

PLANNING SERVICES COMMITTEE MEETING
Thursday 23rd October 2003
ADDENDUM

<p>Agenda Item 4</p>	<p>The landowner has approached the Local Planning Authority and explains his only intention was to dispose of some land that had now become difficult to farm. The reference to national advertising was not meant to be an intent. In any case he thinks it unlikely that any land will be sold and it's likely to be laid to grazing in the near future.</p> <p>His earlier correspondence to local residents is dated 7 April 2003. Over the last month or so, however, queries continue to be raised by potential purchasers.</p> <p>Given the suggested reduced risk it is recommended that Authority be Delegated to the Head of Planning Services to serve the Article 4(1) and 4(2) Directions as set out in the report should the need arise.</p>
<p>Schedule Item 1</p>	<p>Since publication of the officer's report, a query has been raised regarding the ownership of the strip of land alongside St Thomas Road on which the line of Ash trees stand. The applicants have confirmed that they <u>do not</u> own this strip of land. This being so, the LPA cannot impose a planning condition requiring the replacement of the preserved trees; this issue would need to be included in the Section 106 Agreement.</p> <p>Moreover, a further response has been received from Essex County Council (Highways). This requests an additional condition, requiring visibility splays to the north and south of the access road onto Fambridge Road.</p> <p>Concerns have also been raised by residents, and the Parish Council (see below), regarding access by construction traffic onto St Thomas Rd, and potential damage to the road itself.</p> <p>In light of the above matters, it is RECOMMENDED that:-</p> <p>A) Condition 9 set out in the officer's report be DELETED;</p> <p>B) an additional clause be included in the Section 106 Agreement stating that the developer seeks to ensure replacement of the preserved trees;</p> <p>C) the following condition be added as Condition 9:</p> <p>Prior to the occupation of any of the flats or houses hereby approved, a visibility splay of 2.4m x 90m shall be provided on the traffic approach (northern) side and 2.4m x site</p>

	<p>maximum on the non traffic approach (southern) side, with no obstruction above 1m within the area of the splay. The visibility splay created shall thereafter be retained free of any obstruction above 1m in height;</p> <p>D) additional clauses be imposed in the Section 106 Agreement requiring:</p> <ul style="list-style-type: none"> • All construction traffic to access the site via the access road and NO construction traffic to use St Thomas Road (except to form the vehicular accesses onto this road); and, • The developer undertakes to make good any damage caused to St Thomas Road. <p>A further response has been received from Ashington Parish Council. This states as follows:</p> <p>"This application is inappropriate in a rural village. There would be a loss of amenity as the ground floor bar has been omitted and replaced by three residential units. Should this be removed then there would be no local meeting place for residents in the village. The removal of the bar would encourage those who wish a social encounter on licensed premises to visit other establishments which increases the likelihood of drink/driving as private vehicles would have to be used due to the absence of a bus service.</p> <p>The developer should replace the amenity by providing a social meeting place such as a village hall. St Thomas Road is a private road which was funded and laid by the local residents and the developer should provide written assurance that no construction plant or delivery vehicles will use the road or the access road. Residents would like to know who will maintain the access road leading to St Thomas Road.</p> <p>There would be a loss of mature trees. There are inadequate play facilities and areas for children who are at present forced to play in the street. The flats which are earmarked for balconies are obtrusive to surrounding properties. The village suffers from frequent power losses and this development would serve to further overloading.</p> <p>The plans supplied by the applicant show that there will be building on property not belonging to the developers. This strip of land is over a metre in width and bears the line of trees the developer is intending to remove. The same strip is shown as access to the three intended properties in St Thomas Road. The developers have exceeded their boundaries at this point. Residents assure the Parish Council that this strip of land does not form part of the Anchor site. Before any further movements to process this application are made, the Parish Council are concerned residents would wish to see sight of legal proof that the developers have purchased this strip of land."</p>
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	<p>Three further letters of objection have been received from local residents. These echo the broad concerns raised in other letters, in particular relating to the loss of the trees, the land ownership issue raised by the Parish Council above, and the loss of the bar to the village.</p> <p>A letter has also been received from the Applicant's Agent, which states:</p> <p>"I note from the Committee Report and reports in the local paper that residents are aggrieved that there is no provision for a café/bar, whereas a bar was indicated in the earlier schemes discussed with residents.</p> <p>It was our client's intention that a bar would be incorporated in the development, indeed the original application showed a bar. Essex County Council Highways objected to this application on the grounds that by County standards, the bar would require 32 parking spaces, clearly not feasible on this site. We were advised by officers that this objection would be sustained and the application would be refused. We were further advised by your officers to withdraw the application and resubmit a purely residential scheme. We have therefore submitted the proposal put before you, which as the officer's report confirms, meets the planning requirements of your Council and Essex County Council."</p> <p>Officer's comment: Members will be aware that officers do not advise applicants what to apply for. However, officers did advise the applicants that it was considered difficult to object to the loss of the bar on planning grounds.</p> <p>Planning History</p> <p>In addition to the site history set out in the officer's report, for information, the following applications were also submitted in respect of the site in the 1990s:</p> <p>99/00588/FUL - Detached 3-bed dwelling with integral garage land r/o of the Anchor. This application was withdrawn by the then applicant.</p> <p>F/548/97/ROC - Detached Dwelling r/o The Anchor. This application was withdrawn by the then applicant.</p>
Schedule Item 3	<p>The occupier of 24 High Road, Hockley objects to the extension and conversion to a 4-bed bungalow from a 3-bed. Confirms that construction work has commenced and wonders why? Officers have confirmed (message left on ansaphone) that the case will be reported to the Planning Services Committee this Thursday evening. Officers also confirmed that any works/construction at the</p>

	site without planning permission would be entirely at the developer's own risk.
Referred Item 5	<p>Since publication of the Weekly List report, the applicant has discussed the provision of the parking area further, particularly the demolition of the garage and carport. It is considered that the removal of the garage and carport could give rise to the need to provide an alternative boundary treatment to the boundaries with adjoining properties. Therefore an additional condition is recommended as follows:</p> <p>5. In the event that the parking scheme submitted pursuant to condition 3, above, involves the demolition of the existing garage and carport, details of an alternative form of boundary treatment to be provided to the south and west side boundaries currently marked by the garage and car port shall be submitted to and approved in writing by the local Planning Authority. The boundary treatment shall be of substantial construction (e.g. a wall) to physically prevent cars using the car park from encroaching onto adjoining land. Such a boundary treatment as is approved shall be provided prior to any use being made of the first floor extension.</p>