



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY
PLANNING SERVICES COMMITTEE 13th February 2002**

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 – 318098.

PLANNING SERVICES COMMITTEE 13th February 2002

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PLANNING SERVICES COMMITTEE - 13 February 2002 Item R1 Referred Item

TITLE : 01/00882/FUL
ERECT 4-BED DETACHED HOUSE WITH INTEGRAL
GARAGE (AMENDMENT TO PLOT 1 OF PERMISSION
01/00272/FUL)
LAND REAR OF 2 AND 4 SOUTHEND ROAD HOCKLEY

APPLICANT : OAKWOOD CONSTRUCTION SERVICES LTD

ZONING : RESIDENTIAL

PARISH: HOCKLEY PARISH COUNCIL

WARD: HOCKLEY CENTRAL

- 1.1 This application was included in Weekly List No. 607 requiring notification of referrals to the Head of Planning Services by 1.00pm on Tuesday 15 January 2002, with any applications being referred to this Meeting of the Committee. The item was referred by Cllr Mrs L Hungate.
- 1.2 Since referral of this item, two further letters have been received from the resident mentioned in the Weekly List item. Correspondence has been entered into of the matters raised, the resident is aware the application comes to the Committee for decision, the views raised are in the main to general concern regarding amendments, boundary positions, hedging alongside 6 Southend Road, which they feel is at risk of being omitted to expand space for buildings. In addition a further resident has written, following referral of the matter, noting the additional size of the building and commenting on the impact of this on skyviews. The resident suggests that, by further amendment, the Committee should consider a further dwelling be implemented at the rear of the site and the one on the west side of the frontage be omitted
- 1.3 The item which was referred is appended as it appeared in the Weekly List together with a plan.

NOTES

- 1.4 This application relates to the dwelling on plot 1 of the development at 2-4 Southend Road, Hockley. Members will recall that permission was given for that development during May of last year. The development, in total, comprises five houses. The application which resulted in a permission for the whole site was in full form with all the details of the dwellings provided.

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- 1.5 This application has come forward now as the developer proposes amendments to the design of plot 1, these are modest alterations. The changes to the formerly approved dwelling are as follows:
- the depth of the dwelling (right hand side) is increased by 0.1m to 9.1m;
 - the depth of the dwelling and garage (left hand side) is increased by 0.65m to 13.35m;
 - the frontage of the garage is increased by 0.55m to 5.5m (this does not affect the overall frontage of the plot);
 - the dwelling is to have a fully hipped roof rather than gable ends to each side;
 - the height to the eaves is increased by 0.4m to 6.4m;
 - the height to the main ridge of the dwelling is reduced by 0.25m to 9.9m.
- 1.6 The frontage width of the plot and the location on the site are to be the same as before. There are no implications therefore in relation to the remainder of the dwellings on the site as the minimal increased depth can be comfortably accommodated on the pl
- 1.7 Whilst the depth of the dwelling is slightly increased, it is considered that the change in the roof from gabled to hipped and its reduction in height, will give the general perception of a dwelling of a smaller scale to that approved previously. It is not considered that the amendment now proposed raises any issues that were not considered and resolved at the time of the full permission for the overall site.
- 1.8 The County **Highway Authority** has no objections.
- 1.9 **Environment Agency** makes advisory comments in relation to drainage and measures to be taken if culverting is required. (Comment – none is required in this case).
- 1.10 **English Nature** notes the mitigation measures for the safeguarding of protected animal species were approved under the earlier permission. It recommends that this proposal commences in accordance with them and that, if there are any further amendments, it is further consulted.
- 1.11 The Rochford Hundred Amenity Society comments that it would prefer a 3-bed house.
- 1.12 One resident has responded to notification on the proposals commenting that the plot appears larger in area but fractionally lower in height, thus a slight improvement in daylight terms to the dwellings to the north. There is a concern that the dwelling to plot 2 cannot now be accommodated. (Comment – as noted above, the width of the dwelling is unchanged and therefore there are no implications for the ability of the overall site to accommodate the remaining plots). The resident questions whether enforcement action would be appropriate given the fact that development has commenced. There is some reflection in relation to the previous permission and the basis on which the judgements in that case were made. The resident also questions the procedure to be followed in this case. (Comment – the weekly list procedure has been explained in a letter to the resident).

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Referred Item

APPROVE

- 1 SC4 Time Limits Full - Standard
- 2 SC14 Materials to be Used (Externally)
- 3 No development shall commence until there has been submitted to and agreed in writing by the Local planning Authority, drawings in the form of vertical cross sections through the windows to be installed to the frontage of the dwelling. The drawing shall show the form of the window to be installed and the degree to which they are recessed in the openings of the building. Once agreed the windows shall be implemented and retained as such.
- 4 No development shall commence until the following details, in relation to landscaping have been submitted to and agreed in writing by the Local planning Authority: - details of the landscaping to be provided to the south west (outside) of the frontage boundary wall to Southend Road / Main Road in association with the details of the wall as required by condition 2. - Once agreed the said details shall be implemented during the first planting season (October to march inclusive) following the commencement of development, or in any other such phased arrangement as may be agreed in writing by the Local planning Authority and in addition to the landscaping scheme which is shown and set out on the layout drawing 00/102/6f. Any, tree, shrub or hedge plant including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.
- 5 All access to the site, both vehicular and pedestrian, shall be via the private drive to the east and north east of the site. There shall be no direct access to the dwelling from Southend Road / Main Road.
- 6 The vehicular access to the site shall not be used by vehicular traffic before sight splays measuring 1.5m x 1.5m, providing unobstructed visibility of pedestrians using the adjoining footway, have been provided at both sides of the accesses at their junction with the adjoining highway. Once provided, the said visibility splays shall be retained thereafter and maintained in their approved form free of obstruction above a height of 600mm above the finished surface of the approved vehicular accesses replace footway and highway with private driveway.
- 7 SC81 Garage and Hardstand
- 8 SC84 Slab Levels Specified
- 9 SC60A Tree and Shrub Protection
- 10 The development shall proceed only in accordance with the measures proposed in accordance with planning approval 01/00272/FUL which deal with the protection of wildlife interest on the site. These measures, whilst related to the removal of protected animal species from the site, means to ensure their exclusion during development and the subsequent creation of habitat shall be implemented commensurate with the development of this plot unless alternative measures are submitted and agreed in writing by the Local planning Authority.

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Referred Item**

Relevant Development Plan Policies and Proposals:

H1, H2, H11, of the Rochford District Council Local Plan First Review

CS1, NR6, H2, H3, of the Essex Structure Plan



Shaun Scrutton
Head of Planning Services

The local Ward Members for the above application are Cllr S P Smith, Cllr D Helson, Cllr T Livings

For further information please contact Kevin Steptoe on (01702) 546366.

PLANNING SERVICES COMMITTEE - 13 February 2002 Item 2

TITLE : 01/00343/FUL
ERECT FOUR 3-BED TOWN HOUSES WITH ROOMS IN
ROOFSpace AND INTEGRAL GARAGES. LAYOUT REAR
ACCESS (FOLLOWING PARTIAL DEMOLITION OF ON-SITE
COMMERCIAL BUILDINGS).
SPA WORKS SITE, SPA ROAD, HOCKLEY

APPLICANT : MR B DALY

ZONING : RESIDENTIAL

PARISH: HOCKLEY TOWN COUNCIL AREA

WARD: HOCKLEY CENTRAL

SITE FRONTAGE: 23m approx **SITE AREA:** 808sqm (approx)
(across building
frontage)

PLANNING APPLICATION DETAILS

- 2.1 A terrace of four dwellings is proposed. These will run in a straight line to the south west side of the Spa Pump Room listed building. This is the side towards the shopping area and away from the railway station side. The dwellings will be two storey in height with rooms in the roofspace. The height will be 6.2m approx to the eaves and 10.3m to the ridge.
- 2.2 To the frontage the dwellings will be provided with bays at ground floor and projecting door canopies. The rooms in the roof will be provided with modest dormer windows, one only for each property. Vehicular access will be to the rear of the properties from a new accessway to be created from Meadow Way. The rear of the properties will have a projecting gable element within which the garages (one for each property) will be accommodated at ground floor. Again there will be dormer windows in the roof (one for each property) and these are proposed to be installed with obscure glazing.
- 2.3 The gable which faces towards the shopping area down Spa Road will contain a chimney and four windows.
- 2.4 A site visit took place at the request of the Hockley Parish Council. The Committee Chairman and the Local Ward Member were present along with the resident of the existing dwelling most affected by the development.

RELEVANT PLANNING HISTORY

- 2.5 There were numerous permissions granted during the 1950s for the use of the buildings and extensions to the for factory/ industrial purposes.
- 2.6 In 1963 there was an outline application for the use of the land for an elderly persons day centre, that was refused.
- 2.7 In 1972 an outline application for a three storey office block was refused. An appeal against that refusal was dismissed.
- 2.8 In 1980 an application was made to change the use of the buildings to a gymnasium and for weight training purposes. This was refused.
- 2.9 In 1989 applications were made for the change of use of the buildings, and the construction of additional buildings, to form a nursing home. Permission was granted for this development in August 1989 and renewed in 1994
- 2.10 Applications were submitted in 2000 for the change of use of the buildings to a function room. The listed building application was granted but planning permission was refused.

CONSULTATIONS AND REPRESENTATIONS

- 2.11 There have been four rounds of consultation in this case as a result of revisions to the scheme. The responses that have been received are as follows:

First Round

- 2.12 (At this stage the proposed dwellings were a full three storey in height and positioned in a staggered formation such that the dwelling closest to the Spa building was to be 0.5m only from the site frontage).
- 2.13 County **Highway Authority** has no objections subject to the following conditions:
- provision of 2m visibility band along the Meadow Way frontage;
 - provision of pedestrian visibility splay;
 - all construction to be clear of the highway.
- 2.14 The County **Historic Buildings Advisor** commented that the works (as they were proposed at this stage) would be detrimental to the setting of the listed building with the bulk and height dominating the listed building of the Spa and removing the one significant long distance side view of the building. The building design is considered to be unsuccessful with inconsistent elements and detailed design changes were suggested.
- 2.15 The **Environment Agency** has no objections and makes suggestions with regard to drainage matters.

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- 2.16 **Anglian Water** has no objections.
- 2.17 The **Head of Housing, Health and Community Care** comments that an application has been made for the abstraction of drinking water from the underground supply at the site. Steps need to be taken therefore to protect the aquifer during construction and occupation.
- 2.18 The **Highways and Buildings Maintenance Manager (Engineers)** notes the presence of sewers in the area, but has no objection to the proposals.
- 2.19 **Hockley Parish Council** is concerned at the access arrangements and that the scale of the buildings are such that there will be an unacceptable impact on the listed building.
- 2.20 The Hockley Residents Association is sympathetic to the need to develop the site but believes that the proposals are out of keeping.
- 2.21 Six local residents have responded to the consultation (three of which indicate that they support the proposals in principle) setting out, in the main, the following issues:
- the development is too high, too dense and out of keeping with the area;
 - there will be loss of privacy and disturbance to the adjoining dwelling on Meadow Way (wall should be provided to the side of the access);
 - some of the existing factory is to remain, this should be improved (tidy and paint) and there is concern that access will be gained by the proposed new accessway;
 - where the factory is to be demolished there should be care with regard to the possibility of asbestos in the roof;
 - traffic and infrastructure are unable to cope and there is no visitor or public car parking
 - silver birch trees (shown on the plans) are inappropriate;
 - access should be marked private – no parking.

Second Round

- 2.22 (At this stage the dwellings were to be two storey with rooms in the roof space. There were to be 8 dormers to the front and 4 to the rear. The formation was still staggered with the front separation distance as before).
- 2.23 The County **Highway Authority** repeats the previous comments.
- 2.24 **Hockley Parish Council** repeats the previous comments and adds that it now has a concern regarding loss of amenity by virtue of overlooking.
- 2.25 The Hockley Residents Association objects on the basis that the proposals are out of keeping, will overlook Meadow Way and block views of the listed building.

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- 2.26 Three residents have responded to the consultation (some of which repeat their earlier comments). In the main they raise the following issues:
- proposals out of keeping;
 - exacerbate existing traffic problems;
 - removal of dormers to rear (replacement with rooflights) would reduce overlooking;
 - one of the dwellings has no bathroom;
 - road should be marked private – no parking

Third Round

- 2.27 (At this stage the dwellings remained two storey with rooms in the roof with the number of dormers reduced to 4 to both front and rear (total 8). The formation had changed to a straight line grouping with the separation distance from the front of the site of 5m).
- 2.28 The **County Highway Authority** repeats the earlier comments.
- 2.29 The **County Listed Building Advisor** comments that the new design show improvement over those earlier. Fine tuning of the proportion and detail of the front elevation is still required. A number of detailed suggestions are made as to how this could be achieved.
- 2.30 **Hockley Parish Council** repeats earlier concerns
- 2.31 Three residents have responded to consultation and raise, in the main, the following issues:
- moving properties back has implications for greater amenity, privacy, overlooking, noise impact to the rear (greater need for intervening wall between properties);
 - question whether more of the buildings associated with the Spa are to be demolished and whether there will be parking to the site frontage;
 - impact on tree adjacent to the side of site.

Fourth Round

- 2.32 (The proposals are now in the form as outlined in the planning application details above).
- 2.33 **Hockley Parish Council** indicate that it supports the scheme provided the bathrooms are at the rear of the building, frosted glass and velux windows are installed and the buildings are constructed of red brick. (Comment – the bathrooms and en-suite rooms are to the rear, these are all to have obscure glazing, the use of material can be controlled by condition but dormer windows are proposed to the roof, rather than rooflights).

MATERIAL PLANNING CONSIDERATIONS

- 2.34 The issues to be considered in this case are related to the relationship between the proposed buildings and the Listed Spa Pump Room buildings and the street scene and the relationship between them and the adjoining residential uses.

Listed Building and streetscene

- 2.35 The Spa Pump Room building is listed and, by virtue of this listing, all the extensions associated with it also enjoy listed status. The proposals require the demolition of a substantial part, but not all, of the extensions that have been added to the original Pump Rooms. The applicants have been informed that, even if Members are mindful to permit this form of development, a Listed Building Consent will be required to carry out the demolition required. No application for that consent has been submitted so far. The question of the acceptability of the loss of parts of the Listed Building should be considered as part of that application, however, it is relevant to consider, at this stage, the impact of the proposals on the setting of the building.
- 2.36 At present the most significant views of the Pump Rooms are had from the approach from the shopping area and Spa Public House to the south west. From this approach the side elevation of the building and some of the front is visible. The characteristic pillar and arched detail of the construction, the pediment, materials and colour treatment are all apparent. Also apparent are the extensions and add ons, consisting of the side porch and single storey additions to the south west. These are all of poorer visual quality than the main building.
- 2.37 Views of the building from other directions are restricted due to the adjoining house to the north east (the station direction) and the modern residential to the rear.
- 2.38 It is clear that the development proposed will have a visual impact. The new dwellings are set back about 5.5m from the main frontage to the Pump Rooms building. About half of the side elevation will be closed off from views. The Pump Rooms do not have a conventional ridged roof, but rather, a very gently sloping roof behind a significant parapet. It is likely that views of the parapet will remain over the roof slope of the new dwellings. It also the case, of course that, if the development were to go ahead, the side views of the Pump Rooms would be enhanced by the removal of the poor quality porch extension and the modern single storey additions. (Some of the two storey addition would remain, but these are generally hidden from view behind the building).
- 2.39 The design of the new dwellings proposed is clearly different to that of the Pump Rooms. But then so is all of the currently existing development close to the building. In this situation it is considered that a design which mimicked that of the Pump Rooms would not be appropriate and would only lessen the visual impact of the main building. The design chosen is a visually pleasing and acceptable one, even if not all of the design features are true to the period it represents. An interesting façade is presented to the Spa Road, without it becoming over decorated and therefore in competition with the Pump Rooms.

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- 2.40 Balancing the gains with the losses it is considered that the impact of the new building on the Listed Pump Rooms is an acceptable one and not a basis on which the development should be resisted. The streetscene and the views of the location from along Spa Road are not considered to be unacceptably affected by the development proposed.

Relationship to adjoining

- 2.41 To the rear of the site, at 1a Meadow Way is the existing dwelling most affected by the development. The flank elevation of this bungalow property, with main entrance door, faces the application site. Between it and the site is a side driveway and a wooden fence. To the rear of the dwelling is a garage (adjacent to the site) and the garden. The rear of the proposed dwellings will face onto the existing dwelling. The relationship of the positioning is such that the proposed dwellings extend beyond the rear of the existing by 4.3m approx. Within this area are two obscure glazed windows (at first floor and within the roof) for bathrooms/en-suite, and one clear glazed window for a bedroom. This bedroom will be 13.8m approx from the boundary with the existing dwelling.
- 2.42 The guide followed by the Authority is established in the Essex Design Guide, and calls for a separation of 15m between new windows and existing boundaries. However, in this case, to move the dwellings further away results in them encroaching further into the front views of the Pump Room buildings. In addition, the guide referred to is clear in relation to 'back to back' distances, but suggests some relaxation in relation to the situation here of 'back to side'. Bearing these details in mind, it is considered that the relationship is an acceptable one.
- 2.43 More oblique views to the rear garden area of 1a Meadow Way will be possible from other parts of the proposed dwelling. All roof windows are to be obscure glazed, as are the windows at first floor over the projecting garages (the closest windows at distances, minimum 11.2m). Where first floor windows are to bedrooms, and therefore not obscure glazed, the distances between these and the closest part of the existing garden area will be 15m and 16.2m.
- 2.44 From the history above, Members will note that permission was granted previously for a nursing home on this site. The buildings proposed in that development were to be located roughly the same distance from the boundary with the adjacent residential use, possibly slightly further away, and obscure glazing was to be used to all first floor windows which were perceived to have an impact. In this case it is considered that the development will have an impact on the residents of 1a Meadow Way and there will be a perception of increased overlooking. It is not considered however that, given the separation distances and the few clear glazed windows that will face that direction, that the impact is unacceptable.

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- 2.45 Currently on the application site the buildings are located such that there is no access to the rear. This will change with the proposed development where the new vehicular access to the new dwellings will be located to the rear of the site and adjacent to 1a Meadow Way. This access is shown to continue past the new dwellings such that it could provide access to the rear of the extensions to the Pump Rooms that would remain.
- 2.46 Clearly activity is to be introduced into this area where little currently exists. There will be the parking and turning movements associated with four dwellings and other movements, possibly, associated with the remaining existing buildings. The developer proposes a 2m high brick wall to the boundary with 1a Meadow Way to alleviate the impact.
- 2.47 Garden areas to the rear of the new units fall far short of the minimum guide in the Local Plan. Only one exceeds either of the two criteria for terraced dwelling gardens (2.5 x width of dwelling or minimum 50sqm). The lowest in area terms is 28.4sqm. Again a compromise has been sought here between pushing the dwellings towards the Spa Road frontage, which would increase gardens, but increase the impact on the Listed Building and streetscene. In addition, it must be taken into account that rear vehicular access and parking, introduced due to poor frontage road conditions, does much to reduce rear space for amenity purposes.
- 2.48 The last form of impact of the proposed development is the scale of the proposed dwellings adjacent to the bungalow which forms 1a Meadow Way. The new dwellings are clearly higher and have a room in the roof, requiring a steeper roof pitch than perhaps otherwise necessary. Again there is a balance to be struck between the relationship between the Listed Building and the dwellings to the rear. A single storey dwelling adjacent to the Listed Building would be visually inappropriate whilst it would sit well adjacent to 1a Meadow Way. Given the distance between the new building and the existing dwelling however, it is considered that the scale of building proposed is acceptable.
- 2.49 All other existing residential dwellings in the area are further away than 1a Meadow Way. Whilst there may be some impact on these, in all cases, it is considered to be less than that on no 1a.

CONCLUSION

- 2.50 This development results in the removal of poor quality extensions and add on buildings to the Listed Pump Room building. It also results in the removal of the permitted use within those buildings which is one of a specialised industrial nature. The result is a new building, comprising four dwellings, which has its own impact on the setting of the Listed Building, the streetscene and the adjacent existing residential uses to the rear. The balance to be struck is that between retaining the existing situation and allowing a change. The existing situation is clearly poor with regard to the setting of the Listed Building and the benefit being gained from the use of the land. Adjoining residential occupiers are probably used to and accept the impact of the use of the buildings if any.

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- 2.51 The change proposed here is acceptable with regard to the setting of the Listed Building and many would argue that the introduction of the new build and removal of the inappropriate buildings can only be good. The residential impact does have to be weighed in the balance however. There will be an impact by virtue of the scale of the building, the new activity introduced and perceived overlooking. There is also a potential residential gain by virtue of the loss of the industrial use in this part of the buildings.
- 2.52 In this case it is considered that the beneficial impacts of the development should be accorded greatest weight and that the development should be allowed to proceed.

RECOMMENDATION

- 2.53 It is proposed that this Committee **RESOLVES** to **APPROVE** this application subject to the following heads of conditions.

- 1 SC4 Time Limits full
- 2 SC9A Removal of Existing Buildings
- 3 SC14 Materials
- 4 SC17 Restriction of PD Rights – no extensions
- 5 SC18 Restriction of PD Rights – no outbuildings
- 6 SC20 Restriction of PD Rights – no additional dormers
- 7 SC23 Restriction of PD Rights – requiring obscure glazing
- 8 SC50A Means of enclosure including the provision of a 2m wall to the rear
- 9 Highway Visibility splay
- 10 SC66 Pedestrian Visibility splays
- 11 Restriction of use of access to residential traffic only
- 12 SC84 Slab levels

Relevant Development Plan Policies and Proposals:

H1, H2, H11, H19 of the Rochford District Local Plan First Review

CS1, CS2, CS4, HC3, BE1, H2, H3, H4 of the Essex and Southend on Sea Replacement Structure Plan



Shaun Scrutton
Head of Planning Services

The local Ward Member for the above application is Cllr P A Capon

For further information please contact Kevin Steptoe on (01702) 546366.

PLANNING SERVICES COMMITTEE - 13 February 2002 Item 3

TITLE : 01/00871/OUT
OUTLINE APPROVAL FOR THE ERECTION OF A BLOCK OF
8(No.) 2 BED FLATS
72-74 THE APPROACH

APPLICANT : M. D. GATRELL

ZONING : RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: GRANGE AND RAWRETH

SITE FRONTAGE: 33.6 m

SITE AREA: 770m²

PLANNING APPLICATION DETAILS

- 3.1 This outline application relates to the erection of a two-storey block of eight flats. Although in outline, the application seeks approval for the siting, design and means of access at this stage and detailed plans showing the proposed development have been submitted for consideration. The landscaping and external appearance are to be considered at a later date if outline consent is granted.
- 3.2 The site is currently occupied by a pair of semi-detached houses with garages and is located on the corner of Lansdowne Drive and The Approach, just to the north of the railway line and the car park for the station that runs alongside it.
- 3.3 The site measures approximately 23m x 33m (verified on site) and the existing pair of semi's have a footprint of around 16m x 8m. The proposed flats will have a footprint of around 24m x 10m, with a ridge height of 8m which is similar to the existing.
- 3.4 Members will be aware that this application follows the refusal of an earlier application for the development of 10 flats on this site on the grounds that its design, mass and siting would have an adverse impact on the amenities of neighbouring properties and on the street scene and that the car parking arrangements were detrimental to highway safety.

CONSULTATIONS AND REPRESENTATIONS

- 3.5 **Parish Council**
The Town Council objects to the application as it is considered to be an over-development of the site and visually intrusive.

- 3.6 **Anglian Water**
Has no objection in principle, but suggests that Conditions relating to the submission of details in respect of the foul and surface water drainage be attached to any Permission. Surface water will not in any circumstances be permitted to discharge into the public foul sewer.
- 3.7 **Rayleigh Civic Society.**
Although the bulk of the building has been reduced they still consider that its position is such that there is insufficient amenity space and that it would adversely affect neighbouring properties in terms of outlook and light. The parking arrangements in front of the building, although slightly improved, will still invade the privacy of the occupants of the ground floor flats to an unacceptable degree.
- 3.8 **County Highways**
Recommends a number of Standard Conditions relating to the provision of visibility splays, parking provision and the use of permanent materials for the parking areas.
- 3.9 **Head of Housing, Health & Community Care.**
Advises that there is a potential for nuisance to the occupants of the flats from the nearby railway line. Recommends that an appropriate condition is attached to ensure that adequate noise insulation is provided. Also recommends a number of standard informatives and a condition relating to the burning of waste on the site.
- 3.10 **Environment Agency.**
Make a number of advisory comments about the development.
- 3.11 **Adjacent Residents**
A total of 14 letters of objection have been received, including letters from local resident associations objecting to the proposal. In addition, a petition has been received with 156 signatures on it. The main concerns relate to the size of the building, which the objectors consider to be excessive and out of character with the area, which would result in a loss of privacy and loss of outlook for the properties surrounding the site, as well as impacting on the street scene. Other concerns relate to the impact of the development on existing services (including the local highway network, the drainage systems, particularly surface water drainage, schools, doctors, etc.), insufficient parking provided for the development, conflict with the 'emergency access' to Swallow Close from cars using the site, de-valuation of property; noise from the proposed parking areas; security concerns (loss of the existing means of enclosure) and the need to adopt The Approach.

MATERIAL PLANNING CONSIDERATIONS

- 3.12 Like the previous application the material considerations in respect of this application are primarily the Policies in the Local Plan, namely: Policy H2 (Density should reflect character of the area and make the most efficient use of land); H11 (Design and Layout); H16 (Purpose built flats); H19 (small sites) and H24 (Safeguarding amenity of area). In addition, the revised PPG3 on Housing is also relevant to the consideration of this application.

3.13 **Government Advice (PPG3)**

The revised scheme shows a two storey block of flats which will provide 8 two bedroom flats. PPG3 considers that it is important for Authorities to help create mixed and inclusive communities, which offer a choice of housing and lifestyle. It does not accept that different types of housing and tenures make bad neighbours. It also advises that Authorities should ensure that new housing development's help to secure a better social mix by avoiding the creation of large areas of housing of similar characteristics. Additionally, bearing in mind that the majority of projected growth will be in one person households, Authorities are advised to adopt policies which take full account of these changes and which will widen the range of housing opportunities to allow those changes to be met. PPG3 also promotes more sustainable residential environments and suggests, amongst other things, that new housing developments are located close to transport routes and that they are accessible by a range of non car modes. PPG3 also states that Authorities should encourage the efficient use of land, i.e. increase density, particularly where there are good public transport links. Further, it encourages Authorities to reject poor design.

3.14 It is considered that, bearing in mind the requirements of PPG3, the principle of having a block of eight, two-bed flats, located close the railway station is acceptable.

3.15 **Impact**

Following the earlier refusal, the scheme has been reduced in scale. The height of the proposal is similar to that of the surrounding houses at 8m. The previous scheme was 9.4m. The width of the building at 24m has been reduced by nearly 6m compared to the previous scheme and its appearance suggests a terrace of four dwellings, or even a pair of large semi-detached houses. The main difference being the rather large, but not excessive, entrance porches. It should be noted that the width of the plot at over 33m is more than enough to accommodate two pairs of semi-detached houses, as the policy requirement is 15.24m per pair. Whilst not directly comparable to the proposed development, it does suggest that the proposed building's mass is acceptable.

3.16 Whilst the proposed flats will be slightly closer to the properties to the north of the site compared to the existing dwellings (around 300mm nearer), those properties are at an angle to the proposed flats and the Essex Design Guide suggests that normally 15m is an acceptable separation distance. The distance is actually below this at 12m which is less, but bearing in mind the existing houses which are to be demolished are already at that distance and that the internal layout of the flats has been designed so that only bedrooms look out to the rear (as opposed to living rooms which would have a greater impact on privacy), it is considered acceptable as it will be little different from the existing situation. This has been accepted elsewhere. For example, the new properties on Swallow Close which back onto the site are only 12.5m away from the existing semi's on this site.

PLANNING SERVICES COMMITTEE - 13 February 2002 Item 3

- 3.17 One of the main concerns of the last scheme was its impact on the properties on Swallow Close. The separation distance has been increased by between 1-2m giving a maximum of around 14.4m. Although this is a reduction of 1.5m over the existing situation, there are no windows apart from some bathroom windows and the roof is of a half-hipped, reducing the impact on the outlook of these properties and it is therefore considered acceptable. The previous scheme showed a distance of around 10m. Members should note that at the moment there is large garage between the properties on Swallow Close and the existing dwellings and this will be removed.
- 3.18 By maintaining a reasonable separation distance between the dwellings on Swallow Close and the proposal, it has been necessary to move the development closer towards the Lansdowne Drive road frontage, compared to the existing. The proposal comes to within 4.8m of the footpath compared to the existing 10m, but this is over double that of the previous scheme, which only had 2m. Along Lansdowne the properties are around 7m set back from the road. However, the adjacent property has a single storey extension at the side, which comes to within 3m of the footpath. The road takes a sharp and distinct kink at this point, which in terms of pattern of development in the street scene, distinguishes this site from the more uniform frontage to the north east. With the proposed landscaping in the south-east corner of the site the impact on the street scene of coming closer to the footpath, is considered acceptable, especially as the Essex Design Guide encourages buildings being closer to the highway in order to provide a sense of enclosure. In some respects, bearing in mind that the site is in an area with very little sense of enclosure because it has a car park to the south and a garage court to the east, it may be desirable to have the building even closer to the highway. However, this has to be balanced with the need to provide adequate car parking facilities as well as the need not to have the building looking out of character with the surrounding development.
- 3.19 The proposed amenity area amounts to approximately 176m² which is provided at the rear of the flats and around 32m² at the side, between the properties on Swallow Close. Additionally, landscaping is proposed around the development adjacent to the highway and car parking areas. The total amount of usable amenity space is in excess of that required for the number of flats proposed so the proposal conforms to local policy.
- 3.20 Car parking is provided directly from The Approach and Lansdowne Drive. Compared to the previous scheme a footpath and a small amount of landscaping has been provided between the parking areas and the lounge windows of the proposed flats. Although still not ideal, it is better than the previous scheme which, had the parking spaces, within one metre of the living room windows. It is considered that the amount of parking, a total of 12 spaces, is acceptable, being in excess of current policy. However, it will be difficult to provide the necessary pedestrian inter-visibility based on the current layout and it will be necessary to amend the current layout to take this into account. Although this will reduce the car parking available, to around 8-10, it will provide the necessary pedestrian inter-visibility and will have the added bonus of allowing the introduction of further planting on the road frontage, which will benefit the street scene.

- 3.21 Providing car parking directly to the front and accessing directly onto the highway has an impact on the street scene and is contrary to the principles of the Essex Design Guide, which attempts to hide the presence of parked vehicles behind a built up frontage. However, bearing in mind the Station car park and the garage block, such parking would not look out of place in the street scene and therefore cannot be seen as a justification to refuse the application.
- 3.22 With respect to the other issues raised by the objectors, for example, security or drainage concerns, these could be considered at the Reserved Matters stage, with the provision of adequate fencing in terms of security. The issue of drainage, particularly the problems of surface water drainage, again could be dealt with then, by the use of permeable materials for the parking areas. However, it should be noted that Anglian Water have not raised any objections to the proposal. With respect to concerns about loss of value, this is not a planning matter. Nevertheless, in order to flag up these concerns with any potential developer of the site it is proposed to attach appropriate conditions to the outline permission relating to drainage and the provision of appropriate fencing. Additionally as the main issue with drainage appears to be surface water run off from garden areas etc., it is proposed to have a condition prohibiting any increase in land levels of the site unless agreed previously with the Local Planning Authority.

CONCLUSIONS

- 3.23 On balance the revised scheme is considered acceptable subject to the conditions outlined below being attached to the any permission granted. The principle of providing flats in this location was considered acceptable previously by Officers and the revised scheme has overcome the previous grounds for refusing the development. The proposal therefore complies with the appropriate policies of the Local Plan and the latest Government guidance contained in PPG3. The site is well located next to a station and quite close the centre of Rayleigh. Such locations are considered appropriate for intensified forms of development such as proposed and make efficient use of land. This not only conforms to current practice, but more importantly helps take pressure of the Green Belt.

RECOMMENDATION

- 3.24 It is proposed that this Committee **RESOLVES** that the application is **APPROVED** subject to the following conditions:
- 1 SC3 Time Limits Outline
 - 2 SC2 Reserved Matters Specific.
 - 3 SC22 PD Restricted Windows
 - 4 SC58 Landscape Design (including means of enclosure)

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- 5 Revised details of the car parking layout for a minimum of 8 spaces, shall be submitted to and approved in writing by the Local Planning Authority before development commences. Such revised details as may be submitted shall provide a minimum pedestrian visibility splay of 1.5m and shall incorporate additional landscaping and surface water drainage along The Approach frontage. The flats shall not be used until the car parking has been provided fully in accordance with the agreed details and shall be retained and maintained in the approved form and used for no other purpose that would impeded the parking of vehicles safely.
- 6 SC90 SW Drainage
- 7 SC91 FW Drainage
- 8 SC83 Site Levels

Relevant Development Plan Policies and Proposals

H12, H11, H16,H19, H24 of the Rochford District Local Plan First Review.

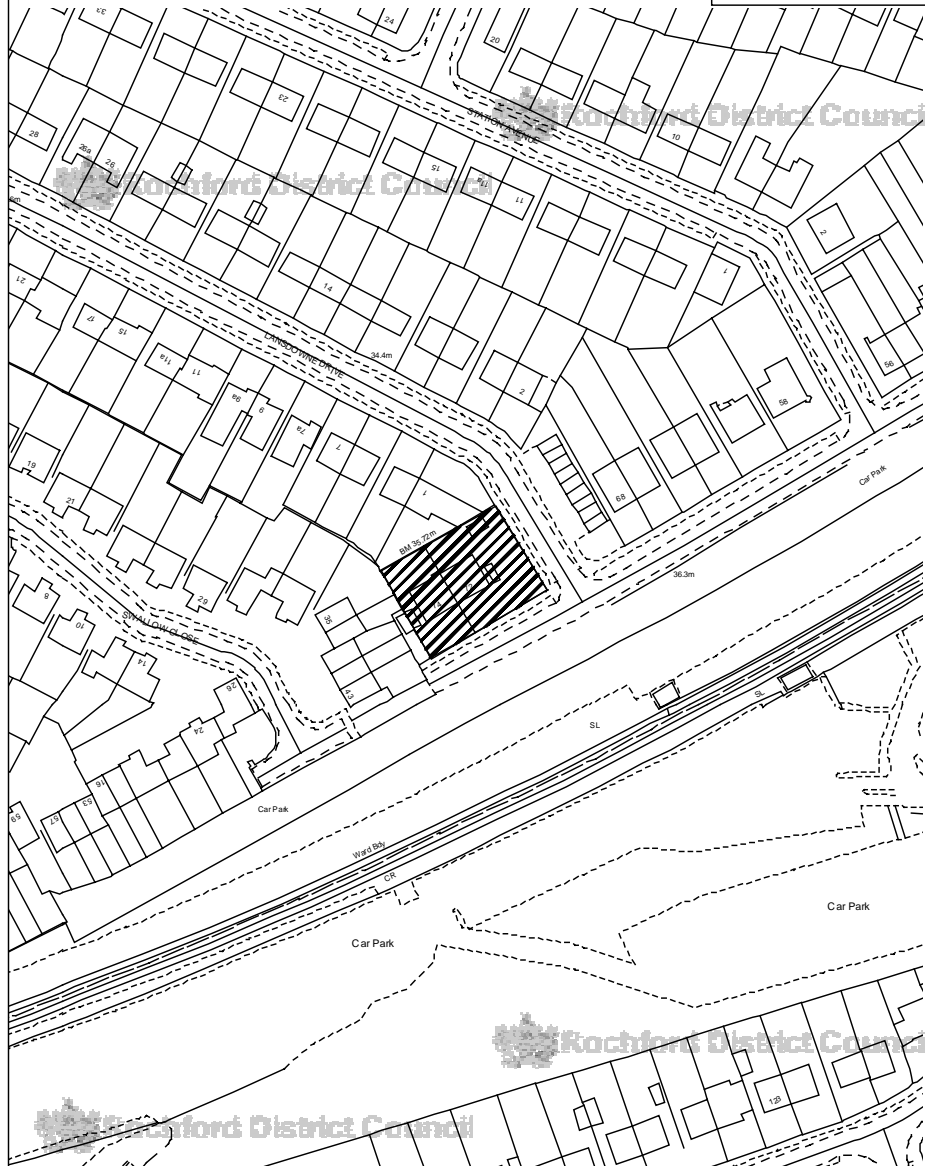


Shaun Scrutton
Head of Planning Services

The Local Ward Members for the above application are Cllr P J Morgan, Cllr G A Mockford, Cllr R F R Adams.

For further information please contact Mark Mann on (01702) 546366.

01/00871/OUT



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PLANNING SERVICES COMMITTEE - 13 February 2002 Item 4

TITLE : 01/00937/FUL
ERECT PAIR OF 4-BED HOUSES LINKED BY SEMI
INTEGRAL GARAGES (RESUBMISSION FOLLOWING
99/00002/FUL)
LAND ADJACENT 62 PARK GARDENS, HAWKWELL

APPLICANT : MRS C BEXFIELD

ZONING : PART RESIDENTIAL/ PART METROPOLITAN GREEN BELT/
PUBLIC OPEN SPACE

PARISH: HAWKWELL PARISH COUNCIL AREA

WARD: HAWKWELL WEST

SITE AREA: 660sqm **SITE DENSITY:** 30 per hectare

PLANNING APPLICATION DETAILS

- 4.1 The proposals anticipate the development of two 4-bed dwellings. These dwellings would be largely detached, however, garages to be provided as part of the development will link the two dwellings. The garages will project by approx 1.5m to the frontage of the dwellings. The houses would form a pair in a mirror image format and would be 7.5m approx to the ridge height.
- 4.2 The site is to the south of the road at the end of Park Gardens adjacent to the Clements Hall Leisure Centre playing fields and car park. To the west there is existing residential development. To the east side of the site there is a footpath linking Park Gardens with Hawkwell Park Drive to the south.

RELEVANT PLANNING HISTORY

- 4.3 Outline application OL/0399/97/ROC for one detached house on part of the current site was refused because of a poor relationship with other dwellings and because of doubts over access. A full application for a similar form of development to that now proposed (F/0454/98/ROC) was withdrawn.
- 4.4 In May of last year this Committee considered application 99/00002/FUL which again related to the same form of development. That application was refused only on the basis that part of the site was located within the Green Belt. That refusal is now the subject of an appeal which is to be heard by means of an informal hearing in April of this year.

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- 4.5 Also of relevance is an application on land to the south of the site (99/00389/OUT). This was in outline form for the development of one house and was permitted on 9 March 2000.

CONSULTATIONS AND REPRESENTATIONS

- 4.6 The **Highway Authority** has no objections subject to the application of conditions with regard to the treatment and width of the footpath, visibility splays and the widths and layout of the accesses.
- 4.7 The **County Legal Secretary** confirms that a claim has been received to upgrade the footpath that runs along the eastern edge of the site to a bridleway. The existence of the path should be taken into account as a material consideration and, the bridleway claim case will be investigated when staff are available.
- 4.8 The **Environment Agency** comments in relation to the procedure to be followed if culverting is required (Comment – none is required in this case), the consultations to be carried out in relation to water disposal and that only clean water should be discharged to soakaway, watercourse or surface water sewer.
- 4.9 **Anglian Water** has no objections in principle. It will need to approve the technical detail of sewer connections. An informative is suggested concerning sewers routed through the site. Engineers confirm that there have been problems of foul capacity during storm conditions but it is considered that two additional properties will have no significant additional impact on the system
- 4.10 The **Head of Housing, Health and Community Care** has no adverse comments.
- 4.11 The **Highways and Buildings Maintenance Manager (Engineers)** comments that there are public foul and surface water sewers on/adjacent to the site. It is noted that foul sewers in the area suffer from discharge during heavy rainfall.
- 4.12 **Hawkwell Parish Council** objects to the application. It comments that, although part of the site has been released from the Green Belt, this results in an over-development. On the edge of the Green Belt buildings should soften and not present a hard edge. If permission is granted, the footpath that runs along the side of the site must be retained at the correct width.
- 4.13 One member of the public has responded to consultation raising, in the main, the following issues:
- properties are too big for the plot and in comparison with the neighbours;
 - exacerbate traffic on the road in a poor state of repair and in the area generally;
- 4.14 The Essex Bridleways Association indicates that a claim has been lodged for the upgrading of the current footpath to a bridleway. Objection is made to the building of two properties as these would encroach onto the claimed route.

MATERIAL PLANNING CONSIDERATIONS

4.15 In this case the issues which fall to be considered are:

- the compatibility of the proposals with Local Plan designations and steps that have been taken in relation to the modification of these;
- the relationship of the proposed development to existing and impact on the character and appearance of the area;
- drainage issues;
- the adjacent public right of way.

Local Plan designation

- 4.16 In the current Local Plan the site is divided between the residential zone and the Green Belt. That part which falls within the Green Belt is also designated as being part of a public open space. It is considered that the open space designation has been incorrectly applied in the Local Plan. The land to the east of the site is clearly in public use being the car park and playing field associated with the Clements Hall centre. The land within the site however is fenced and separate from that public open space.
- 4.17 In relation to the Green Belt status of part of the site, this was the reason for the refusal of the previous application. Since that time however, the Authority has taken decisions which may affect the long term position of the Green Belt boundary. At the October meeting of the Councils Planning Policy Sub Committee a report was submitted in which minor amendments to the boundary of the Green Belt were recommended. That recommendation, which included amending the boundary such that this application site would fall within the residential zone, was endorsed by the committee.
- 4.18 That proposed amendment has yet to be the subject of public scrutiny during the deposit period of the Local Plan review. Clearly, if it were to be adopted into the reviewed plan, there would be no objection, in principle to the development now proposed.
- 4.19 In this situation, where a review is in progress, the government gives advice about how matters should be addressed. In PPG1, General Policy and Principles, it is set out that questions of prematurity may arise when a plan is under review and proposals have been issued for consultation, but the plan is not yet approved. In such circumstances the government indicates that it may be appropriate to refuse proposals on the grounds of prematurity where they are individually so substantial, or where the cumulative effect would be so significant that the outcome of the plan process would be prejudiced by predetermining decisions about scale, location or phasing.

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- 4.20 Where a proposal has an impact only on a small area it would rarely fall into the above category, we are told. In this case it is considered that the proposals are of a minor nature and cannot be considered to have a significant impact either singly or cumulatively. In this case however, the proposals for the amendment to the Local Plan have yet to be released for consultation. We are at a step prior to that to which the above advice relates.
- 4.21 Notwithstanding that it is considered that some measure can be taken from the feedback received to the consultation on the planning application. The Parish Council is clearly aware of the proposed amendment to the Green Belt boundary and, although it objects to the proposals, that is not on the basis of the present Green Belt status of the land. The resident who objects does so on the basis of density and traffic issues rather than, again, the Green Belt status. The same is true of the Bridleways Association which, whilst it objects, does not do so on the basis of the designation of the site.
- 4.22 Given this, and the small scale nature of the proposals in terms of the overall objectives of the Planning Authority expressed in the Local Plan, it is not considered that granting a permission on this land at this stage would have any significant harmful impact on the outcome of the review of the Local Plan. In that case, it is considered that the proposals cannot be resisted on the grounds of prematurity.

Relationship, Character and Appearance

- 4.23 Park Gardens consists of a range and mix of house types including houses, chalets and bungalows, both semi-detached and detached. Immediately adjacent to the site are a pair of semi-detached houses, most of the remaining dwellings at this end of the road are bungalows. It is not considered that the dwelling types proposed significantly at odds with or detrimental to the existing residential character of the area.
- 4.24 1m separation is achieved to the west side of the site adjacent to the existing houses. The frontage of the two storey part of the proposed dwellings is set broadly in line with that of the existing at no 62. The proposed dwellings do have a greater depth however. They will extend approx 4.8m beyond the two storey part of the neighbouring existing dwelling, but only 1.5m approx beyond the single storey rear part of that existing dwelling. The side separation between the properties here will be approx 2.6m and it is not considered that the relationship is unacceptably harmful, or breaches any of the Local Plan guidelines.
- 4.25 The existing and proposed dwellings have side windows in much the same position. Currently the boundary treatment here is fencing over which views can be had. Conventional higher fence boundary here and control on slab levels will reduce any harmful privacy impact to an acceptable degree. Whilst this issue could also be avoided by not permitting the development, it is not considered that the impact on the existing is so significant that refusal is justified on this basis. At first floor the windows of the existing dwelling and the proposed are obscure glazed and thus potential problems here are avoided.

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- 4.26 The dwellings proposed are here are linked. They are neither conventional detached or semi-detached. The guidelines in the Local Plan call for 1m separation to the boundaries for detached dwellings which is specified to include single storey side projections such as garages. The Local Plan guide accepts that the separation cannot be achieved in all cases.
- 4.27 As set out above Members may recall the recent consideration of proposals for this site on the basis of the same dwelling layout. At that time, although the proposals were refused, the layout of the site was not called into question as part of the refusal reason. Given this, and the minimal harm which is considered to rise from the provision of linked dwellings here, it is not considered now that the proposals could be resisted on this basis.
- 4.28 These proposals will present dwellings with a flank elevation of some 12.5m approx to the Clements Hall playing fields and thus the Green Belt. This is not considered to be harmful. It presents a clear end to development here and is appropriate to the current use within the Green Belt, namely the playing fields, which have a clear and different character to the residential area.
- 4.29 In addition, any views of the side of the dwelling are had over the car park and adjacent storage buildings and landscaping which will serve to distract the viewer from the house and ease the assimilation of it into views.

Drainage

- 4.30 The Councils engineers and Anglian Water have referred to existing problems of drainage in the area which occur during periods of heavy rainfall. It appears that the foul sewer is accommodating significant surface water drainage which leads to some capacity problems.
- 4.31 Anglian Water indicates however that two additional properties will make no significant addition to this problem and, in the absence of any objection from that company, it is considered that objection to the proposals on this basis would not be sustainable.

Public Right of Way

- 4.32 There is currently a footpath alongside the eastern side of the site linking Park gardens to Hawkwell Park Drive. This would remain should the development go ahead at a width of 1.6m approx. A claim has currently been submitted to the County Council that the footpath should be upgraded to a bridleway. Such an upgrading, it appears, would require the width of the right of way to be increased. Nevertheless, the Highway Authority, with regard to the current footpath status of the right of way, call for it to be maintained at 2m width.

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- 4.33 The County Council is unable to specify when the consideration of the case to upgrade the footpath will take place. In the meantime, the minor infringement of the width of the current footpath, called for by the Highway Authority, did not form any basis of the refusal of the previous application. In any event, the current useable path here is far narrower than 2m.
- 4.34 The proposals provide a path of 1.6m width which would appear suitable for the current foot use and, whilst this may not meet the Highway Authority defined width of 2m, no identifiable harm would appear to be caused by this. The question of the upgrade to a bridleway is dealt with by separate procedures and legislation and is not considered to be a matter over which a decision should be withheld or refused. If, in due course, when a decision is made on that matter and if it were to be that upgrading is appropriate then, if the development were not complete, the decision as to whether to proceed must be that of the applicant given the risk that action may be taken by the Highway Authority to enforce any upgrade.

CONCLUSION

- 4.35 Proposals for the development of this site were considered recently and constituted the same form of layout and house types as that now proposed. At that time refusal was only forthcoming on the basis of the site in relation to the Green Belt boundary. At the time of that decision the issues of the width of the current footpath to be achieved and the detail of the housetypes were known.
- 4.36 The new matters which have come forward now are the questions of the claim to upgrade the footpath and the drainage matters in the area. These are not considered to be of such significance that they, in themselves should cause the proposals to be refused. In relation to the Green Belt status of part of the site, steps have been taken to remove this as endorsed the Council's Planning Sub-Committee and, whilst these are at an early stage of preparation, the impact of this development is not considered to be so significant in land use policy terms that this development should await the full process of that review.

RECOMMENDATION

- 4.37 It is proposed that this Committee **RESOLVES** to **APPROVE** this application subject to the following heads of condition
- 1 SC4 Time limits
 - 2 SC14 Materials
 - 3 SC22 Restricting PD for further windows to the western elevation of the dwelling on plot 2 (west side) at first floor
 - 4 SC23 Restricting PD to ensure obscure glazing in the 1st floor windows in the west elevation of the dwelling on plot 2 (west side)
 - 5 SC50A Means of Enclosure
 - 6 SC66 Pedestrian Visibility splays
 - 7 SC70 Vehicular access details

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- 8 Condition requiring provision of agreed surfacing to the adjacent footpath
- 9 SC84 Slab levels

Relevant Development Plan Policies and Proposals:

H1, H2, H11, H19, GB1 of the Rochford District Local Plan First Review

CS1, CS2, C2, C4, BE1, H2, H3, LRT5 of the Essex and Southend on Sea Replacement Structure Plan



Shaun Scrutton
Head of Planning Services

The local Ward Member(s) for the above application is/are Cllr Mrs M A Weir, Cllr J R F Mason.

For further information please contact Kevin Steptoe on (01702) 546366.



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PLANNING SERVICES COMMITTEE - 13 February 2002 Item 5

TITLE : 01/00678/FUL
ERECT TWO POULTRY REARING BUILDINGS AND
TEMPORARY ON SITE DWELLING
LAND NORTH OF ARTERIAL ROAD AND WEST OF
LYNWOOD NURSERIES, RAYLEIGH

APPLICANT : MR R J CRONIN

ZONING : GREEN BELT

PARISH: RAYLEIGH TOWN COUNCIL AREA

WARD: LODGE

SITE AREA: 3.7Ha (approx)

PLANNING APPLICATION DETAILS

- 5.1 The applicants intentions are to develop a poultry enterprise at this site which appears to have been named as the Wildwood Poultry Farm. The operation is to consist of egg production and turkey rearing and is to be developed in two phases over 5 years.
- 5.2 The first phase (years 1 to 3) would see the erection of two agricultural buildings and the siting of the temporary on site management dwelling. It is this development for which approval is sought as part of this application. The agricultural buildings comprise long low buildings, each with a length of 25.22m, width of 8.22m and height (to the ridge of the buildings) of 3.4m approx.
- 5.2 The temporary dwelling is shown to comprise two caravans, each 6m x 2m in size and located 1.5m apart with the intervening area provided with decking and overhead covering. The height of the units is shown to be 2.05m approx.
- 5.3 The agricultural buildings are shown to be located on the south east part of the site towards the frontage with the Arterial Road. The temporary dwelling is located to the north of these towards the middle of the site. Access to the site would be gained from the Arterial Road onto the existing private road which serves Lynwood Nurseries and other properties in that area. It is then shown that a new access would be created off this private road.
- 5.4 The stocking level of the units is to be 6,000 birds for the first three years. 300 turkeys are to be raised at the site each year also. The turkeys are to be raised in mobile buildings on the site and allowed to free range. The existing stable buildings on the site are to be used for storage purposes.

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- 5.5 In the longer term, years 4 and 5, it is anticipated that a further two agricultural buildings will be constructed bringing the number of birds on the site within the buildings to 12,000. There is also likely to be a submission for a permanent dwelling on the site.
- 5.6 The applicant has submitted a business plan for the enterprise and a planning appraisal produced by ADAS. These have been subject to assessment by the Councils Head of Financial Services and agricultural consultant, Mr P Chillingworth.

RELEVANT PLANNING HISTORY

- 5.7 Applications were made in the 1950's and 60's for residential development on this site and adjacent land. These applications were refused. In 1972 there was an application for a motel on the site. This was refused on the basis of the likely designation of the site as Green Belt and on traffic/access grounds. An appeal against this refusal was dismissed.
- 5.8 The stable block that is currently located on the north east corner of the site, and the use of the fields for horse riding and grazing was approved under reference ROC/995/89 on 4 March 1991. In 1994 there was an application for the change of use of storage buildings to provide additional stabling, fencing, retain menage and keep horses on additional land. This was refused on the basis of intensification of the access on 2 March 1994.

CONSULTATIONS AND REPRESENTATIONS

- 5.9 The County **Highway Authority** recommends that permission be refused as the proposal would intensify the use of the substandard access to the classified highway. It is accepted that there is already use of the access but that intensification should be avoided.
- 5.10 The **Environment Agency** comments that, with regard to surface water drainage, the responsibility for the system into which water is to discharge, should be clearly defined. Information should be provided that there is sufficient capacity available in the system to accept the flows anticipated.
- 5.11 A package foul water treatment plant is proposed and is acceptable to the Agency if there is no possibility of a main connection. Consent from the Agency will be required for any discharge from the plant, and is not implied by these comments.
- 5.12 The Agency comments that the poultry units have pollution implications. All washdown and disinfectant waters should be discharged to the foul sewer or to a sealed unit for offsite drainage. All slurry must be disposed of in a way to prevent any polluting discharges.
- 5.13 **Anglian Water** has no comments.

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- 5.14 The **Head of Housing, Health and Community Care** suggests that, if permission is to be granted, the following conditions should be applied:
- details of fume extraction and ventilation equipment are to be submitted and agreed;
 - details of storage and disposal of waste to be submitted and agreed;
 - no burning;
 - satisfactory provision to be made for disposal of domestic waste.
- 5.15 **Rayleigh Town Council** has no objections
- 5.16 **Castle Point Borough Council** has no observations.
- 5.17 Rayleigh Civic Society notes that the site is located in the Green Belt between Rayleigh and Southend. Its view is that the status of this land should be maintained. It is noted that the proposals could be acceptable according to Local Plan policies however it is concerned about:
- arrangements for vehicular access and traffic movements;
 - drainage and waste disposal;
 - fire precautions;
 - whether there will be retail activity at the site.
- 5.18 53 responses have been received in response to neighbouring occupier and other consultation. The majority of these are from local residents, some have been received from residents who live away from the area. The issues raised, in the main, are as follows:
- proposals will constitute a health hazard encouraging flies, smell and vermin;
 - noise will be unacceptable;
 - inadequate drainage and waste disposal;
 - wildlife on site will be disrupted;
 - traffic and access problems;
 - on site trees will be lost;
 - will impact on views of the site;
 - is an inappropriate location close to residential uses;
 - the proposal may fail and result in re use or residential development;
 - a permanent dwelling will be proposed in due course;
 - the proposals are of a commercial nature and not appropriate for this location;
 - any floodlighting will be disruptive;
 - will set a precedent;
 - the residential element is out of keeping with the area;
 - the location under the flightpath will result in panic in the birds;
 - inadequate manning of the site is proposed;
 - the form of farming results in animal suffering and animal welfare problems;
 - the use will encourage animal rights demonstrations and activists to the area and result in disruption.

MATERIAL PLANNING CONSIDERATIONS

- 5.19 The issues which fall to be considered in this case are:
- the compatibility of the proposals with development plan policies and national guidance;
 - access;
 - impact on residential and visual amenity; and,
 - drainage and waste disposal issues.

Plan Policy and National Guidance

- 5.20 The site is located in the Green Belt. As Members will be aware, development is restricted in the Green Belt, unless it is for certain closely defined circumstances. Government guidance in PPG2, Green Belts, establishes that development for agricultural purposes, as in this case, is not considered inappropriate in the Green Belt.
- 5.21 Further advice in relation to development in the countryside is given in PPG7, The Countryside, etc. Annex I relates to agricultural and forestry dwellings. This is established as one of the few circumstances in which isolated residential development in the countryside may be justified.
- 5.22 For a permission to be granted, development proposals have to be found acceptable in relation to functional and financial tests. The functional test relates to the need for a residential use associated with an agricultural one. The applicant has submitted a report from the ADAS agricultural consultancy and this has been subject to an independent assessment by the Councils agricultural consultant. Both specialists found that the requirements of the functional test were met in this case, for a temporary dwelling, as is proposed.
- 5.23 The financial test relates to the economic viability of the operation. Clearly this is to be a new operation and not one for which current accounts or operating patterns are available for scrutiny. Instead a business plan has been prepared on behalf of the applicant. This has been scrutinised by the agricultural consultant and the Councils Head of Financial Services. Some issues arise from this. The business plan identifies a single outlet for the eggs produced from the operation. Recommendations within the plan recommend that additional outlets are secured to ensure continued viability if the single purchaser were to transfer custom. The applicant now informs that the market has been explored and other potential purchasers approached.
- 5.24 Within the business plan the sensitivity of the predicted income of the operation to changes in the price of the eggs is explored. A 1p drop in the price per egg would lead to a reduction in income over the year of £16,000. This would have an impact on the profitability of the business.

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- 5.25 Lastly, in relation to the business plan, the councils consultant has questioned the low price quoted for the construction of the production units. He indicates that this may be due to a largely self build nature of the units. If it is due to reduction in their specification however, he raises concern. The applicant advises that this is not the case and that the units need to be built to specific livestock holding criteria (in terms of space per bird, ventilation etc) which are set out by the appropriate regulatory body. He advises that construction is to be undertaken on a largely self build basis.
- 5.26 The Structure Plan policies follow the approach set out in the national guidance above, specifying that agricultural development is an acceptable form of development in the Green Belt. This is further referred to in the policies in the Rochford District Local Plan which again indicate that agricultural development in the Green Belt is acceptable. Policy GB3 of the Local Plan relates to residential uses tied to agricultural operations. The policy approach set out in the plan must be tempered by the fact that it predates latest government guidance in PPG7. Essentially however it requires that there is a functional need for the proposed dwelling and that, even if there is, where an operation is newly established, only a temporary dwelling would be permitted.

Access

- 5.27 Access to the site is to be gained from the private road which currently serves the Lynwood Nursery and the two residential dwellings in the area. This connects direct to the eastbound carriageway of the A127 Arterial Road. Traffic to the site would have to enter from the west, via Rayleigh Weir, and exit to the east, towards Progress Road in Southend. The applicant is currently negotiating the actual point of the access to the site from the private road.
- 5.28 The junction of the private road onto the A127 is clearly substandard in modern terms, with no slowing or acceleration lanes and with a difficult slope on leaving or joining the main road. The Highway Authority objects to the proposals on the basis of the intensification of the use of this substandard access.
- 5.29 The applicant disputes the position of the Highway Authority and has provided an explanation, comparing the vehicle movements from the stables that have been permitted for the site and the proposed poultry units. In his view there would be a reduction in the number of vehicles entering/ leaving and, improved junction alignment could be provided by using land within his control, even though this would not be to the required design.

Residential and Visual Amenity

- 5.30 A significant number of the residents who have been consulted on the proposals have raised the issue of impact on residential amenity by virtue of noise, smells, increased presence of vermin and flies etc. The closest residential units are those at Lynwood Nurseries (The Bungalow, Old Cottage) and at Heath Nurseries. Otherwise, the bulk of residential occupiers who are concerned in relation to the proposals are those that reside in the Eastwood Road area in Rayleigh.

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- 5.31 The closest of these dwellings would be approx 320m from the buildings proposed, with the majority being 350 to 400m distant. However, if distances from the curtilage of the site were to be measured, the closest distance from the edge of the site to the nearest residential curtilage is 130m approx (to dwellings in South View Close) and with the majority being between 200 to 220m (to the Eastwood Road dwellings).
- 5.32 The Head of Housing, Health and Community Care (HHHCC) does not object to the proposals and discussions have indicated that the location proposed in this case is not dissimilar to other existing units in the District and, indeed, is better than some in relation to the nearest residential uses. It is proposed that conditions would be required to ensure that methods of waste disposal are satisfactory and properly implemented. These have already been discussed with the applicant and further details are provided in the section on waste disposal below.
- 5.33 The HHHCC takes the view that, although there maybe some minimal impact on amenity when the units are cleared at the end of the birds production cycle, this would not be so significant or so prolonged as to present any form of impact that could be considered unacceptable. As indicated above, similar uses already exist elsewhere in the district and it has been found that, whilst there are some limited records of complaint, the units generally continue to operate without significant amenity impact. Whilst residents have highlighted a list of concerns then, these do not appear to have any basis in documented fact.
- 5.34 In relation to visual amenity, the land on which the units are to be located is currently quite well covered in trees and scrub. The retention of these on the boundaries of the site would ensure that the buildings are largely obscured from view, both at the boundary of the site and in longer distance views from the Eastwood Road residential area. The proposed buildings are of limited height, 3.3m approx, and discussions with the applicant indicate that any feed silos would be no higher than the height of the ridge of the buildings. The temporary residential use comprises caravans which are similarly low in height, approx 2.2m. The limited height of the buildings would aid their assimilation without harmful visual impact.

Drainage and Waste Disposal

- 5.35 Both the Environment Agency and residents have raised issues in relation to drainage and waste disposal from the site. There are two separate aspects to consider. There is the foul waste from both the residential use and the poultry units and then there is the surface water disposal to consider.
- 5.36 In relation to the foul from the residential use, there is no public foul sewer in the vicinity. The applicant proposes the use of a package treatment plant which the Environment Agency considers acceptable.

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- 5.37 Foul waste from the poultry units consists of solid and liquid waste. The solid waste is formed from the droppings from the birds. In the first phase of the development there will be four batches of 1500 birds each of which will remain at the site for a year. On removal of each of the batches of birds the solid waste (which is collected in the interim in containers under the floor) will also be removed and disposed of. Discussions with the applicant have indicated that disposal will consist of transfer of the waste to sealed vehicles and immediate transport off the site. Evidently poultry waste is a sought after dressing for agricultural land. The HHHCC has commented that this may result in some short term odour problems whilst disposal is taking place, but will not be significant enough or lengthy enough to be able to resist the proposals on this basis.
- 5.38 Liquid waste from the birds, and from cleaning out of the units will be stored in secure tanks on the site. Disposal of this will be by means of transfer to sealed tankers and disposal away from the site.
- 5.39 Surface water from the site will consist of the run off from the proposed residential and poultry buildings. Initial indications were that this was to be piped to the on site ditches for drainage off the site. The Environment Agency have raised the concern that there has been insufficient information provided to establish whether there is sufficient capacity in the watercourses to take the additional loading, given that the buildings represent a considerable area of surfacing. Discussions with the applicant have suggested the use of soakaways however, as at this time, the applicant has not fully explored this method of drainage.

CONCLUSION

- 5.40 The form of development is one which, in terms of national guidance and strategic and local policy, is permissible in the Green Belt in principle. In this case however the particular operation is new and government guidance is such that there should be clear evidence that the proposed enterprise has been planned on a sound financial basis.
- 5.41 In this case a Business Plan has been prepared and submitted with the proposals. There are questions to be addressed however in relation to the income to the unit (the sensitivity of income to the price per egg) and the number of purchasers. These raise questions with regard to the financial soundness of the proposed use. Whilst the applicant has taken steps to address the number of purchasers, he has little control over the market price. With regard to purchasers the applicant argues that firm indications cannot be sought in advance of a permission.
- 5.42 With regard to access, it is clear that the Highway Authority are concerned at the impact of the proposals. It would seem that the use along with the residential use proposed does have an intensification impact on the use of the substandard access. On this basis the proposals should be resisted.

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- 5.43 Residential and amenity impacts are not considered to be of such significance that the proposals could be resisted on this basis. With regard to drainage and waste disposal, these matters are largely dealt with and, if the Committee were mindful to approve these proposals, would need to be secured by means of condition. Full details of the means of surface water disposal have not been provided but the applicant is of the view that a technical solution is achievable.
- 5.44 It is considered that the decision in this case should hinge on the access issues and that a refusal is appropriate in this case. The applicant would need to be alerted by informatives on any refusal notice that, if they were minded to pursue these proposals, they would need to further address that financial case that has been made for the establishment of the proposals and the means of surface water disposal.
- 5.45 All other matters raised by the consultees and by the residents who responded to the application have been taken into account in coming to this conclusion. It is not considered that any of these are such that a decision different to that recommended would be appropriate.

RECOMMENDATION

- 5.46 It is proposed that this Committee **RESOLVES** to **REFUSE** this planning application for the following reason:
- 1 The proposal would intensify the use of a substandard access onto a classified highway where the main function is that of carrying traffic freely and safely between centres of population. The existence of an access in this location is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs but the intensification of that conflict and interference which this proposal would engender would lead to a deterioration in the efficiency of the through road as a traffic carrier and be detrimental to highway safety.

And that informatives be added to the decision notice specifying that, if the applicant is minded to pursue these proposals further, further attention be paid to the justification of the financial soundness of the proposals and the surface water drainage issues.

Relevant Development Plan Policies and Proposals:

H24, GB1, GB3, RC1, RC10 and PU3 of the Rochford District Local Plan First Review

CS2, C2, NR6, NR8, NR9, NR12 and BE6 of the Essex and Southend on Sea Replacement Structure Plan

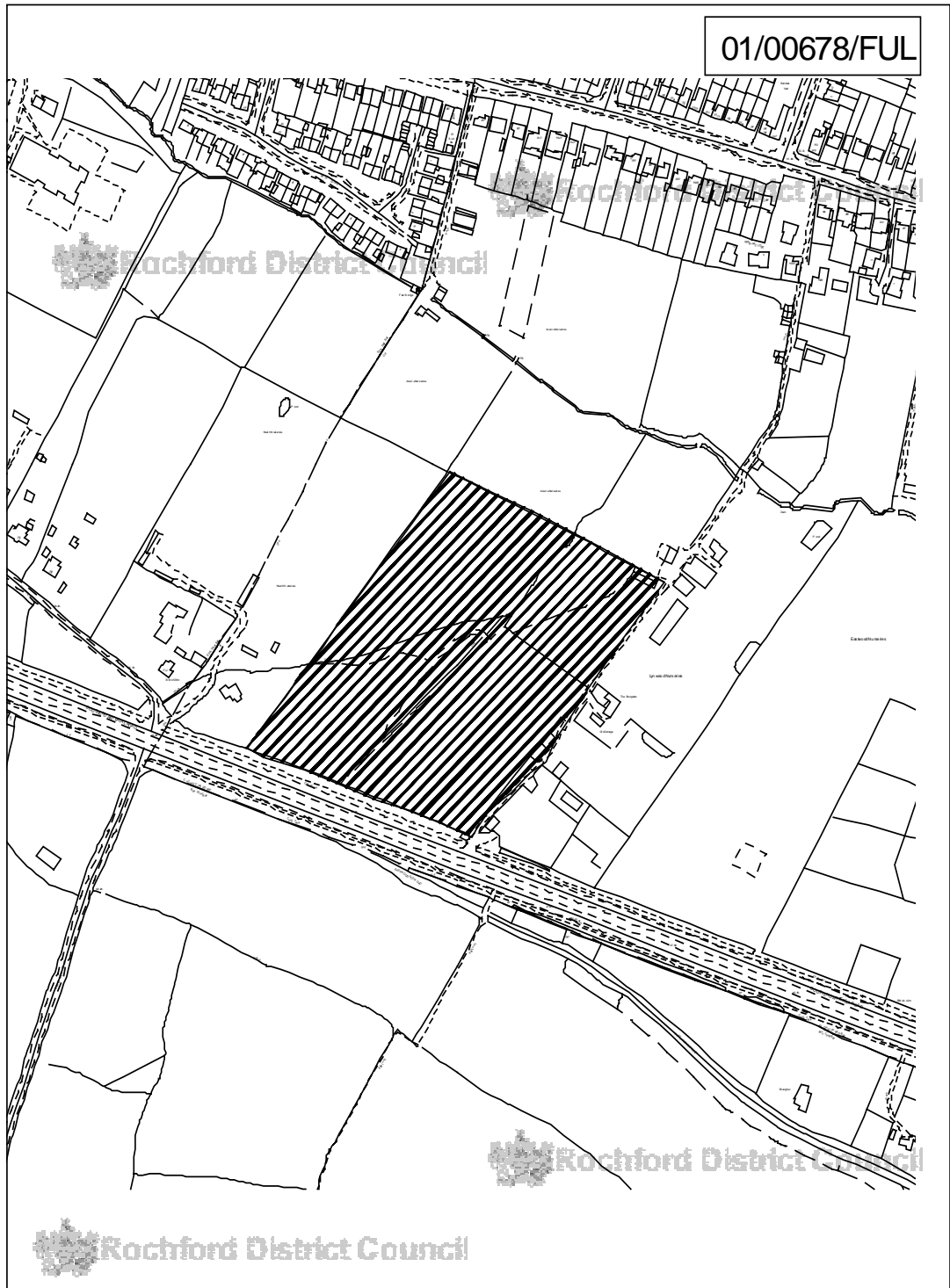


Shaun Scrutton
Head of Planning Services

The local Ward Member(s) for the above application are Cllr D R Helson, Cllr T Livings, Cllr S P Smith

For further information please contact Kevin Steptoe on (01702) 546366.

01/00678/FUL



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PLANNING SERVICES COMMITTEE - 13 February 2002 Item 6

TITLE : 01/00948/CM
VARIATION OF CONDITIONS TO ALLOW MINERAL
EXTRACTION AND EXPORTATION UNTIL 31 DECEMBER
2006 AND TO REINSTATE ACCESS BY 31 MARCH 2007.
CHERRY ORCHARD BRICKWORKS, CERRY ORCHARD
LANE, ROCHFORD.

APPLICANT : HANSON BRICK LIMITED

ZONING : METROPOLITAN GREEN BELT

PARISH: ROCHFORD PARISH COUNCIL

WARD: ROCHFORD ST ANDREWS

PURPOSE OF THIS REPORT

- 6.1 This is a County Matter application as it relates to minerals, and will be determined by the County Council as Minerals Planning Authority. The views of this Council have been requested as a consultee. The application relates to the variation of condition 3 of a previous permission to allow the continuation of Brickearth extraction at Cherry Orchard until 31st December 2006.
- 6.2 This application should be considered jointly with application number 02/00002/CM for Star Lane Brickworks.

PLANNING APPLICATION DETAILS

- 6.3 The background relates to the closure of the Cherry Orchard Brickworks due to a significant fall in demand following the early nineties recession. At this time it was seen to be appropriate to close the Cherry Orchard works and utilise remaining mineral deposits for bricks via exports to the Star Lane works, with an expected expiry of source material being before December 2001.
- 6.4 During the permitted timescale for extraction, the applicants have worked the site on one occasion, exporting the brickearth to Star Lane. The mineral extraction was proposed in three phases, though extraction has not been carried out on this basis. To date the applicants have extracted approximately 50% of the available resource, that is phase 1 and part of phase 2; therefore any future extraction could be possible in a single phase, (remaining of phase 2 and complete phase 3).
- 6.5 The extraction is dependant on the demand for the required material, hence the current application to extend the extraction timescale.

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CONSULTATIONS AND REPRESENTATIONS

- 6.6 **Rochford Parish Council** have no objections to this application.
- 6.7 **Rochford Hundred Amenities Society** comment that they are concerned by the movement of earth on account of greatly increased traffic. If the application is approved movement should be southward along Cherry Orchard Lane on to A127.
- 6.8 **Essex County Council (Archaeology)** advise that the archaeology condition as originally applied still applies to this application.
- 6.9 **English Nature** advise that due to the changes in the projected time scale for the proposed works, we recommend that prior to the commencement of development a qualified ecological consultant carry out a further survey.
- 6.10 **Environment Agency** has no objection to the proposed development.
- 6.11 **Rochford District Council (Woodlands & Environmental Consultant)** raises two areas for concern with respect to this application. Commenting that protected animals reside in the boundary hedge, extreme left of the site was first surveyed over 12 months ago. A more recent survey is required to determine if there has been any change in there position.
- 6.12 Neighbour responses have been received from two local residents, expressing fears and problems associated with the previous extraction period, including dust and noise pollution. Furthermore outlining problems with drainage to gardens that are alleged to have occurred during and following extraction. Copies will be passed to County Council.

MATERIAL PLANNING CONSIDERATIONS

- 6.13 This application involves a revised condition to allow the extraction of brickearth. Under the current permission, there has been permission for extraction in three phases, this has not been fully taken up, in that phase 1 has been completed and approximately 50% of phase two has been implemented. This was completed in one continued extraction of the site. The timescale for extraction has now expired, this is in part due to the financial implications, that mineral extraction will only take place when there is a demand for the material and final product.
- 6.14 Environmentally with respect to this application, the impact of the protected animals is a vital one and is something that County Council have indicated that the site owners are aware of and will undertake such surveying under applied conditions. The impact of the extraction on the nearby properties is an important matter for consideration, whilst no significant impact is envisaged, the fears and problems with respect to drainage will be forwarded to the County Council.

PLANNING SERVICES COMMITTEE - 13 February 2002 Item 6

- 6.15 In highway terms of this application, the situation remains unchanged that the development has no detrimental implications except when extraction is taking place. As with other related matters it is suggested that the original conditions be re-applied to the application; this includes limits on the hours of operation; maximum height of 2metres for storage of brickearth on site; provision of wheel cleaning facilities and sheeting of loaded vehicles in addition to the protection of species as outlined below.
- 6.16 Policies MIN1 and MIN2 within the adopted Essex and Southend on Sea Replacement Structure Plan outline the requirement to make land available within the County and District for purposes of mineral working. This relates directly to the current planning application and reinforces the need to make the minerals available for extraction.

RECOMMENDATION

- 6.17 It is proposed that this Committee **RESOLVES** that the County Council be informed that **NO OBJECTION** be raised to this application subject:

The application of conditions as applied under previous application reference CM/0288/98/ROC and Essex County Council Reference ESS/49/98/ROC

- 1 No development shall commence prior to the submission of details with respect to the likely impact of development on the protected species population and the appropriate mitigation measures have been submitted to and approved in writing by the Local Planning Authority, as per condition 19 of Essex County Application ESS/49/98/ROC

Relevant Development Plan Policies and Proposals:

MIN1, MIN2, MIN4, MIN6, MIN7 of the Essex and Southend-on-Sea Replacement Structure Plan

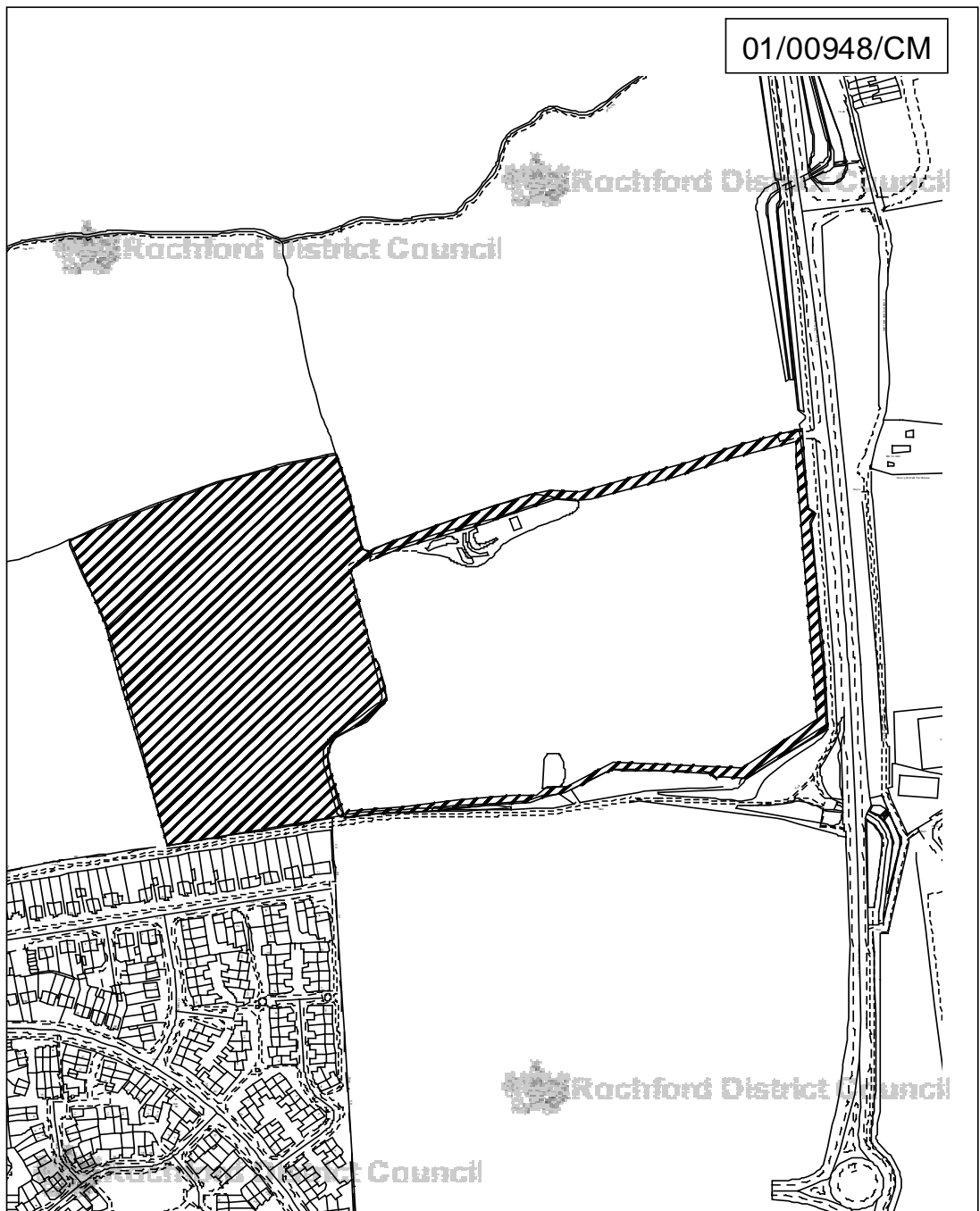


Shaun Scrutton
Head of Planning Services

The local Ward Member(s) for the above application are Cllr R A Amner, Cllr D A Weir.

For further information please contact Christopher Board on (01702) 546366.

01/00948/CM



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PLANNING SERVICES COMMITTEE - 13 February 2002 Item 7

TITLE : 02/00002/CM
VARIATION OF CONDITION 3 OF PERMISSION CM/288/98
(ESS/34/98) TO ALLOW CONTINUATION OF BRICEARTH
IMPORTS FROM CHERRY ORCHARD UNTIL 31ST
DECEMBER 2006
STAR LANE BRICKWORKS, STAR LANE GREAT
WAKERING.

APPLICANT : HANSON BRICK LIMITED

ZONING : EXISTING INDUSTRIAL/METROPOLITAN GREEN BELT

PARISH: GREAT WAKERING PARISH COUNCIL

WARD: GREAT WAKERING WEST

PURPOSE OF THIS REPORT

- 7.1 This is a County Matter application as it relates to minerals, and will be determined by the County Council as minerals Planning Authority. The views of this council have been requested as a consultee. The application relates to the variation of condition 3 of a previous permission to allow the continuation of Brickearth imports from Cherry Orchard until 31st December 2006.
- 7.2 This application should be considered jointly with application number 01/00948/CM for Cherry Orchard Brickworks.

PLANNING APPLICATION DETAILS

- 7.3 The background relates to the closure of the Cherry Orchard Brickworks due to a significant fall in demand following the early nineties recession. At this time it was seen to be appropriate to close the Cherry Orchard works and utilise remaining mineral deposits for bricks via Imports to the Star Lane works, with an expected expiry of source material being before December 2001.
- 7.4 During the permitted timescale for extraction, the applicants have worked the site on one occasion, importing the brickearth to Star Lane. The mineral extraction was proposed in three phases, though extraction has not been carried out on this basis. To date the applicants have extracted approximately 50% of the available resource, that is phase 1 and part of phase 2; therefore any future extraction could be possible in a single phase.
- 7.5 The extraction is dependant on the demand for the required material, hence the current application to extend the extraction timescale.

PLANNING SERVICES COMMITTEE - 13 February 2002 Item 7

CONSULTATIONS AND REPRESENTATIONS

- 7.6 At the time of report writing this application is at an early stage of consultation. The responses to the application received so far comprise the following:
- 7.7 **Environment Agency** have no comment to make on this application.

MATERIAL PLANNING CONSIDERATIONS

- 7.8 This application involves a revised condition to allow the extension of imported brickearth. Under the current permission, there have been no significant problems due to the impact of the brickearth imports; this situation should remain unchanged. The importation of brickearth onto this site takes place only over a limited timescale when the actual extraction is taking place, during the remaining time period there is no traffic generation implications between the two sites.
- 7.9 It is suggested that the previous conditions as applied by County Council under reference ESS/34/98, are re-applied. Particular attention must also be given to the following items, hours and volumes of movement restrictions (previous conditions 6 & 17); maximum stockpile height of 6metres (previous condition 7); and the continual cleaning and maintenance of the first 100metres of the access road with Star Lane to ensure it is mud free (previous condition 15).

RECOMMENDATION

- 7.10 It is proposed that this Committee **RESOLVES** that the County Council be informed that **NO OBJECTION** be raised to this application subject to the following:

The application of conditions as applied under previous application reference CM/0288/98/ROC. (ESS/34/98).

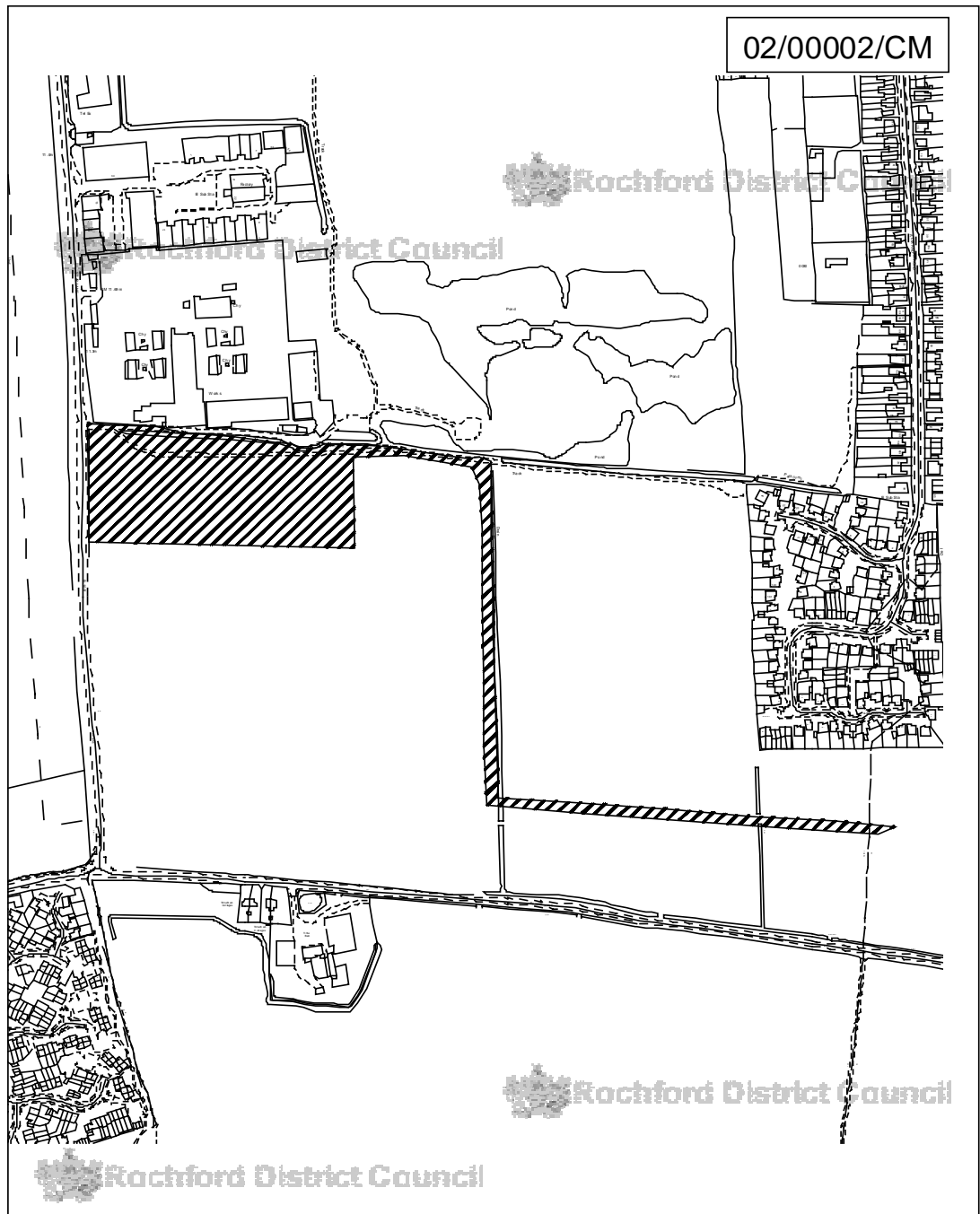
Relevant Development Plan Policies and Proposals:

MIN 1, MIN 2, MIN 4, MIN 6M MIN 7, of the Essex and Southend-on-Sea Replacement Structure Plan



Shaun Scrutton
Head of Planning Services

The local Ward Member for the above application is Cllr G Fox
For further information please contact Christopher Board on (01702) 546366.



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PLANNING SERVICES COMMITTEE - 13 February 2002 Item 8

TITLE : 01/00898/FUL
ERECT 18 SELF CONTAINED ELDERLY PERSONS FLATS
WITH COMMUNAL AREA IN 2/3 STOREY BUILDING,
LAYOUT PARKING, ALTER ACCESS (DEMOLISH EXISTING
HALL BUILDING) (RESUBMISSION FOLLOWING
01/00188/FUL)
CROWN BINGO HALL, CROWN HILL, RAYLEIGH

APPLICANT : HISTONWOOD LTD

ZONING : PRIMARY SHOPPING FRONTAGE, RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL AREA

WARD: WHEATLEY

SITE AREA: 0.145ha

PLANNING APPLICATION DETAILS

- 8.1 The previous building on this site has now been demolished under a planning permission granted on 27 September 2001. That permission related to the same form of development to that now proposed. The scheme is for 18 elderly persons flats in a building which varies from 2 to 3 stories in height. The submission now made is the same as that submitted in the earlier application apart from the fact that, at the south east end of the site (adjacent to the Crown public house) part of the building is removed to ensure that a private right of access in that area is not encroached upon.
- 8.2 The building varies in height as indicated above and is set on land that is sloping. The height to the eaves at the lowest point is 4.5m approx and, at the highest point, 8m. The height to the ridge of the building varies between 8m and 11.3m approx. As per the previous proposal access is to be gained at the lower end of the site with the provision of 7 car parking spaces. The remaining land around the building is to be laid out as amenity space.

RELEVANT PLANNING HISTORY

RAY/33/59 - Block of 3 lock-up garages. (NB: Part of site but described as Crown Hotel site). Approved.

ROC/307/75 - Alterations to form licensed bar and store and provide additional car park. Refused.

ROC/663/75 - Structural alterations to form licensed bar. Approved.

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ROC/880/75 - Extensions and alterations to car park, including landscaping at Crown Bingo, Crown Hill. Refused.

ROC/348/76 - Renovation of existing retaining wall and erection of boundary fence. Approved.

ROC/239/82 - Alterations to existing vehicular crossing and amended layout of existing parking area. Refused.

ROC/501/83 - Extension to existing parking area and alterations to site access. Refused.

F/0369/97.ROC - Erect 2 bed bungalow (for security guard/caretaker for Adj. Bingo Hall). Refused.

8.3

Application 01/00188/FUL. This was the previous application for the development of the site with largely the same proposals. It was submitted during last year and permission was granted on 27 September 2001.

CONSULTATIONS AND REPRESENTATIONS

8.4 The **County Planner** notes that the proposal are located partly within a primary shopping frontage. This is not considered to present any overriding objection and the proposal is considered to support town centre regeneration.

8.5 The **County Archaeological Advisor** comments that the site is in an area of archaeological interest and it is recommended that a condition is applied requiring the implementation of a scheme of archaeological work.

8.6 The **County Design Advisor** suggests design changes involving the hipping of the roof over the now reduced element of the building and changes to window design on this part of the building. He would prefer that the building were moved back towards the conservation area. (Comment – the effect of the reduction in the building has formed a gap between it and the boundary of the site adjacent to the Crown pub).

8.7 **Anglian Water** has no objections and refers to comments on the earlier application which suggested conditions in relation to the details of surface and foul water disposal.

8.8 **The Head of Housing, Health and Community Care** refers to previous consultation response which indicates that there is potential for the occupants of the new building to be disturbed by pedestrians and vehicular activity due to the proximity of the site to the High Street and the Crown PH. Conditions are suggested if Members are minded to approve these proposals.

8.9 The **Buildings and Highways Maintenance Manager (Engineers)** comments that there is surcharge in the public surface water sewer on Crown Hill in times of stress.

PLANNING SERVICES COMMITTEE - 13 February 2002 Item 8

- 8.10 The **Woodlands and Environmental Specialist** comments that there are no implications for protected trees as part of this submission.
- 8.11 **Rayleigh Town Council** objects to the proposals on the basis of inadequate parking provision, the increased vehicular activity which will result exacerbating existing busy highway conditions and the dominating appearance of the building, in its view.
- 8.12 The Rayleigh Civic Society indicates that it concurs with the comments made by the County Conservation Officer at the first stage of consultation on the previous submission. It is concerned about the difference in ridge lines and the oversized roof bulk of the two storey element. It comments that a small improvement has been made but that previous adverse comments are not addressed. Concerned at the difference in levels on the car park and question the need for dummy chimney stacks. Pleased at the use of yellow stock bricks.

MATERIAL PLANNING CONSIDERATIONS

- 8.13 The previous application was considered under the issues of :
- visual impact and relationship to adjoining uses;
 - access and parking;
 - impact on TPO trees; and,
 - Local plan allocation.
- 8.14 It is considered that these issues still remain relevant in this case.

Visual Impact

- 8.15 The site is on the edge of the centre of the town. It is located on Crown Hill where it falls down towards the station towards the west. The hall which was previously on the site was of a substantial nature, varying between 1.5 and two storeys in height.
- 8.16 There are other buildings in the vicinity of the site which are also substantial. Christ Church, to the west, presents a very substantial gable to the Crown Hill road, which is very significant in views when travelling from the station. At the High Street end of the site there are numerous buildings of three storey height. Given the location of the building and the scale of the other buildings in the vicinity it was considered that scale of the earlier proposals were acceptable.
- 8.17 In this case, the only difference is the removal of a part of the building towards the Crown PH end of the site. The frontage of the building has been reduced by 3.8m approx. This provides a 6.5m gap between the building and the boundary of the site at the front of the building and narrowing to a gap of 5m (previously 1.2m) at the back of the building.
- 8.18 It is not considered that this gap is of any particular harm in townscape terms. Other buildings in the vicinity wrap around and to the rear of the site and are quite substantial in scale. Therefore there is no visual gap.

Relationship to other buildings.

- 8.19 Most of the surrounding properties face this site rather than back onto it. The properties on The Knoll generally faced onto the undeveloped part of the site as it existed previously (when the Bingo Hall was in place). Although this building is larger, in terms of footprint, it is sited in broadly the same location as the Bingo Hall. As per the previous submission then, the relationship between the Knoll properties and the site is that they continue, largely, to face the undeveloped part of the site.
- 8.20 The properties on Crown Hill will, as was reported in relation to the previous submission, be subject to the most change. These properties face on to the busy Crown Hill road and have little privacy to their frontage at the present time. Given this and the distance between the proposed building and these properties it is considered that the impact is not unacceptable.
- 8.21 The properties on High Street generally back onto this site. They are largely in commercial use, some with residential at first floor and above. Again, there are not considered to be any unacceptable relationship problems in relation to these properties. In fact, the shortening of the building, as now proposed, will lengthen the separation distance from these buildings.

Access and Parking

- 8.22 As per the recent submission, the existing access to the site is being repositioned slightly and a wall lowered to improve visibility. The Highway Authority have yet to submit a view on these proposals but, given that the access and parking arrangements are unchanged from those previously submitted, there would appear to be no basis on which any objection could be sustained. Full details will be submitted in the addendum paper at the time of the meeting.

Impact on TPO trees.

- 8.23 The proximity of the proposed building and the car parking and site level arrangements of the previous proposal were considered acceptable. The current amendment does not change in any way the relationship between these elements and the trees on the site. Whilst previously there were some concerns in relation to the impact of the development on the trees, these had to be tempered by the fact that the existing building on the site would have had an impact and because new landscaping can be required as a result of the development.
- 8.24 There were considered to be no substantial grounds on which to resist the proposals previously in relation to this issue and it is considered that the situation is unchanged in relation to these current proposals.

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Local Plan Allocation

- 8.25 One third of the site is allocated as being suitable for residential development whilst the remainder is allocated as being part of the Primary Shopping Frontage, as a continuation of the High Street. Crown Hill however is not a recognised shopping area of the town and neither has the site, in its recent use, contributed to shopping activity in the town.
- 8.26 The proposal appears no less an appropriate use than the Bingo Hall and is in line with government advice to promote mixed uses in and close to central areas. Again this position was taken in relation to the recent submission.

CONCLUSION

- 8.27 The principle and detail of this scheme have been considered recently by this committee and an approval was forthcoming. In this case no alteration has been made to the matters of principle and the only minor change that has been made to the detailed design of the scheme is not considered to be of such impact that the design is now unacceptable. There are not considered to be any changes in circumstances which indicate that a decision other than in accordance with that reached earlier would be appropriate in this case.

RECOMMENDATION

- 8.28 It is proposed that this Committee **RESOLVES** to **APPROVE** this application subject to the following heads of condition:
- 1 SC4 Time Limits Full - Standard
 - 2 SC14 Materials to be Used
 - 3 SC59 Landscape Design - Details (Full)
 - 4 SC60 Tree and Shrub Protection
 - 5 Visibility splay of 2.4m x 70 to be provided on the traffic approach side of the vehicle access.
 - 6 The vehicle access to be constructed to a minimum width of 5.5m and at a gradient of no greater than 8%, with a suitable splay from the highway boundary to the dropped kerb crossing.
 - 7 Pedestrian visibility splay
 - 8 Materials to be used for the access and parking area within the site.
 - 9 SC62 PD Restricted - Gates
 - 10 SC76 Parking and Turning Space
 - 11 The dwelling units or any parts thereof shall not be occupied, under let or shared by or with any person under the age of 55 at the date of occupation.
 - 12 Details of any proposed refuse storage facilities or external drying out areas shall be submitted to and agreed in writing with the Local Planning Authority prior to commencement and thereafter carried out, retained and maintained as agreed.
 - 13 SC96 Archaeological Works

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- 14 Specification for construction to include brickwork in Flemish Bond, natural slate roof, smooth render finish, colour paint finish and vertical sliding sash painted timber windows.
- 15 Slab and finished site levels in relation to existing site levels to be agreed.
- 16 No fences, walls or other enclosures to be erected on any part of the site except as previously agreed by the Local Planning Authority.
- 17 The building shall be constructed so as to provide sound insulation from internally and externally generated noise, such that the World Health Organisation's recommended night-time noise level for sleep of 35dB(A) is achieved within bedrooms.
- 18 Prior to installation, details of the proposed internal lift system and associated plant shall be submitted to and agreed with the Local Planning Authority. Such agreed works shall be installed as approved prior to the commencement of any use hereby permitted and shall be maintained in the approved form whilst the premises are in use for the permitted purpose.
- 19 Details of foul and surface water drainage for the site must be submitted to, and approved by the Local Planning Authority before any work commences on site. The drainage works shall be constructed in accordance with the approved plans.
- 20 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings should be passed through trapped gullies with an overall capacity compatible with the site being drained.
- 21 No building shall be erected within 3 metres either side of the centre line of the public sewer crossing the site.
- 22 Construction Material Delivery Times: NOT 7.30 to 9.30am and 4.30 to 6.30pm
- 23 Mon to Fri, Not after 1pm on Sat or at all on Sundays and Public Holidays
- 24 Provision of wheel washing facilities
- 25 Storage of construction materials on the site (not adjacent roads)

Relevant Development Plan Policies and Proposals:

H2, H11 and H17 of the Rochford District Local Plan First Review

H2 of the Essex and Southend on Sea Replacement Structure Plan



Shaun Scrutton
Head of Planning Services

The local Ward Members for the above application are Cllr C C Langlands. Cllr Mrs M J Webster.

For further information please contact Kevin Steptoe on (01702) 546366.

[illegible]

PLANNING SERVICES COMMITTEE - 13 February 2002 Item 9

TITLE : 02/00042/CPO
ADD NEW LIFT AND LINK ON SOUTH ELEVATION OF
BUILDING
SWEYNE COURT, HOCKLEY ROAD, RAYLEIGH

APPLICANT : ESSEX COUNTY COUNCIL

ZONING : RESIDENTIAL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: RAYLEIGH CENTRAL

PLANNING APPLICATION DETAILS

- 9.1 The proposal is for a new lift and link on the south elevation of the building.

CONSULTATIONS AND REPRESENTATIONS

- 9.2 **Rayleigh Town Council** – has no objections to this application
- 9.3 **Essex County Council (Highways)** – no objection

MATERIAL PLANNING CONSIDERATIONS

- 9.4 The application has been brought to Planning Services Committee to formulate a view, as it is an application that Essex County Council will determine. The application has been brought to this (the Meeting, prior to the expiry of the timescale of the non-statutory consultations this Authority carried out, as Essex County Council have indicated that unless a response is received by the 15th February, they will assume no observations are to be submitted.
- 9.5 The proposal is for a new lift and link at Sweyne Court, which is used as residential accommodation for the elderly. They would be situated on the south elevation of the building.
- 9.6 The lift and link would measure approximately 2.4-m wide and 4 m deep. The properties in Highfield Crescent to the south of Sweyne Court are a considerable distance from the proposed lift thus it would have limited effect on them. Additionally, the lift and link would not be visible to the residential properties in Keswick Close, Derwent Avenue or those in Hockley Road.

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RECOMMENDATION

9.7 It is proposed that this Committee **RESOLVES** that **NO OBJECTION** is raised subject to the following conditions:-.

- 1 SC4 Time limits full – standard
- 2 SC14 Materials to be used (externally)

Relevant Development Plan Policies and Proposals:

H17 of the Rochford District Local Plan First Review



Shaun Scrutton
Head of Planning Services

The local Ward Members for the above application are Cllr Mrs J Helson, Cllr Mrs L I V Phillips

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

02/00042/CPO



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