the Doctor's Surgery would lead to an unacceptable degree of noise and disturbance within the Surgery, where a quiet environment is necessary for medical diagnosis and treatment. Subsequently, on application 02/1088/FUL, a distance to it of 60m was considered acceptable. The distance to the Baby Clinic is some 22m. Mother and Baby Clinics are held twice a week at Mapline House, Hearing Clinics are held once every two weeks, 8 month and 2 year old children's health assessments are held and also Post and Ante Natal Clinics take place at these premises. Mapline House is open Monday to Friday 9 – 5.
- 4.23 The main use of the skateboarding facility apart from school holidays is anticipated will take place early evening and at the weekend when the clinics will be closed, skateboarding being in the main a casual activity. It is not considered that the noise impact from the facility would be significant enough to result in an unacceptable degree of noise and disturbance due to the distance between the Clinics and the facility and the likely times of usage.
- 4.24 It is also noted that the **Head of Housing, Health & Community Care** recommends an attenuation scheme, but accepts in practice such a scheme may not be feasible. Members will also be aware that skateboarders are often fairly creative, utilising other equipment or creating their own jumps or grinding poles, etc. The provision of skateboarding ramps could ordinarily fall within the Permitted Development provisions available to Local Authorities. The impact of skateboarding on the locality is assessed as part of this application. However, if Members were minded, there may be value in exercising control over the design of the equipment to be installed to help reduce or mitigate noise generation, though this would be slightly different focus to the Head of Housing, Health and Community Care recommended condition.
- 4.25 To the North East of the site is a bowling green. A well-established evergreen hedge approximately 3m in height defines the boundary of the bowling green and will help avoid any visual intrusion, which the skateboarding facility might lead to.
- 4.26 If a skateboard facility proved popular here, it should be borne in mind that this will help decrease the number of youths that use Rayleigh High Street and Public Footpaths for skateboarding.

**Impact on trees**

- 4.27 There are a number of young trees in the near vicinity to the proposal however the Woodlands Officer considers that if protected with chestnut paling throughout the development they are young enough to withstand any potential damage. He does not consider that the tree marked on the location plan dated 8 April 2003 would require to be felled.

**Loss of car parking space**

- 4.28 The development will overlap onto part of a car parking currently used by the bowling club thus leading to the loss of car parking space. However there is a large car park to the West of King George's field, which can be used by those utilising the facilities at King George's playing field.

**CONCLUSION**

- 4.29 The hardstanding for skateboarding equipment is a much needed facility in Rayleigh. It would reduce the number of young people who currently use Rayleigh High Street and public footpaths for skateboarding causing a general nuisance to the public. Taking into account the various material issues it is not considered that the proposal would lead to an unacceptable level of harm to the surrounding area.

**RECOMMENDATION**

- 4.30 It is proposed that this Committee **RESOLVES** that this application be **APPROVED** subject to the following Heads of Conditions:-

- 1 SC4 Time Limits Full – Standard
- 2 SC14 Materials to be Used (Externally)
- 3 SC60A Tree and Shrub Protection
- 4 The tree marked on the plan dated 8 April 2003 shall not be lopped, topped, cut down, uprooted , destroyed or caused to die and shall be protected by chestnut paling fencing during the construction of the development.

**Relevant Development Plan Policies and Proposals:**

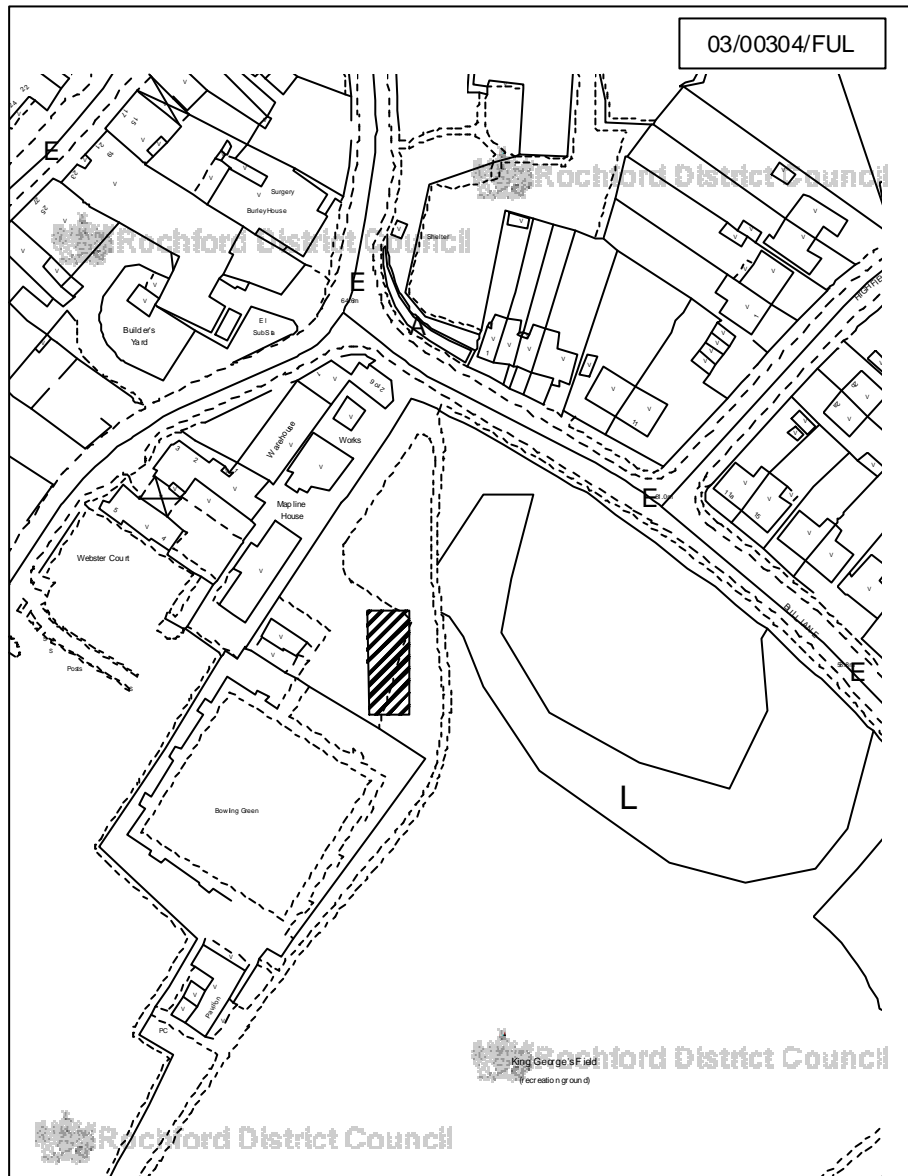
H24, LT3 of the Rochford District Local Plan First Review

A handwritten signature in black ink, reading 'Shaun Scrutton'.

Shaun Scrutton  
Head of Planning Services

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For further information please contact Lorna Maclean on (01702) 546366.



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# CODE OF CONDUCT FOR PLANNING MATTERS

## GENERAL PRINCIPLES

Members and Officers must:-

- **at all times act within the law and in accordance with the code of conduct.**
- **support and make decisions in accordance with the Council's planning policies/Central Government guidance and material planning considerations.**
- **declare any personal or prejudicial interest.**
- **not become involved with a planning matter, where they have a prejudicial interest.**
- **not disclose to a third party, or use to personal advantage, any confidential information.**
- **not accept gifts and hospitality received from applicants, agents or objectors outside of the strict rules laid down in the respective Member and Officer Codes of Conduct.**

In Committee, Members must:-

- **base their decisions on material planning considerations.**
- **not speak or vote, if they have a prejudicial interest in a planning matter and withdraw from the meeting.**
- **through the Chairman give details of their Planning reasons for departing from the Officer recommendation on an application which will be recorded in the Minutes.**
- **give Officers the opportunity to report verbally on any application.**

Members must:-

- **not depart from their overriding duty to the interests of the District's community as a whole.**
- **not become associated, in the public's mind, with those who have a vested interest in planning matters.**
- **not agree to be lobbied, unless they give the same opportunity to all other parties.**
- **not depart from the Council's guidelines on procedures at site visits.**
- **not put pressure on Officers to achieve a particular recommendation.**
- **be circumspect in expressing support, or opposing a Planning proposal, until they have all the relevant planning information.**

Officers must:-

- **give objective, professional and non-political advice, on all planning matters.**
- **put in writing to the committee any changes to printed recommendations appearing in the agenda.**