

**PLANNING SERVICES COMMITTEE**  
**Tuesday, 30 June 2005**

**ADDENDUM**

**Item R3**  
**05/00165/FUL**

**Essex County Council Highways**

Following representations from the adjoining resident to the site Essex County Highways have visited the site again and suggest the following amendment to the previous recommendation:

Believe that the required visibility splays of 2.4m x 90m can be achieved at the access. However, revise the condition to state:

The new access to be provided with visibility splays of 2.4m x tangent point of the bend in either direction, clear to ground.

**One** additional letter has been received from the resident adjoining the site and which makes the following comments in addition to those set out in the report:

- Refers to advice contained within PPG2 that permission should not be granted except in very special circumstances for the construction of new buildings unless consistent with preserving the open character of the Green Belt. PPG2 takes precedence over PPS7 which is concerned with the rural economy and allows for 10 stables in existing farm buildings. Considers the proposal does not amount to small and unobtrusive development considered appropriate in PPG2. Considers the size of the building in a U shaped block in total some 350 square metres in area, 5.1m in height arranged over a site of some 900 square metres with hay barn and concrete yard is small. Refers to an Appeal decision in the Redbridge District refused for two stables of 102 square metres floorspace. Concludes that the current application is not small scale and would not preserve the openness of the area and would thus conflict with Green Belt Policy.
- Proposal comparable to recently refused proposal for stables at the Grange.
- The proposal would significantly harm the beautiful setting of Hockley Hall and the Church and other buildings of local interest.
- Applicant previously advised on the unacceptability of the proposed access. Discussion between resident and highways department raised some doubt as to the visibility splay being achieved.

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	<ul style="list-style-type: none"> <li>○ Highways have undertaken to carry out a speed check. The legal limit is 30 mph and if ambient speed is above 30 mph would definitely make the splay unacceptable on both sides of the proposed access.</li> <li>○ Removal of the hedge to achieve the visibility splay will create a great deal of disruption and disturbance to visual amenity until the replacement has grown to a reasonable height.</li> <li>○ The traffic consultant employed by the applicant makes much of the poor access onto Murrells Lane but this is only an agricultural field gate.</li> <li>○ The proposal would be better served by forming an access onto Murrells Lane rather than a new access formed onto the busy Church Road.</li> <li>○ Suspect that there is a deeper reason for the application and the formation of a new access onto Church Road.</li> <li>○ Previous Appeal for the mushroom growing unit refused on this site and dismissed on Appeal because it was held that the proposal conflicted with the Green Belt and openness of the site. The proposal would reduce openness making it more difficult to resist further applications for the development of this site. The Planning Inspector did not consider the existing junction of Murrells Lane to be adequate.</li> <li>○ Should Councillors decide that the scheme is acceptable or an alternative reduced in number, suggests that the building should be resited close to Murrells Lane with access onto Murrells Lane distancing the stables from the group of 8 dwellings surrounding the Church.</li> </ul> <p>The revised <b>Recommendation</b> is <b>Approval</b> subject to condition 5 of the recommendation being amended to take into account the revised comments of the Essex County Highways Authority.</p>
<p><b>Item 4</b>  <b>05/00332/FUL</b></p>	<p><b>Anglian water</b>  Recommends the following condition:</p> <p>Condition  Details of foul and surface water drainage for the site shall be submitted to and approved by the Local Planning Authority before any works on the site commences. The drainage works shall be constructed in accordance with the approved plans.</p> <p>Reason: To ensure satisfactory drainage of the site.</p>

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**Environment Agency**

Further advise of their wish to maintain objection but should Members be minded to grant consent recommend the following conditions:

**Condition:**

Prior to the commencement of the development, details of a sustainable drainage scheme for the site shall be submitted for approval by the Local Planning Authority, in consultation with the Environment Agency. All development shall be constructed and completed in accordance with the approved scheme. The scheme shall ensure that runoff from the site for the 1 in 100 year, 6 hour duration rainfall event shall not increase flood risk on or off site.

**Reason :** To ensure that the surface water and flood risk resulting from the development is managed in a sustainable manner.

**Condition:**

Water conveyance in the horizontal plane shall be through swale and / or filter drains. The use of sealed sub – surface features shall not be permitted.

**Reason:** To ensure the drainage scheme will allow evaporation, infiltration and treatment during conveyance, to address the quality and quantity of surface water on – site.

The Agency advises that balancing features should be designed to maximise their nature conservation benefits.

**OFFICER COMMENT:**

The first condition detailed above is considered reasonable to address the drainage of the site. It is, however, considered unreasonable to include the second suggested condition given the principle of the development having been already established. The detailed design of the drainage can be agreed under the provisions of the first additional condition.

**Essex County Council Highways**

Advise that the current application gives more information regarding the uses of Block A and raises questions concerning the future servicing of the three shops to blocks A and B.

Advise that the question of final adoption of the access is not material but the geometric requirements for vehicles and servicing is.

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Raises concern that the turning head at the end of the access has not been designed to cater for articulated lorries. The presence of the library adjacent to the turning head and its associated regime of servicing does require a turning facility equal to that of a size 2.

The siting of the supermarket at the end of a short section of access road relies on there being only one delivery vehicle at any one time. It is clear that if the service bay were to be occupied there would be no additional area for an additional vehicle to stand. Given the servicing requirements for six shops, the situation is likely to arise whereby the turning head and service road become congested by waiting and offloading delivery vehicles.

Advise that the dimensions of the turning head and layout of the buildings directly adjacent is unacceptable.

Recommends the following heads of conditions:

- Physical identification on the ground of the turning head.
- Minimum overhang strip 0.5m wide on both sides of the turning leg to be provided also with 50mm high face and no obstruction within or above the overhang strip.
- Flanks of the buildings located either side of the turn leg shall be constructed to withstand vehicle impacts.
- Parking and turning and offloading facilities should be provided to Local Planning Authority specifications.
- The carriageway and footway should be laid out and constructed to at least road base level and base course surfacing respectively prior to occupation of any dwelling.
- A 1.5m x 1.5m pedestrian visibility splay to be provided on both sides of the vehicle accesses prior to their operational use.
- The first 6m of any private accessway shall be treated in bound surface dressing and retained in that form.

And the following heads of informatives:

- Prior to occupation each dwelling shall be served by a system of operational street lighting.
- Developer to provide sufficient turning and offloading facilities for delivery vehicles and parking for employees developing the site and within the site limits.
- Cycle parking facilities should be in accordance with criteria set out in parking standards.
- All works within the highway should be carried out to the satisfaction of the Area Highways Manager (South).

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In response to enquiries made by Ward Members and the comments of the Environment Agency and Highways Authority the applicant has responded with the following comments:

The sheltered housing scheme Block B has been revised to locate the projecting bay detail central to the gable.

The supermarket walling proposed to the south elevation where former windows were approved has been revised in two panels to show a brick panelled mural.

The car parking to the supermarket basement is intended for use by shoppers during opening hours. It is not intended for staff or management of the separate shop units but would be ultimately a matter for the retail operator. It is expected that the car parking would be available on a pay and display basis in retail hours.

States that the car park would be available to shoppers exclusively between the hours of 9.00 am – 7.00 pm rather than the 7.00 am – 9.00 pm detailed in the condition. Suggests that this be amended.

Have included plan of previously approved elevation with revised height superimposed to illustrate difference between the two schemes. Confirm that the increase in height will be no more than 0.6m from the height of buildings previously approved.

Express concern at the objections and conditions now raised by the Environment Agency. Whilst accepting the procedures of the agency may have changed over time, the relevant Planning Policies have not and it would be entirely feasible for the development to commence under the current approval without requirements now requested.

Would be happy to enter dialogue with the agency and Council to agree a drainage strategy for the development. Requests whether Committee will give authority to resolve to grant permission, subject to resolution of this issue between the respective parties.

Do not accept the comments of the Highways Authority regarding new information. Requests whether Committee will give authority to resolve to grant permission, subject to resolution of this issue between the respective parties.

**Revised Recommendation** that the application be **DEFERRED** to allow the applicants to consider and submit revised details to achieve a satisfactory turning head within the site to overcome concerns expressed by the Highways Authority.