



DEVELOPMENT CONTROL COMMITTEE

DATE:	Monday, 24 May 2004
TIME:	7.30 p.m.
VENUE:	Billericay Day Centre, Chantry Way, Billericay

MEMBERSHIP:

Councillors ALLEN, A BLAKE, S BUCKLEY, DADDS, LLEWELLYN, RACKLEY AND WHITE

(Group Leaders or Deputy Leaders may attend pursuant to Minute No. 2002/223(6))

ADVISORY MEMBERS:

Parish Councillor Chapman	-	Basildon Association of Town and Parish Councils
Mrs J Brown	-	Basildon Primary Care Trust
Mr D Armstrong	-	Billericay, Brentwood and Wickford Primary Care Trust

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Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.

For further details and general enquiries about this Meeting, contact Julie Batt on 01268 294423, e-mail julie.batt@basildon.gov.uk

PART I

Business to be taken in public

1. APOLOGIES FOR ABSENCE:

2. DECLARATIONS OF INTEREST:

To receive any declarations of interest from Members in accordance with Part 2, Paragraph 9 of the Members' Code of Conduct.

3. MINUTES:

Confirmation of the Minutes of the meeting of the Development Control Committee held on 30 March 2004.

4. PLANNING APPLICATION NO. 04/00396/FULL - DEMOLITION OF EXISTING DWELLING AND ERECTION OF 10 APARTMENTS IN TWO STOREY BUILDING WITH ROOMS IN THE ROOF, FRONT AND REAR DORMERS AND BASEMENT CAR PARKING AT 8 STOCK ROAD, BILLERICAY: (Pages 1 - 7)

5. PLANNING APPLICATION NO. 04/00254/FULL - DEMOLITION OF EXISTING DWELLINGS AND ERECTION OF 24 TWO BEDROOM RETIREMENT FLATS WITH ASSOCIATED CAR PARKING AND LANDSCAPING AT 124-130 STOCK ROAD, BILLERICAY: (Pages 9 - 14)

6. PLANNING APPLICATION NO. 04/00216/FULL - CONSTRUCTION OF 15 TWO BEDROOM FLATS, 3 RETAIL UNITS, 2 OFFICE UNITS AND CAR PARKING ON LAND ADJACENT TO RIVERSIDE HOUSE, LOWER SOUTHEND ROAD, WICKFORD: (Pages 15 - 20)

7. PLANNING APPLICATION NO. 04/00325/FULL - DEMOLITION OF EXISTING GARAGES AND ERECTION OF SINGLE STOREY RESIDENTIAL BUILDING TO PROVIDE SUPPORTED HOUSING FOR 4 RESIDENTS AT LAND REAR OF CARTLODGE AVENUE, WICKFORD: (Pages 21 - 25)

8. PLANNING APPLICATION NO. 04/00404/TFULL - INSTALLATION OF 6 ANTENNAE, 6 DISH ANTENNA AND 6 RADIO EQUIPMENT CABINETS PLUS MINOR ANCILLARY WORKS - WICKFORD TELEPHONE EXCHANGE, MARKET AVENUE, WICKFORD: (Pages 27 - 32)

9. URGENT BUSINESS:

Any other items which the Chairman decides are urgent.

PLANNING APPLICATION NO. 04/00396/FULL – DEMOLITION OF EXISTING DWELLING AND ERECTION OF 10 APARTMENTS IN TWO STOREY BUILDING WITH ROOMS IN THE ROOF, FRONT AND REAR DORMERS AND BASEMENT CAR PARKING AT 8 STOCK ROAD, BILLERICAY:

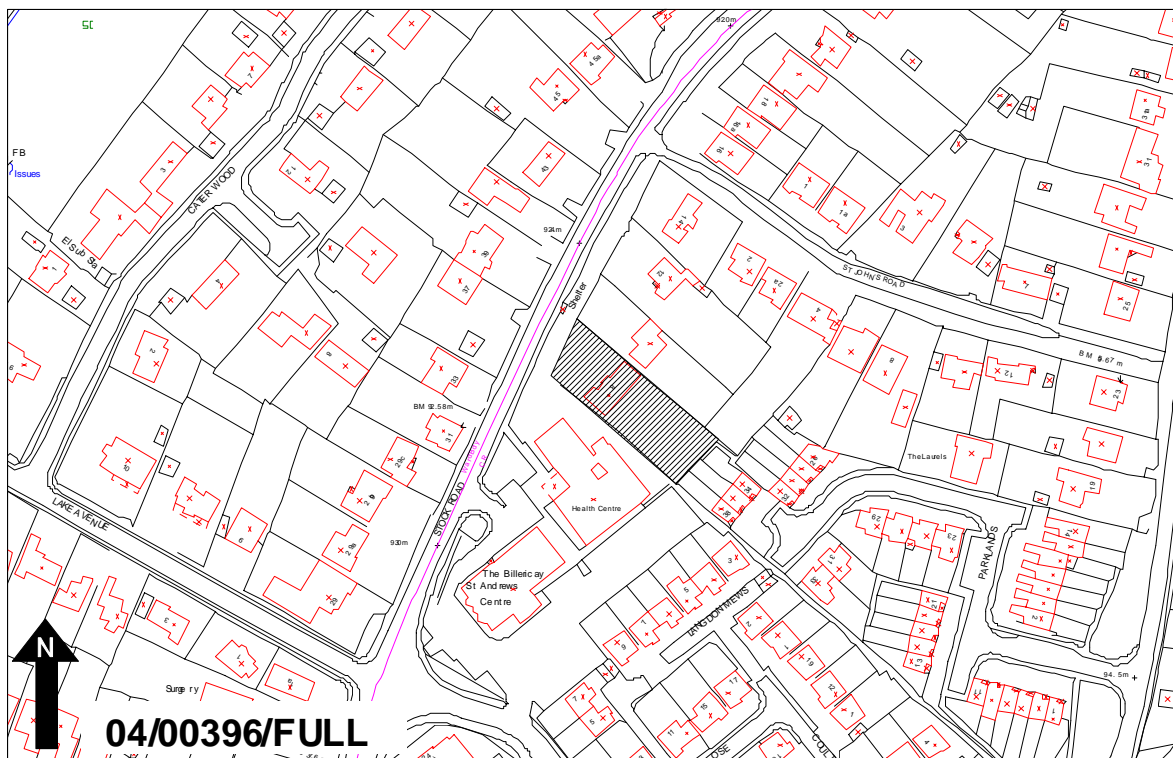
Enquiries to the Manager of Planning Services on 01268 294155

PURPOSE OF REPORT AND DECISION AREAS

To determine Planning Application No. 04/00396/FULL.

RECOMMENDED:

That Planning Application No. 04/00396/FULL be granted conditional planning permission.



INTRODUCTION/BACKGROUND

The application site comprises the curtilage of 8 Stock Road, a detached chalet fronting the eastern side of Stock Road, immediately adjacent to the health centre at the former St Andrews Hospital site. The site is bounded by a detached, two-storey house and garden at 10 Stock Road to the northeast and two-storey health centre building to the southwest. To the rear, obscured by an evergreen hedge, is a terrace of three storey town houses fronting Parklands. The application site is rectangular in shape with a road frontage of 20.7 metres, overall depth of 62 metres and area of approximately 0.12 hectares. Substantial hedging and trees bound the site to all of the site boundaries.

PROPOSAL

The proposal is for the demolition of the existing detached dwelling and erection of a building with accommodation on three floors, with the second floor set within the roof. The building would contain 10 no. two bedroom flats. Vehicular access to the site would be from Stock Road, with a basement created beneath the new building to provide parking for 12 cars, with further parking for 3 cars provided at the front of the site. The land to the rear of the new building adjacent to the rear gardens of 10 Stock Road and properties fronting Parklands would provide an amenity area for the occupiers of the new flats, with existing boundary trees and hedging being retained and supplemented by new two metre fencing. A refuse store would be located at the entrance to the basement car park.

LEGISLATION/POLICY

The application site is within an area of no notation on the Proposals Map of the adopted Basildon District Local Plan where no specific proposals or area based policies apply. Any proposed development must, therefore be considered in relation to the surrounding development, general policies of the local plan and Council's Development Control Guidelines, together with relevant government policy advice. Policy BAS.BE12, of the Local Plan states:-

PLANNING PERMISSION FOR NEW RESIDENTIAL DEVELOPMENT, AND FOR THE ALTERATION AND EXTENSION OF EXISTING DWELLINGS, WILL BE REFUSED IF IT CAUSES MATERIAL HARM IN ANY OF THE FOLLOWING WAYS:-

- (i) **HARM TO THE CHARACTER OF THE SURROUNDING AREA, INCLUDING THE STREET SCENE;**
- (ii) **OVERLOOKING;**
- (iii) **NOISE OR DISTURBANCE TO THE OCCUPANTS OF NEIGHBOURING DWELLINGS;**
- (iv) **OVERSHADOWING OR OVER-DOMINANCE; AND**
- (v) **TRAFFIC DANGER OR CONGESTION.**

PLANNING HISTORY

<u>Application No.</u>	<u>Description Of Development</u>	<u>Decision</u>
03/00904/FULL	Demolition of existing dwelling and erection of 10 no. flats in one block with front and rear dormers and associated parking.	Refused 30.9.03 Appeal Dismissed 3.3.04
03/01354/03	Demolition of existing dwelling and erection of 9 no. flats in one no. two storey block with rooms in the roof and front and rear dormers together with 12 no. car parking spaces and works.	Refused 17.12.03 Appeal still to be determined

The Council refused planning permission for the development the subject of planning application no. 03/00904/FULL on the grounds of harm to the character of the area and noise and disturbance to the occupiers of the neighbouring dwelling. The appeal against this decision was dismissed, but only on the ground of noise and disturbance from the introduction of car parking, and, to a lesser extent, the more intensive use of the amenity area at the rear of the building.

ASSESSMENT/COMMENTS

Consultations

Manager of Highways & Engineering Services

No highway objections subject to the new vehicular crossover being reconstructed to the Council's specification.

Billericay Town Council

Objection on the grounds of over development, over dominance, excessive height and bulk, highway safety (no sight lines from underground car park), overlooking of neighbouring properties, increased noise and pollution and out of keeping with street scene/area.

Local Residents

Comments have been received from thirteen local residents and adjacent Health Centre. Concerns raised include; overshadowing and overlooking of neighbouring properties, over-dominant impact, noise and disturbance, the development being out of character in the street scene, inadequate car parking, traffic congestion and highway safety, possible loss of trees, waste disposal and drainage concerns and restrictive covenants.

Billericay District Residents' Assoc.

Objection on the grounds of being overdevelopment of the site and out of keeping with the house to the north of the application site. Does not overcome previous reasons for refusal of development at the site and would result in loss of privacy, overshadowing, detrimental visual impact, damage to character and appearance of area. Basement car parking would be dangerous.

Planning Policy

The application site is within a residential area and therefore the principle of the residential development of the site is acceptable. The government, in Planning Policy Guidance Note 3 (Housing), states that local planning authorities should seek to maximise the development of land within the existing urban areas for additional residential development. The Office Of The Deputy Prime Minister has recently reiterated the importance of this approach in Circular 01/02: The Town & Country Planning (Residential Density) (London & South East England) Direction 2002. This states:-

“To avoid the profligate use of land and encourage sustainable environments, PPG3 requires Local Planning Authorities to examine critically the standards applied to new residential development, particularly with regard to roads, layouts and car parking.”

PPG3 recommends that new development in residential areas should secure a more efficient use of land and achieve optimum densities of between 30 and 50 dwellings per hectare; the current proposal equates to a net density of 83 dwellings per hectare. This is higher than the upper threshold of the Government’s advice, however, it is to be expected that development in the form of flats, with no individual, private garden areas, will result in such higher densities.

In considering the previous appeal in respect of the development of the site for ten flats at the same density that is currently proposed, the Inspector commented that:-

“Whilst emphasising that the quality of the environment should not be harmed, PPG3 encourages densities of 30 – 50 dwellings per hectare. However, it sets no maximum and indicates that development may be appropriate at greater intensity in areas with good public transport links.”

Nevertheless, the deciding factor must be the impact that a higher density development on a particular site would have on the surrounding area and on nearby residents. An assessment therefore has to be made of the design and layout of the proposed scheme.

Design And Layout

The proposed building has a ridge height of 9.6 metres, hipped roof form, subservient front and rear gables of 8.1 metres and an eaves height of 5 metres. The design is similar to that the subject of application 03/00904/FULL, in respect of which the appeal inspector commented on the design as follows:-

“... the proposed flats have been designed to look much like a large single house. The new building would be significantly bigger than the existing dwelling on the site and that at No. 10, but it would not be excessive in relation to the plot. I consider that the access could be widened, as suggested by the Council’s Highway & Engineering Services, without any significant reduction in the extensive and largely evergreen front boundary screening, and this would restrict views of the building in any event. The proposed flats would represent a reasonable transition between the domestic scale of

No. 10 and the larger Health Centre building to the south. In these circumstances, the higher density of the proposed development is not significant in terms of the character and appearance of the area and I consider that the design of the flats would respect this.”

Residential Amenity

The siting and layout of the building have been designed to comply with the Council’s Development Control Guidelines for new residential development. This means that the layout achieves minimum separation distances between the proposed development and surrounding dwellings to minimise overshadowing, avoid any possible overbearing impact and that windows to habitable rooms are positioned in such a way that they do not cause potential for overlooking of neighbouring properties. Only high-level, secondary windows are located above ground floor level within the flank wall of the building adjacent to 10 Stock Road.

In respect of the earlier planning application in respect of the appeal site, the Inspector considering the appeal carefully considered the potential impact of the development on the living conditions of neighbouring occupiers:-

“In terms of the visual impact of the proposal, its north-eastern flank elevation would be significantly wider than the adjacent flank elevation of No.10. Accordingly, sections of blank brickwork would extend beyond the plane of No. 10’s front and rear elevations. These sections could appear a little stark, especially as I consider that significant trees near the northern and north-eastern corners of the proposed building would be seriously at risk. However, the building would be sited some 1.4 metres from the common boundary and its eaves would be a similar height to No.10. The flats would have a hipped roof and the maximum ridge height would only marginally exceed that of No. 10. The new building would not infringe on a line drawn at 45 degrees horizontally from the nearest edge of the window of any ground floor habitable room to the front or rear of No.10. In that respect, the proposal would satisfy the Council’s Development Control Guidelines. Furthermore, No.10 benefits from a wide rear terrace and its principle outlook, across its rear garden, would not be unduly affected.”

One of the reasons for the Council’s refusal of planning permission in respect of the previous development proposals which was upheld on appeal was the impact on the residential amenities of neighbouring occupiers at No. 10 Stock Road from noise and disturbance generated adjacent to their rear garden, by vehicle movements in the proposed car parking area and intensive use of the small amenity area by the occupiers of the flats. The appeal Inspector commented that: -

“... I consider that the introduction of 13 car parking spaces, this close to the hitherto quiet and relatively secluded back garden of No.10, would result in an unacceptable level of noise and disturbance for its occupiers. ... Particularly on weekends and summer evenings, 10 flats could also result in extensive use of the shared amenity space. This would add to the disturbance experienced by the adjoining occupiers. ..”

The current planning application overcomes these concerns of noise and disturbance from vehicle movements by removing all car parking from the rear of the site and incorporating 12 car parking spaces into a basement below the new building, accessed from the front of the site. Additionally, removing the access road and parking area from the rear of the building can provide a far larger amenity area provided, so potentially reducing the intensity of use and noise and disturbance close to the boundary with the adjacent property.

Car Parking Provision

In respect of car parking provision for new development and need to create more sustainable residential environments, PPG3 (Housing) states:-

“Car parking standards for housing have become increasingly demanding and have been applied too rigidly, often as minimum standards. Developers should not be required to provide more car parking than they or potential occupiers might want, nor to provide off-street parking where there is no need, particularly in urban areas where public transport is available or where there is a demand for car free housing. Parking policies should be framed with good design in mind, recognising that car ownership varies with income, age, household type and the type of housing and its location. They should not be expressed as minimum standards.”

PPG3 advocates that a maximum average off-street car parking provision of 1.5 spaces per dwelling should be provided in connection with new residential development in urban areas. The proposed development provides for a total of 15 car parking spaces for 10 residential units, which would accord with the above advice. Given that the development proposed comprises flats rather than family housing and that the site has good access to public transport, being on a main bus route between Chelmsford and Billericay and is under ½ mile from Billericay railway station and the Town Centre, it is considered that the level of car parking provided is reasonable in the interests of securing sustainable residential environments in accordance with government policy.

CONCLUSION

The proposal, which has been amended to take account of some of the concerns raised in respect of the previous planning application, conforms to the Government's requirement to make best use of land within the urban areas, and the proposed design and layout, which accords with the Council's Development Control Guidelines, ensures that no material harm to the residential amenities of neighbouring occupiers or visual amenity of the local area would result.

◆ **STRATEGIC PLAN IMPLICATIONS**

Local residents were consulted on the planning application and the environmental implications of the proposal are set out in the above report.

◆ **RISK MANAGEMENT IMPLICATIONS**

The Council's decisions on planning applications can be challenged, and costs can be awarded against the Council. Risk of these eventualities are minimised by applications being considered strictly in accordance with current planning guidance.

This Council has adopted the national Code of Conduct and a specific code, "Probity in Planning ". Members are offered training in dealing with planning applications, and Officer advice is available at all stages of consideration of each application.

◆ **FINANCIAL IMPLICATIONS**

There are no direct financial implications for the Council.

◆ **CALL IN STATUS**

This decision is not eligible for call in under the Council's Procedural Rules.

Background Papers:

1. Planning Application No. 04/00396/FULL.
2. Planning Policy Guidance Note, PPG3.
3. Basildon District Local Plan.
4. Development Control Guidelines.
5. Planning Application No. 03/00904/FULL.

PLANNING APPLICATION NO. 04/00254/FULL – DEMOLITION OF EXISTING DWELLINGS AND ERECTION OF 24 TWO BEDROOM RETIREMENT FLATS WITH ASSOCIATED CAR PARKING AND LANDSCAPING AT 124 – 130 STOCK ROAD, BILLERICAY:

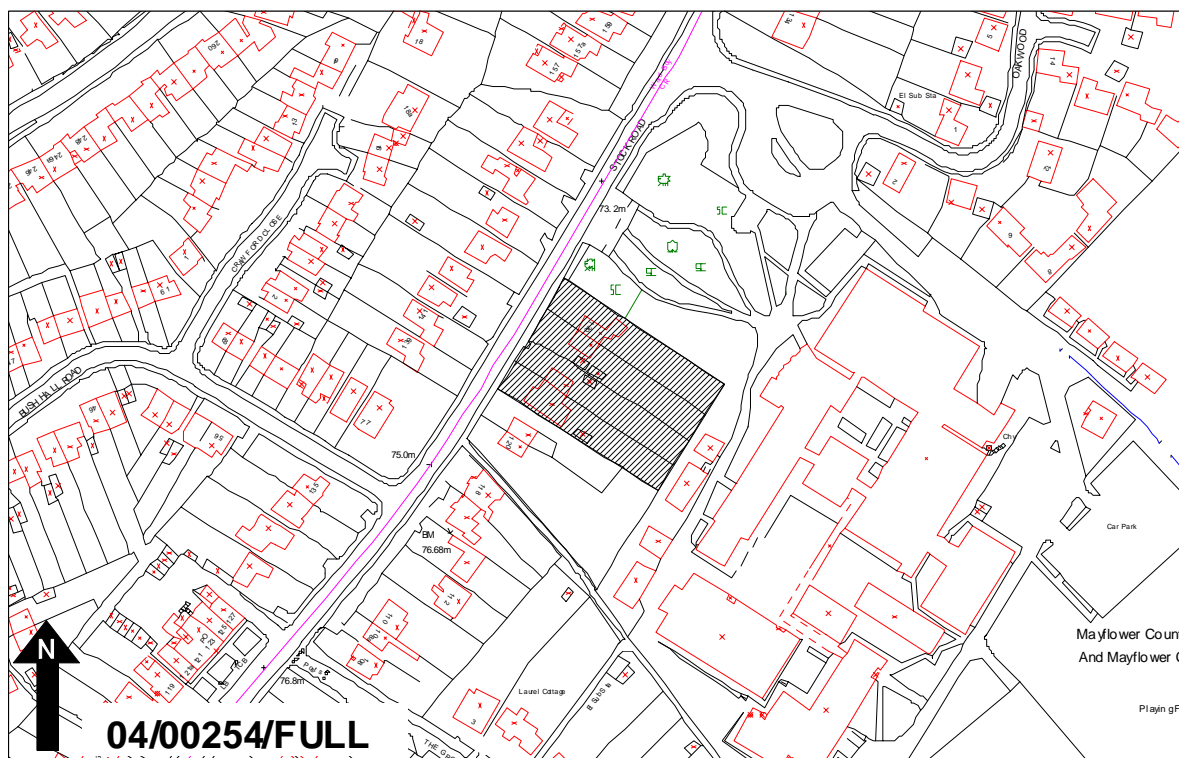
Enquiries to Manager of Planning Services on 01268 294155

PURPOSE OF REPORT AND DECISION AREAS

To determine Planning Application No. 04/00254/FULL.

RECOMMENDED:

That Planning Application No. 04/00254/FULL be granted conditional planning permission.



INTRODUCTION/BACKGROUND

The application site comprises the curtilages of two pairs of semi-detached houses fronting the eastern side of Stock Road, adjacent to the Mayflower School. The site is bounded by a pair of semi-detached houses to the south, the immediately adjacent property, at no.122, being occupied as a veterinary surgery, with car parking to the rear. To the east are the extensive buildings and grounds of Mayflower School with a small copse to the north, adjacent to the vehicular and pedestrian access to the school. The application site is rectangular in shape with a road frontage of 42 metres, overall depth of 63 metres and area of 0.26 hectares.

PROPOSAL

The proposal is for the demolition of the existing semi-detached dwellings and erection of a part three-storey and part two-storey building, with accommodation at second floor level set partly within the roof. The building would contain 24 no. two bedroom retirement flats. A lounge, library and kitchen for residents, together with a reception area, office and overnight room for visitors would be provided within the building. Vehicular access to the site would be from Stock Road, with car parking for 24 vehicles provided to the rear of the site via a driveway between the new building and adjacent veterinary surgery. The site would be landscaped, with new painted railings provided to the boundaries of the site with Stock Road and the adjacent copse and a new 2-metre boundary fence to the southern boundary.

This is a specialist residential development that would provide accommodation for people who are aged 55 and over and the applicant has expressed their willingness to accept a planning condition to this effect. A warden would be available on site during the day and residents would be connected to a 24-hour care line. The applicant conducted a feasibility study in advance of submitting this planning application which found that nearly 20% of the resident population of Billericay and its environs (some 32,147 people) are aged 60 or over. Given that the owner-occupier rate in Basildon District as a whole is 71%, and will be considerably higher in Billericay, the applicant has concluded that there are in excess of 24,800 residents aged 60 and over who are owner-occupiers in the area. Set against this, there are only three existing developments offering sheltered accommodation where it is possible to purchase a leasehold flat.

LEGISLATION/POLICY

The application site is within an area of no notation on the Proposals Map of the adopted Basildon District Local Plan where no specific proposals or area-based policies apply. Any proposed development must, therefore be considered in relation to the surrounding development, general policies of the local plan and Council's Development Control Guidelines, together with relevant government policy advice. Policy BAS.BE12, of the Local Plan states:-

PLANNING PERMISSION FOR NEW RESIDENTIAL DEVELOPMENT, AND FOR THE ALTERATION AND EXTENSION OF EXISTING DWELLINGS, WILL BE REFUSED IF IT CAUSES MATERIAL HARM IN ANY OF THE FOLLOWING WAYS: -

- (i) HARM TO THE CHARACTER OF THE SURROUNDING AREA, INCLUDING THE STREET SCENE;**
- (ii) OVERLOOKING;**
- (iii) NOISE OR DISTURBANCE TO THE OCCUPANTS OF NEIGHBOURING DWELLINGS;**
- (iv) OVERSHADOWING OR OVER-DOMINANCE; AND**
- (v) TRAFFIC DANGER OR CONGESTION.**

ASSESSMENT/COMMENTS

Planning History

<u>Application No</u>	<u>Description</u>	<u>Decision</u>
02/01374/FULL	Demolition of 128-130 Stock Road and erection of 11 residential flats with associated parking and landscaping	Refused 13.3.03 Appeal Allowed 14.11.03
03/00422/FULL	Demolition of 128-130 Stock Road and erection of 10 residential flats with associated parking and landscaping	Granted 2.7.03

The above planning applications were in respect of approximately half of the current application site and comprised the re-development of the two semi-detached houses immediately to the south of the copse and school entrance.

Consultations

Highways & Engineering Services - No adverse highway comments subject to the vehicular access being constructed to the Council's specification.

Arboriculturist - All trees to be retained on the site, together with those within the adjacent copse that would be near the proposed development, should be protected during development works, in accordance with BS5837. An arboricultural method statement should be submitted and approved in respect of the construction of the car parking area adjacent to trees to be retained.

Billericay Town Council - Objection on the grounds of: -

Damage to residential amenity due to over-dominance and increased noise

Damage to visual amenity due to excessive bulk and height and institutional appearance being out of keeping with the area and street scene

Overdevelopment of the site

Prejudicial to the replanning of the area

Lack of car parking for residents and visitors

Highway safety as there is only one access and the site is close to a pelican crossing and school and this is an accident black spot.

Local Residents

- Seven letters of comment have been received from local residents and the Billericay District Residents' Association in response to the Council's neighbour consultation letter and site notice. Concerns raised include; overshadowing, overlooking and over dominant impact on neighbouring residential occupiers, the size and nature of the development being out of character in the street scene and highway safety.

Planning Policy

The application site is within a residential area and therefore the principle of the residential development of the site is acceptable. The government, in Planning Policy Guidance Note 3 (Housing), states that local planning authorities should seek to maximise the development of land within the existing urban areas for additional residential development. The Office Of The Deputy Prime Minister has recently reiterated the importance of this approach in Circular 01/02: The Town & Country Planning (Residential Density) (London & South East England) Direction 2002. This states: -

"To avoid the profligate use of land and encourage sustainable environments, PPG3 requires Local Planning Authorities to examine critically the standards applied to new residential development, particularly with regard to roads, layouts and car parking."

PPG3 recommends that new development in residential areas should secure a more efficient use of land and achieve optimum densities of between 30 and 50 dwellings per hectare; the current proposal equates to a net density of 92 dwellings per hectare. This is higher than the upper threshold of the Government's advice, however, it is to be expected that development in the form of flats, with no individual, private garden areas, will result in higher densities than would be produced by individual houses. In recent appeal decisions within the Billericay area in respect of residential flats, Inspectors have emphasised that a decision on a planning application should not turn on exact arithmetical calculations and that the PPG does not set a maximum limit and indicates that development may be appropriate at greater intensity in areas with good public transport links.

Nevertheless, PPG advice makes it clear that any new development should not compromise the quality of the environment. It is, therefore, necessary to assess the impact that the proposed development would have on the surrounding area and on nearby residents.

Design And Layout

The proposed building has a maximum ridge height of 11.5 metres with three floors of accommodation, the second floor being set partly within the roof space. The building has an overall depth of 44.3 metres and frontage length to Stock Road of 33.1 metres. The overall footprint of the building is roughly 'T' shaped, with the rear 21 metre section of the building being set in from the northern boundary by 14 metres and southern boundary by 11 metres.

The Stock Road frontage is the most visible elevation of the building and to reduce the visual impact of what is clearly a large building, it is proposed to incorporate a variety of design features such as gables and half dormers, window detailing and contrasting material finishes to break up the elevation. It should also be noted that the northern half (17.5 metres) of the frontage of the building to Stock Road is of similar design and overall size to the previous development proposals granted planning permission. The additional length of frontage to Stock Road has been designed to appear as a subservient element with a lower ridge height and contrasting materials.

The visual impact of the northern flank wall of the building would be substantially softened by the screening provided by the copse to the north of the site. In addition, the depth of the building immediately adjacent to this boundary, at 23.3 metres, would be similar to that previously approved on this part of the application site.

Residential Amenity

The siting and layout of the building has been designed to comply with the Council's Development Control Guidelines for new residential development. This means that the layout achieves minimum separation distances between the proposed development and surrounding residential properties to avoid unacceptable overlooking, overshadowing or overbearing impact on the outlook of their occupiers. A minimum separation distance of 25.5 metres is achieved between the front of the building and residential properties to the western side of Stock Road and 21 metres between the main rear section of the building and the closest residential property to the south.

The proposed access road and car parking area at the rear of the site would be separated from the adjoining properties to the south by a new 2 metre fence, and would, in any event, effectively abut an existing car park serving the adjacent veterinary surgery.

Highways & Car Parking

In respect of car parking provision for new development and need to create more sustainable residential environments, PPG3 (Housing) states: -

"Car parking standards for housing have become increasingly demanding and have been applied too rigidly, often as minimum standards. Developers should not be required to provide more car parking than they or potential occupiers might want, nor to provide off-street parking where there is no need, particularly in urban areas where public transport is available or where there is a demand for car free housing. Parking policies should be framed with good design in mind, recognising that car ownership varies with income, age, household type and the type of housing and its location. They should not be expressed as minimum standards."

PPG3 advocates that a maximum average off-street car parking provision of 1.5 spaces per dwelling should be provided in connection with new residential development in urban areas. In the case of the proposed development a total of 24 car parking spaces are proposed to serve 24 residential units. However, given that the development comprises retirement flats rather than family housing and that the site has good access to public transport, being on a main bus route between Chelmsford and Billericay and is close to local shops, it is considered that the level of car parking provided is reasonable in the interests of securing sustainable residential environments in accordance with government policy.

The applicant has submitted details of car ownership of residents of three of their existing retirement schemes in Chelmsford and Witham in support of their proposals. This indicates that car ownership is relatively low amongst residents, with 58% car ownership amongst two-person households and only 10% amongst one-person households.

In terms of highway safety, the vehicular access is considered to be acceptable and would meet the Council's Highway Engineers' requirements.

CONCLUSION

The proposal conforms with the Government's requirement to make best use of land within the urban areas and the proposed design and layout, which accords with the Council's Development Control Guidelines, ensures that no material harm to the residential amenities of neighbouring occupiers or visual amenity of the local area would result.

◆ **STRATEGIC PLAN IMPLICATIONS**

Local residents were consulted on the planning application and the environmental implications of the proposal are set out in the above report.

◆ **RISK MANAGEMENT IMPLICATIONS**

The Council's decisions on planning applications can be challenged, and costs can be awarded against the Council. Risk of these eventualities are minimised by applications being considered strictly in accordance with current planning guidance.

This Council has adopted the national Code of Conduct and a specific code, "Probity in Planning ". Members are offered training in dealing with planning applications, and Officer advice is available at all stages of consideration of each application.

◆ **FINANCIAL IMPLICATIONS**

There are no direct financial implications for the Council.

◆ **CALL IN STATUS**

This decision is not eligible for call in under the Council's Procedural Rules

Background Papers:

1. Planning Application No. 04/00254/FULL.
2. Planning Policy Guidance Note, PPG3.
3. Basildon District Local Plan.
4. Development Control Guidelines.
5. Planning Application No. 03/00422/FULL.
6. Planning Application No. 02/01374/FULL.

PLANNING APPLICATION NO. 04/00216/FULL - CONSTRUCTION OF 15 TWO BEDROOM FLATS, 3 RETAIL UNITS, 2 OFFICE UNITS AND CAR PARKING ON LAND ADJACENT TO RIVERSIDE HOUSE, LOWER SOUTHEND ROAD, WICKFORD:

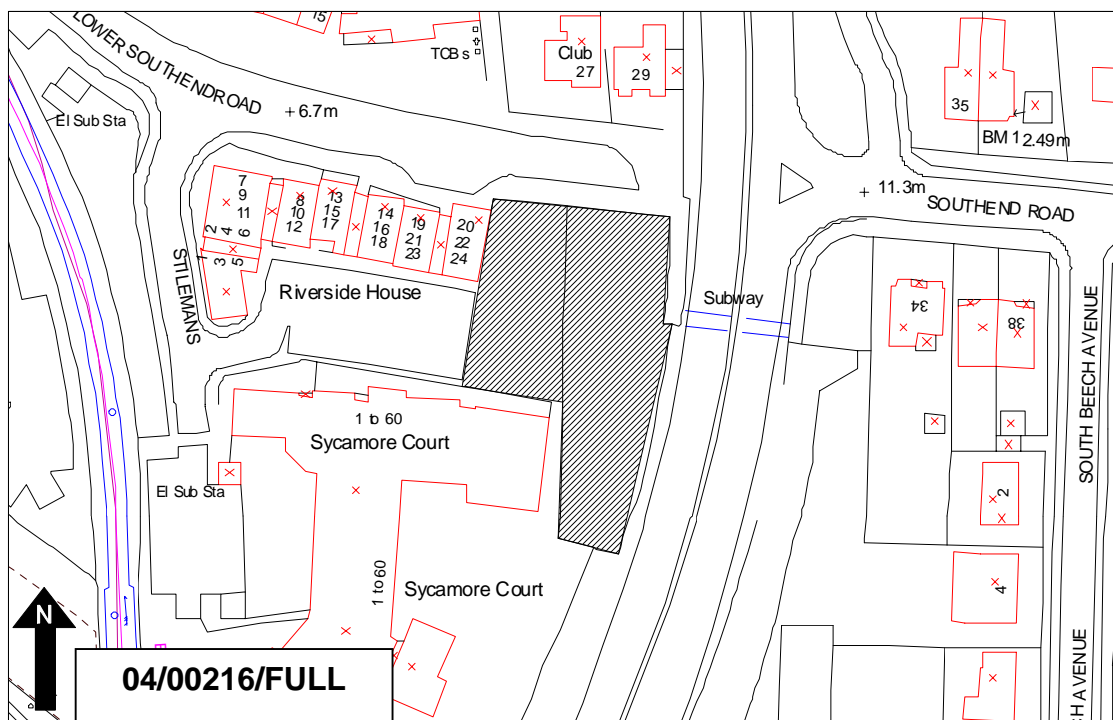
Enquiries to the Manager of Planning Services on 01268 294155

PURPOSE OF REPORT AND DECISION AREAS

This report describes the above development and sets out the issues the Committee should take into account in determining the application.

RECOMMENDED:

That Planning Application No. 04/00216/FULL be granted conditional planning permission.



INTRODUCTION/BACKGROUND

The application site is located at the eastern end of Lower Southend Road, fronting its southern side and abutting, along its eastern edge, the A132. The site has a frontage to Lower Southend Road of 31.5 metres with a depth of 59.5 metres. The site, which is vacant at the present time, rises from the Lower Southend Road frontage and at its highest points are the remains, foundations and several courses of brickwork of an old chapel. To the west, the site adjoins the three storey Riverside House, and to the south and west, Sycamore Court.

Members will recall that planning permission was granted at the Development Control Committee on 17 September 2003 for the construction of 14 two bedroom flats, 4 retail units and 2 offices. However a revised scheme for the construction of 16 two bedroom flats, 4 retail units and 2 office units was refused permission at the Development Control Committee on 27 January 2004.

PROPOSAL

This proposal seeks permission for a scheme which incorporates the following alterations to the application refused in January 2004. The alterations are:

- (i) The southern most block adjacent to the eastern elevation of Sycamore Court has been reduced in its overall length with an additional storey added incorporating a lowered eaves line and partial dormer windows. This results in an overall reduction in the total number of flats from 16 to 15 x 2 bedroom units.
- (ii) Car parking provision has been reduced to 22 including provision for disabled drivers, but retains the landscaped garden deck over.
- (iii) Two of the retail units have been combined to provide a total of 3 units.
- (iv) The height of the roofing elements over the blocks facing Lower Southend Road have been reduced by 300 mm.

The proposal retains the same basic principles as the previous applications for the site. The building would be 'L' shaped with frontages to Lower Southend Road and the A132 dual carriageway. The frontage to Lower Southend Road would be 3 storey, and the frontage to the A132 road would be 3 and 4 storey. The retail units would front Lower Southend Road with the offices located at the corner of Lower Southend Road and the inner relief road. 22 car parking spaces would be provided, with access being gained through a covered way linking with Lower Southend Road.

LEGISLATION/POLICY

The site is located within an area shown as town centre on the Proposals Map of the Basildon District Local Plan.

Relevant Planning History

<u>Application</u>	<u>Description</u>	<u>Decision</u>
BAS/0346/00	Construction of 16 flats and 2 shops on the eastern part of the site.	Refused by an Inspector appointed to determine an appeal on grounds of non-determination.
02/01583/FULL	Construction of part 2, 3 and 4 storey building containing 18 two bedroom flats, 4 retail units and 2 offices with car parking.	Refused 31.07.03 (This is the subject of an appeal.)
03/00983/FULL	Construction of part 2, 3 and 4 storey building containing 14 two bedroom flats, 4 retail units, and 2 offices with car parking.	Granted 27.10.03
03/01381/FULL	Construction of part 2, 3 and 4 storey building containing 16 two bedroom flats, 4 retail units, 2 office units and car parking.	Refused 27.01.04

CONSULTATION

- | | |
|--|--|
| Manager of Engineering and Highways Services | - No objection. |
| Manager of Environmental Health Services | - No objection subject to all kitchen windows on the eastern elevation to meet RW40. Acoustic air bricks to be installed to ventilate kitchens on eastern elevation. |
| Environment Agency | - No objections. |
| Neighbours | - 3 letters of objection received from residents of Sycamore Court. The issues raised include: <ul style="list-style-type: none">- too close to Sycamore Court- noise and disturbance- height of proposed building- parking and servicing problems. |

ASSESSMENT/COMMENTS

Planning Policy

The application site is within Wickford town centre and is subject to Policies TC1 and TC3 of the Basildon District Local Plan. Policy TC1 applies to all the District's town centres and sets out the range of uses acceptable in such locations. Retail, offices and residential (where it forms an ancillary part of a mixed use scheme) are included in the list of acceptable uses.

Policy TC3 identifies the application site together with land to the north of Lower Southend Road as suitable for a comprehensive redevelopment, with the uses set out in Policy TC1 being held as appropriate for the site.

Government planning advice as expressed in PPG3 (Housing) is that new housing development should be concentrated within urban areas, with previously developed land given priority over green field land.

The principle of residential development of this land, in accordance with the above policy guidance, was recognised by the Committee in the decision to grant permission for the construction of 14 flats, 4 retail units and 2 offices on the site under reference 03/00983/FULL.

Design and Layout

The application proposes an L-shaped building which will face Lower Southend Road and the A132 dual carriageway. The frontage to Lower Southend Road will be 3 storey in height with three retail units on the ground floor and two floors of residential and office accommodation above. The elevation to Lower Southend Road will be a mix of 3 and 4 storeys. The 4 storey element will be in the centre of the elevation and due to the height of the A132 will only appear as 3 storey when viewed from outside of the site.

The proposal is in most respects similar to that approved under 03/00983/FULL. The difference between this proposal and the last application 03/01381/FULL received on 27 January 2004 is that the length of the southern wing of the building has been reduced in depth by 7.6 metres. An additional storey has been added to the previously approved two storey element of this part of the scheme. The applicants have submitted a revised plan to show how this element of the proposal could be sunk into the ground by one metre and this would mean that it would be the same height as in the approved scheme for 14 flats. If the scheme were to be implemented in this way it would have no greater impact on Sycamore Court than that approved under 03/00983/FULL.

The design of the building is the same as that approved under 03/00983/FULL. It has been designed to provide visual interest by means of different levels, varying roof pitches, projections and setbacks and will serve to have a stimulating impact on this part of the town centre.

The site is separated from the residential area to the east by the A132. The adjoining development to the west, Riverside House, is three storeys in height, but with a relatively steeply pitched roof. The four storey element of the frontage to Lower Southend Road that formed a part of the refused application 03/01583/FULL has been excluded from this application.

Noise

The location of the application site adjacent to the inner relief road means that the impact of traffic noise on the amenities of any future occupiers is an issue material to the determination of this planning application. Noise was a major consideration leading to the refusal of planning permission by the Inspector appointed to determine Planning Application BAS/0346/00. In the case of that scheme, the layout was such that a significant proportion of the habitable accommodation faced exclusively onto the inner relief road, and, therefore, future occupiers would have been exposed to intolerably high levels of noise.

The scheme currently under consideration provides for only kitchen, bathroom and landing windows of the residential component to face the inner relief road. The bedroom and living room windows would face westwards, and, consequently, be subject to a far lower level of noise. In addition, to reduce the need to open the windows facing the inner relief road, it is proposed by the applicants to provide a mechanical ventilation system for each unit.

It has to be accepted that a very large proportion of the potential brownfield sites in the District, (e.g. old public houses, filling stations, halls/churches) lie alongside main roads. To meet the Government's target (para 23 of PPG3) of 60% of housing development taking place on brownfield land by 2008, sites such as the application site cannot be ruled out of hand for residential purposes. A pragmatic approach should be adopted, with the essential consideration being that the effects of noise on habitable accommodation are mitigated to a level that is reasonable. If, for whatever reason, this is not possible, then planning permission should be withheld, but in the current case, careful design means that the habitable accommodation would not be exposed to an intrusive level of traffic noise. In this case the Manager of Environmental Health Services has not objected to the proposal subject to appropriate conditions.

Parking

Government advice with regard to car parking is set out in PPG13 (Transport), and is clear in its main intent, which is to reduce its provision as much as possible. Justification for this approach, is to maximise the density of development, thereby making best use of urban land, and to reduce car usage.

Paragraph 49 states that:

‘The availability of car parking has a major influence on the means of transport people choose for their journeys.’

It goes on to state that:

‘Car parking also takes up a large amount of space in development, is costly to business and reduces densities’.

The application scheme proposes 22 car parking spaces, effectively 1.5 spaces for each flat. The location of the application site within the town centre means that not only is there a wide range of shops and other facilities readily available, but good public transport/taxis are within a quarter of a mile or so. It is reasonable, therefore, to take the view that this is a reasonable level of provision and is in accordance with Government advice. In any event, in view of the existence of parking restrictions along Lower Southend Road and the A132, it is difficult to envisage any significant problems arising from the level of car parking proposed.

CONCLUSION

The application proposes a variation to the scheme approved under reference 03/01381/FULL. The alterations will not increase the overall height or bulk of the building and will not have a detrimental impact on the occupiers of Sycamore Court nor will it make the proposed building over dominant in its setting.

◆ **STRATEGIC PLAN IMPLICATIONS**

The application has been the subject of neighbour consultation and the responses have been set out in the above report.

The proposal makes use of an underused area of land for residential purposes to meet a need within the District.

◆ **FINANCIAL IMPLICATIONS**

There are no direct financial implications to the Council.

◆ **RISK MANAGEMENT IMPLICATIONS**

The Council’s decisions on planning applications can be challenged, and costs can be awarded against the Council. Risk of these eventualities are minimised by applications being considered strictly in accordance with current planning guidance.

This Council has adopted the national Code of Conduct and a specific code, “Probity in Planning”. Members are offered training in dealing with planning applications, and Officer advice is available at all stages of consideration of each application.

◆ **CALL IN STATUS**

This report is not eligible for call in under the Council's Procedural Rules.

Background Papers:

1. Planning application files 02/01538/FULL, 03/00983/FULL and 03/01381/FULL.
2. Basildon District Local Plan.
3. Basildon District Council's Development Control Guidelines.
4. Basildon District Council's Car Parking Standards.
5. PPG3 (Housing).
6. PPG13 (Transport).

PLANNING APPLICATION NO. 04/00325/FULL – DEMOLITION OF EXISTING GARAGES AND ERECTION OF SINGLE STOREY RESIDENTIAL BUILDING TO PROVIDE SUPPORTED HOUSING FOR 4 RESIDENTS AT LAND REAR OF CARTLIDGE AVENUE, WICKFORD:

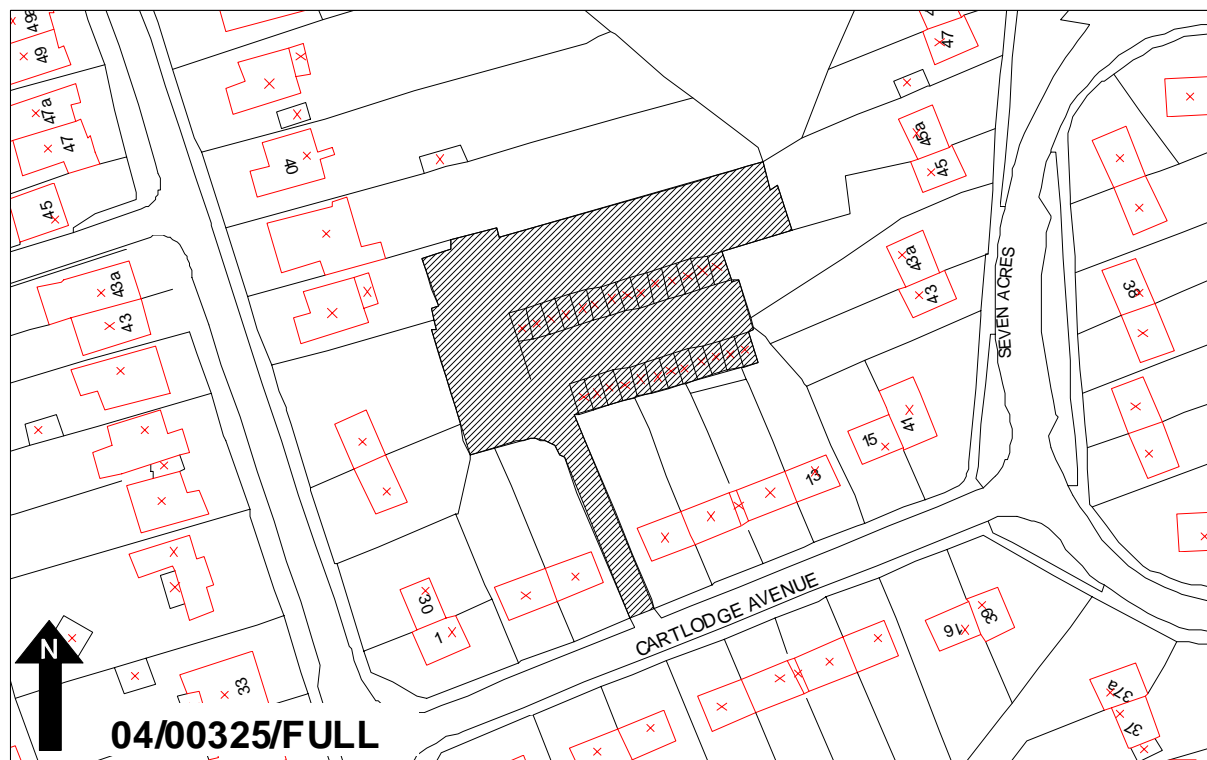
Enquiries to the Manager of Planning Services on 01268 294155

PURPOSE OF REPORT AND DECISION AREAS

To determine Planning Application No. 04/00325/FULL.

RECOMMENDED:

That Planning Application No. 04/00325/FULL be granted conditional planning permission.



INTRODUCTION/BACKGROUND

The application site comprises a garage court of 26 Council owned, lock up garages surrounded by concrete hardstanding, bounded by the rear gardens of dwellings fronting Mount Road, Cartlodge Avenue and Seven Acres and accessed via a concrete access road between 5 and 7 Cartlodge Avenue. The site is partially overgrown and generally in a poor state of repair, with only a small number of the garages currently let. The garage court, which is roughly rectangular in shape, has an area of 0.2 hectares (0.5 acres) and slopes down from south east corner, adjacent to the rear garden of properties fronting Seven Acres and Cartlodge Avenue, to the north west corner of the site.

PROPOSAL

The proposal is for the demolition of the existing garages, removal of the concrete hardstanding areas and erection of a single storey building containing 4 bedrooms, communal lounge & dining room, kitchen, utility room and patio with a staff room, and staff sleep over. Car parking for 11 vehicles with turning area and resurfaced driveway, shed, bin store and communal gardens would also be provided within the site.

The accommodation is intended for occupation by people with profound learning and associated physical disabilities, a type of scheme identified as a priority within the Basildon Housing Strategy

LEGISLATION/POLICY

The application site is within an area of no notation on the Proposals Map of the adopted Basildon District Local Plan where no specific proposals or area-based policies apply. Any proposed development must, therefore be considered in relation to the surrounding development, general policies of the local plan and Council's Development Control Guidelines, together with relevant government policy advice.

Policy BAS.BE12, of the Local Plan states: -

PLANNING PERMISSION FOR NEW RESIDENTIAL DEVELOPMENT, AND FOR THE ALTERATION AND EXTENSION OF EXISTING DWELLINGS, WILL BE REFUSED IF IT CAUSES MATERIAL HARM IN ANY OF THE FOLLOWING WAYS: -

- (i) HARM TO THE CHARACTER OF THE SURROUNDING AREA, INCLUDING THE STREET SCENE;
- (ii) OVERLOOKING;
- (iii) NOISE OR DISTURBANCE TO THE OCCUPANTS OF NEIGHBOURING DWELLINGS;
- (iv) OVERSHADOWING OR OVER-DOMINANCE; AND
- (v) TRAFFIC DANGER OR CONGESTION.

ASSESSMENT/COMMENTS

Planning History

<u>Application No.</u>	<u>Description</u>	<u>Decision</u>
02/00575/FULL	Demolition of existing garages and erection of residential building containing 6 no. flats	Refused 31.10.02

Consultations

- Manager of Highways & Engineering Services - No highway objections
- Essex Fire Authority - The overall width of the firepath should not be less than 3.7 metres, openings and gates should not exceed 3.1 metres and the details of any removable bollards or barriers agreed with the Fire Authority. The development must be carried out in accordance with the Building Regulations. Additional water supplies for fire fighting may be necessary for this development.
- Local Residents - Twenty letters of comment have been received in response to the Council's consultation with local residents. The main concern raised is in respect of highway safety and the impact the proposed development would have on already busy and congested residential roads that are, badly affected by school traffic, particularly having regard to the narrowness of the access road. One comment has been received that this is not the best location for a development for people needing care.

Planning Policy

The application site is within a residential area and therefore the principle of the residential development of the site is acceptable. Indeed, the government, in Planning Policy Guidance Note 3 (Housing), states that local planning authorities should seek to maximise the development of land within the existing urban areas for additional residential development. However, it is important to consider the impact that any proposed development of a particular site would have on the surrounding area and on nearby residents.

The proposed building is single storey with a hipped, ridged roof with a maximum height of 6.3 metres, in keeping with existing development in the vicinity which comprises two storey houses in Cartlodge Avenue and Seven Acres and a mix of houses and chalet bungalows in Mount Road.

The siting and layout of the building have been designed to comply with the Council's Development Control Guidelines for new residential development. This means that the layout achieves the minimum separation distances between the proposed development and surrounding dwellings, and, being a single storey structure, no overlooking of neighbouring properties or possible overbearing impact would result.

As regards highway safety and congestion, the specific nature of the occupation of the proposed development would mean that traffic generation would be very limited. Only four people would occupy the building, and traffic would be limited to their visitors and staff, in respect of which adequate car parking has been provided within the site. Traffic generation would be significantly less than that which might have been generated by the previous proposals for the development of the site in respect of six specialist flats or if the existing 26 lock up garages were fully used.

The Council's Highway & Engineering Services have examined the proposals and have no objections to the development. The access road from Cartlodge Avenue has a width of 4 metres, in excess of the minimum requirement of the Essex Fire Authority.

CONCLUSION

The proposal conforms with the Government's requirement to make best use of land within the urban areas and the proposed layout which accords with the Council's Development Control Guidelines, ensures that no material harm to the residential amenities of neighbouring occupiers would result.

◆ **STRATEGIC PLAN IMPLICATIONS**

Local residents were consulted on the planning application. The environmental implications of the proposal are set out in the above report.

◆ **FINANCIAL IMPLICATIONS**

The Council currently owns the application site.

◆ **RISK MANAGEMENT IMPLICATIONS**

The Council's decisions on planning applications can be challenged, and costs can be awarded against the Council. Risk of these eventualities are minimised by applications being considered strictly in accordance with current planning guidance.

This Council has adopted the national Code of Conduct and a specific code, "Probity in Planning ". Members are offered training in dealing with planning applications, and Officer advice is available at all stages of consideration of each application.

◆ **CALL IN STATUS**

This decision is not eligible for call in under the Council's Procedural Rules.

Background Papers:

1. Planning Application No. 04/00325/FULL.
2. Planning Policy Guidance Note, PPG3.
3. Basildon District Local Plan.
4. Development Control Guidelines.
5. Planning Application No. 02/00575/FULL.

PLANNING APPLICATION NO. 04/00404/TFULL – INSTALLATION OF 6 ANTENNAE, 6 DISH ANTENNA AND 6 RADIO EQUIPMENT CABINETS PLUS MINOR ANCILLARY WORKS – WICKFORD TELEPHONE EXCHANGE, MARKET AVENUE, WICKFORD:

Enquiries to the Manager of Planning Services on 01268 294155

PURPOSE OF REPORT

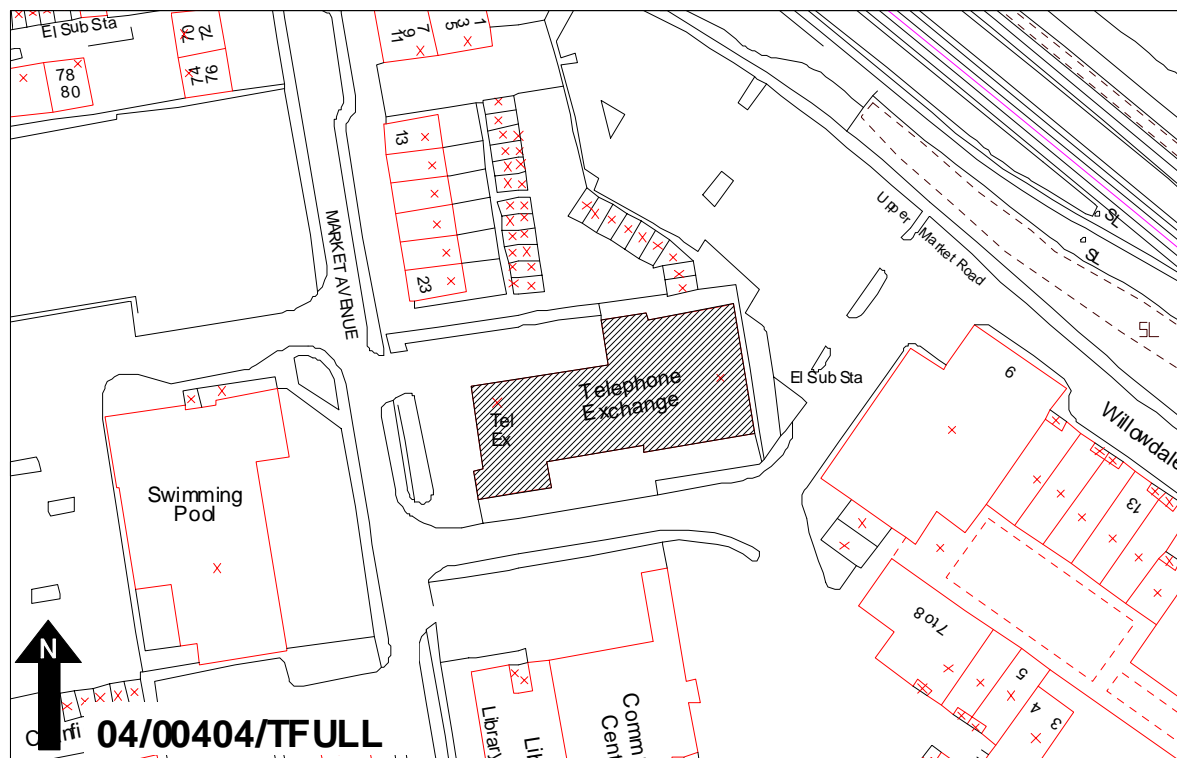
To determine Planning Application No. 04/00404/TFULL

RECOMMENDED:

That Planning Application No. 04/00404/TFULL be granted conditional planning permission

INTRODUCTION/BACKGROUND

The application site is located on the east side of Market Avenue, Wickford, 100 metres west of the High Street. Market Avenue is characterised by a mixture of community and residential properties, with the Wickford Telephone Exchange situated half way along the street. The Exchange is a three-storey yellow brick building of utilitarian design. The highest part of the Exchange roof presently comprises a 2.5 metre high stub tower with O2 antennas mounted on a headframe. This is surrounded by two existing T-mobile antennae, one Hutchison 3G (3) antennae and two dishes, and one further O2 dish. The main roof comprises a T-mobile equipment cabinet with three antennae, a smaller Vodafone equipment cabinet with three antennae and a further Hutchison 3G (3) equipment Cabinet.



THE PROPOSAL

The proposal is for the installation of six telecommunications antennae (each 2.4 metres in height), six dish antenna (600mm in diameter) and six equipment cabinets (1.4 to 2.1 metres in height) to the main roof of the exchange, plus minor ancillary works to serve Orange and '3'. A previous application granted on 5th August 2003 for Vodafones equipment included the Orange apparatus on the proposed plans, but did not refer to them in the application forms. The applicants advise that it was their intention to include Orange's proposals on the previous application, but this was not included due to a clerical error, thereby necessitating a further application for the apparatus, the subject of this report.

The application is submitted by LCC UK on behalf of operators Orange and '3' and is intended to provide for the companies existing 2G networks and emerging national 3G networks. The majority of the works proposed are for Orange, although three of the dish antennae are proposed to serve '3'.

LEGISLATION/POLICY

The Basildon District Local Plan shows the site to be within Wickford Town Centre

PLANNING HISTORY

The following applications have been determined in respect of the site:-

<u>Application Number</u>	<u>Proposal</u>	<u>Decision</u>
03/00223/FULL	Installation of 3 No. antennae and equipment cabinet and repositioning of existing antennae	Granted 05.08.03
TELBAS/0679/98	Replacement of six antennae With three Tacs Dual Polar and three Gms 1800 Dual Polar Antennae	Permitted Development 01.07.98
TELBAS/0523/97	Installation of Pole Mounted Directional Antenna	Granted
LDC/168/94	Installation of Cellnet Antenna	Permitted Development 11.03.94

ASSESSMENT/COMMENTS

Consultations

Environmental
Health Department - No objections

- Highways & Engineers
Department - No adverse highway comments
- Site notice/
Neighbour notification - Four letters have been received in response to the Council's neighbour consultation, two from residents and one each from the Governors at Wickford Junior and Wickford Infants Schools. Concerns are raised in respect of: the visual impact of further apparatus on the building, increase in noise/disturbance, and the possible health implications of the telecommunications equipment.

National Policy Guidance

Relevant national guidance on telecommunications development in respect of site sharing is set out in paragraphs 20 & 21 of Planning Policy Guidance Note PPG8 (Telecommunications):

"The sharing of masts and sites is strongly encouraged where that represents the optimum environmental solution in a particular case. Authorities will need to consider the cumulative impact upon the environment of additional antennas sharing a mast or masts sharing a site.

Use should also be made of existing buildings and other structures, such as electricity pylons, to site new antennas. Local planning authorities may reasonably expect applicants for new masts to show evidence that they have explored the possibility of erecting antennas on an existing building, mast or other structure."

Design issues are considered at paragraphs 24 & 25 of the PPG, which state:-

"In seeking to arrive at the best solution for an individual site, authorities and operators should use sympathetic design and camouflage to minimise the impact of development on the environment. Particularly in designated areas, the aim should be for apparatus to blend into the landscape.

The telecommunications industry is encouraged to continue to develop innovative design solutions, not only of the structure of masts and antennas but also materials and colouring."

Health considerations are examined at paragraphs 29 & 30 of the PPG:-

"Health considerations and public concern can in principle be material considerations in determining applications for planning permission and prior approval. Whether such matters are material in a particular case is ultimately a matter for the courts. It is for the decision makers (usually the local planning authority) to determine the weight to attach to such considerations in any particular case.

However, it is the Government's view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure, it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further health aspects and concerns about them".

Development Plan Policies

Policy BAS B20 of the Adopted Basildon District Local Plan on telecommunications states that:-

"PLANNING APPLICATIONS FOR TELECOMMUNICATIONS FACILITIES WILL BE PERMITTED, IN ACCORDANCE WITH THE GOVERNMENT'S GENERAL POLICY TO FACILITATE THE GROWTH OF NEW AND EXISTING TELECOMMUNICATIONS SYSTEMS, PROVIDED THAT THE ENVIRONMENTAL OBJECTIVES OF PPG8 AND OTHER NATIONAL POLICY, AND OF THIS LOCAL PLAN, ARE NOT SIGNIFICANTLY DAMAGED. THE SITING AND EXTERNAL APPEARANCE OF ANY TELECOMMUNICATIONS APPARATUS SHOULD NOT HAVE A SIGNIFICANTLY DETRIMENTAL VISUAL IMPACT ON THE DISTRICTS LANDSCAPE OR TOWNSCAPE AS A RESULT OF EXCESSIVE PROMINANCE.

TECHNICAL AND OPERATIONAL REQUIREMENTS WILL BE TAKEN INTO ACCOUNT, WHERE NECESSARY, WHEN PROPOSALS ARE BEING ASSESSED AGAINST THE ABOVE TESTS.

WHERE THERE IS A CONFLICT WITH ENVIRONMENTAL OR OTHER OBJECTIVES, THE COUNCIL WILL NEED TO BE SATISFIED THAT:-

- (i) THERE IS NO REASONABLE POSSIBILITY OF SHARING EXISTING FACILITIES OR OF ERECTING ANTENNAE ON AN EXISTING BUILDING OR OTHER STRUCTURE; AND
- (ii) THERE IS NO SATISFACTORY ALTERNATIVE SITE AVAILABLE."

Planning Comment

Having regard to the advice contained in PPG8 and Policy BAS BE20 of the Local Plan, consideration has to be given as to whether this is an appropriate site for such apparatus and whether alternative site locations have been adequately explored.

The applicant, states that a site selection exercise was undertaken, and as a result of this, the proposal site was the only one identified that was suitable, available within the selection area, and in addition, comprised existing telecommunications antennae. The site is presently used by four of the main telecommunications operators.

The proposals will result in six further antennae, six dish antenna and six equipment cabinets on the main roof of the Exchange. This will facilitate the use of the site for all five telecommunications operators and prevent the dispersal of further antennae around the town of Wickford to generate the necessary phone coverage. Four of the six proposed antennae are intended to be located on existing support frames permitted as part of the application for Vodafone in 2003; they will not therefore appear substantially different against the backdrop of the existing apparatus. The six cabinets are proposed to be located centrally on the main roof behind the existing Vodafone and Hutchison 3G (3) cabinets. At between 1.4 and 2.1 metres in height, they will be smaller than the adjacent T-mobile cabinet of 2.8 metres height.

In terms of their siting and appearance, the proposals are not considered to have a significantly greater visual impact on the surrounding area compared to the existing situation. The building being of a utilitarian design and comprising various existing antenna and other metalised structures associated with the telephone exchange. The applicants advise that they have kept the apparatus to the minimum necessary to comply with their operational requirements. The result will be an increase in the number of antennae on the building, however, their siting and scale will not appear unduly dominant or out of proportion on a building of this size or function and when viewed against the existing telecommunications apparatus. Account also needs to be taken of government advice, which encourages such site sharing, as is proposed in this case, in order to reduce the number of individual sites required in connection with telecommunications development.

With regard to the other concerns raised, the proposals are not considered to significantly increase the amount of noise or disturbance, compared to the existing apparatus, the function of the building and its town centre location.

In respect of health concerns, the applicant confirms that the telecommunications equipment have to be installed in accordance with the ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines for public exposure to radio emissions, in accordance with government advice.

In light of this it is recommended that planning permission be granted.

◆ **STRATEGIC PLAN IMPLICATIONS**

The application has been the subject of neighbour consultation and the display of a site notice, to which four letters were received.

◆ **FINANCIAL IMPLICATIONS**

There are no direct financial implications for the Council.

◆ **RISK MANAGEMENT IMPLICATIONS**

The Council's decisions on planning applications can be challenged, and costs can be awarded against the Council. Risk of these eventualities are minimised by applications being considered strictly in accordance with current planning guidance.

This Council has adopted the national Code of Conduct and a specific code, "Probity in Planning ". Members are offered training in dealing with planning applications, and Officer advice is available at all stages of consideration of each application.

◆ **CALL IN STATUS**

This decision is not eligible for call in under the Council's Procedural Rules.

Background Papers:

1. Planning File – 04/00404/TFULL.
2. Planning File – 03/00223/FULL.
3. Basildon District Local Plan.

PLAN OF DISTRICT INDICATING LOCATION OF AGENDA ITEM SITES



The above plan shows the location within the District of the items on the Agenda relating to planning application as follows:-

<u>Item No.</u>	<u>Ref. No</u>	<u>Site</u>
4.	04/00396/FULL	8 Stock Road, Billericay
5.	04/00254/FULL	124-130 Stock Road, Billericay
6.	04/00216/FULL	Land adjacent to Riverside House, Lower Southend Road, Wickford
7.	04/00325/FULL	Land rear of Cartlodge Avenue, Wickford
8.	04/00404/TFULL	Wickford Telephone Exchange, Market Avenue, Wickford

FOR MEMBERS' INFORMATION

PLANNING APPLICATIONS

GROUNDINGS FOR REFUSAL

- A. Contrary to Green Belt policy.
- B. Contrary to Development Plan zoning.
- C. Over-development of the site by reason of
- D. Prejudicial to the replanning of the area by reason of
- E. Objection on highway safety grounds.
- F. Lack of car parking/servicing facilities.
- G. Damage to residential amenity by reason of
- H. Damage to visual amenity/poor design by reason of
- I. Unsatisfactory layout by reason of
- J. Objection by the Anglian Water Authority.

Whilst the above grounds are the principal considerations on which the refusal of planning permission is recommended, these grounds will be amplified and precise reasons will be set out in full in the decision notice supplied to the applicant.

The above list is a summary of the main reasons for refusal. It is not exhaustive, but any reasons for refusal should relate to land use planning only, and not to issues such as increased competition, moral objections, etc.

REPRESENTATIONS

Letters received in response to the Council's consultations on planning applications are available to Members by contacting either Lorraine Hopgood or Richard Clews (Planning Technical Support Officers) on (01268) 294813 and 294152 to arrange to either view the letters or be given more details.