

COUNTY COUNCIL OF ESSEX

Application No. **BEN 483 71** /...../...../.....

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

**Borough** }  
**Urban District** } Council of **BENFLEET**  
**Rural District** }

To **Mr. B.J.W. Wallace,**  
**33 Glenmere Park Avenue, Thundersley,**  
**Benfleet,**

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council do hereby give notice of the decision to REFUSE permission for the following development:-

**Rooms in roof - 33 Glenmere Park Avenue, Thundersley,**

for the following reasons:-

**It is considered that the proposed dormer is badly formed in that there is proposed to be an excess of cladding below the level of the window eills thereby increasing the height of the dormer disproportionately in relation to the proportions of the existing dwelling.**

Dated **EIGHTEENTH** day of **AUGUST** 19 **71.**

**BENFLEET URBAN DISTRICT COUNCIL,**  
**COUNCIL OFFICES, THUNDERSLEY,**  
**BENFLEET, ESSEX, SS7 1TP.**

*(Signature)*  
(Town Clerk)  
(Clerk of the Council)

**ER.**

NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing and Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.



COUNTY COUNCIL OF ESSEX

\*[Outline] Application No. BEN 462 71

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

Borough

Urban District

Rural District

Council of BENFLEET

To South Benfleet Social Club,

Vicarage Hill, South Benfleet, Essex.

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [outline] application to carry out the following development:-

Alterations and extension to existing building -  
South Benfleet Social Club, Vicarage Hill, Benfleet,

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to GRANT PERMISSION for † [the said development]

subject to compliance with the following conditions:-

1. The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.
2. There shall be no storage of any crates, bottles, barrels or pallets on open areas of the site.
3. The area hatched yellow shall be surfaced before the development hereby permitted is completed, in a manner, details of which, are to be submitted to the Benfleet U.D.C. in writing, before the development hereby permitted is commenced.
4. The car parking spaces to be provided shall be marked on the finished surface of the parking area in a manner to be agreed in writing with the Benfleet U.D.C., such details to be submitted to the Benfleet U.D.C. in writing prior to commencement of the development hereby permitted.

The reasons for the foregoing conditions are as follows:-

1. This condition is imposed pursuant to Section 65 of the Town and Country Planning Act, 1968.
2. In order to ensure that the front of the site is kept clean, clear and tidy in the interests of visual amenity with regard to the fact that this site is situated in an area primarily reserved for residential development.
- 3/4. In order to ensure a satisfactory development.

Dated EIGHTEENTH day of AUGUST 19 71.

BENFLEET URBAN DISTRICT COUNCIL,  
COUNCIL OFFICES, THUNDERSLEY,  
BENFLEET, ESSEX, SS7 1TF.

*C. R. May Brown*  
(Town Clerk)  
(Clerk of the Council) 3.

ER.

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

(4) This permission does not incorporate Listed Building Consent unless specifically stated.



COUNTY COUNCIL OF ESSEX

Application No. BEN / 481 / 71 / .....

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

~~Borough~~ }  
Urban District } Council of BENFLEET  
~~Rural District~~ }

To The Secretary,

C.S. Wiggins & Sons Ltd.,

57 Hart Road, Thundersley, Benfleet,

Essex.

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council do hereby give notice of the decision to REFUSE permission for the following development:

Six houses and garages - land r/o 106 Kiln Road, Thundersley,

for the following reasons:-

A part of the site is outside the areas allocated for residential development in the first review of the County Development Plan and, furthermore, is intended to form part of the Metropolitan Green Belt. The Written Statement accompanying the County Development Plan indicates that in order to achieve the purposes of the Metropolitan Green Belt, it is essential to retain and protect the existing rural character of the areas so allocated and that new building and uses will only be permitted outside existing settlements in the most exceptional circumstances and when essential for agriculture, or allied purposes.

Dated TWENTIETH day of OCTOBER 19 71.

BENFLEET URBAN DISTRICT COUNCIL,  
COUNCIL OFFICES, THUNDERSLEY,  
BENFLEET, ESSEX;  
SS7 1TF.

C. H. Clegg Brown  
(Town Clerk)  
(Clerk of the Council)

3.

ER.

IMPORTANT - ATTENTION IS DRAWN TO THE NOTES OVERLEAF

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing and Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.



COUNTY COUNCIL OF ESSEX

Application No. **BEN** / **480** / **71** / .....

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

XXXXX  
Borough  
Urban District  
XXXXXXX  
Rural District

Council of **BENFLEET** .....

To **Mr. L.J. Dickinson,**  
**182 Eversley Road,**  
**Benfleet, Essex.**

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council do hereby give notice of the decision to REFUSE permission for the following development:-

**Garage and porch extension - 182 Eversley Road, Benfleet,**

for the following reasons:-

1. The proposal to bring forward the garage in front of the main front wall of the building is detrimental to the amenities and could not fail to represent a serious obstruction into the street scene.
2. The proposal would create a most undesirable precedent for further similar developments to the general detriment of this rather pleasant road.

Dated **EIGHTEENTH** day of **AUGUST**  
**BENFLEET URBAN DISTRICT COUNCIL,**  
**COUNCIL OFFICES, THUNDERSLEY,**  
**BENFLEET, ESSEX, SS7 1TF.**

19

*E. H. C. May Brown*  
(Town Clerk)  
(Clerk of the Council) 3.

ER.

## NOTES

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COUNTY COUNCIL OF ESSEX

Application No. **BEN 479 71** /...../...../.....

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

~~XXXXXX~~

Borough

Urban District

~~XXXXXX~~  
Rural District

}

Council of

**BENFLEET**

To

**The Secretary,**

**Adams Homes Builders Ltd.,**

**37A Ormund Road,**

**Canvey Island, Essex.**

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council do hereby give notice of the decision to REFUSE permission for the following development:-

**Four detached dwellings - s/o 49 Polstead Road, Benfleet,**

for the following reasons:-

The proposal is completely out of character with the existing development in the immediate vicinity, in that there are no dwellings in this area with a general eaves level of 16 feet. It is considered that the redevelopment of this site should consist of chalet type bungalows with an eaves level of approx. 8 feet above the ground and a gable to the front elevation.

Dated **EIGHTEENTH** day of **AUGUST** 19 **71.**

**BENFLEET URBAN DISTRICT COUNCIL,**  
**COUNCIL OFFICES, THUNDERSLEY,**  
**BENFLEET, ESSEX, SS7 1TF.**

*C. H. C. May Brown*  
(Town Clerk)  
(Clerk of the Council) **3.**

ER.

IMPORTANT - ATTENTION IS DRAWN TO THE NOTES OVERLEAF

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing and Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

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COUNTY COUNCIL OF ESSEX

Application No. BEN 478 71 / .....

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

~~Borough~~  
~~Urban District~~ } Council of BENFLEET  
~~Rural District~~

To The Secretary, Adams Homes Builders Ltd.,  
37A Ormound Road, Canvey Island,  
Essex.

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council do hereby give notice of the decision to REFUSE permission for the following development:-

**Two detached dwellings - s/o 27 Felstead Road, Benfleet,**

for the following reasons:-

The proposal is completely out of character with the existing development in the immediate vicinity, in that there are no dwellings in this area with a general eaves level of 16 feet. It is considered that the redevelopment of this site should consist of chalet type bungalows with an eaves level of approximately 8 feet above the ground and a gable to the front elevation.

Dated EIGHTEENTH day of AUGUST

19

**BENFLEET URBAN DISTRICT COUNCIL,  
COUNCIL OFFICES, THUNDERSLEY,  
BENFLEET, ESSEX, SS7 1TF.**

*N. C. R. May Brown*  
(Town Clerk)  
(Clerk of the Council)

ER.

IMPORTANT - ATTENTION IS DRAWN TO THE NOTES OVERLEAF

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing and Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

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(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.



COUNTY COUNCIL OF ESSEX

\*[Outline] Application No. ....~~BEN~~.../...~~477~~.../...~~71~~.../.....

**TOWN AND COUNTRY PLANNING ACT 1962**

**Town and Country Planning General Development Orders 1963 to 1969**

~~Borough~~

Urban District

~~Rural District~~

Council of

**BENFLEET**

To

**The Secretary, Abridge Developments Ltd.,**

**c/o Harry Rona & Partners, 5 High Street, Wickford, Essex.**

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [outline] application to carry out the following development:-

**Outline - demolition of existing and erection of one house and garage - 76 Common Lane, Thundersley,**

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to GRANT PERMISSION for † [the said development]

subject to compliance with the following conditions:-

1. The development hereby permitted may only be carried out in accordance with details of the siting, design and external appearance of the building and the means of access thereto (hereinafter called "the reserved matters"), the approval of which shall be obtained from the Local Planning Authority before the development is begun.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority within three years beginning with the date of this outline permission.
3. The development hereby permitted shall be begun on or before whichever is the later of the following two dates - (a) the expiration of five years beginning with the date of the outline permission; or (b) the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

The reasons for the foregoing conditions are as follows:-

4. Details of ornamental trees, which shall be planted before occupation of the dwelling hereby approved, shall be shown on the reserved details required in Condition 1 above.
5. A minimum building line of 25 feet shall be provided.

The reasons for the foregoing conditions are as follows:-

- 1.2.43. The particulars submitted are insufficient for consideration of the details mentioned, and also pursuant to Section 66 of the Town and Country Planning Act, 1968.
4. In order to introduce a degree of natural relief in contrast to the hardness of the building mass.
5. In order to secure the proper planning and layout of the area.

Dated                      day of                      19  
**EIGHTEENTH                      AUGUST                      71.**

**BENFLEET URBAN DISTRICT COUNCIL,**  
**COUNCIL OFFICES, THUNDERSLEY,**  
**BENFLEET, ESSEX, SS7 1TF.**

*C. H. C. [Signature]*  
(Town Clerk)  
(Clerk of the Council)

3.

ER.

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

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(4) This permission does not incorporate Listed Building Consent unless specifically stated.



COUNTY COUNCIL OF ESSEX

Application No. BEN 476 71 / .....

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

**Borough**  
**Urban District** } Council of BENFLEET  
**BENFLEET**

To The Secretary,

Wilkin Building Co. Ltd.,

65 Kingswood Chase,

Leigh-on-Sea, Essex.

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council do hereby give notice of the decision to REFUSE permission for the following development:-

**Outline - 30 dwellings - land fronting Wensley Road, Thundersley**

for the following reasons:-

The site is outside the areas allocated for residential development in the County Development Plan and, furthermore, is intended to form part of the Metropolitan Green Belt. The Written Statement accompanying the County Development Plan indicates that in order to achieve the purposes of the Metropolitan Green Belt, it is essential to retain and protect the existing rural character of the areas so allocated and that new buildings and uses will only be permitted outside existing settlements in the most exceptional circumstances and when essential for agricultural or allied purposes.

Dated TWENTY-NINTH day of SEPTEMBER

19 71.

**BENFLEET URBAN DISTRICT COUNCIL,**  
**COUNCIL OFFICES, THUNDERSLEY,**  
**BENFLEET, ESSEX, SS7 1TF.**

ER.

C. R. Clegg  
(Town Clerk)  
(Clerk of the Council)

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing and Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

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ME/P

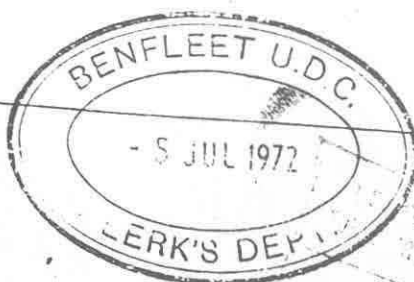


Department of the Environment  
Caxton House Tothill Street London SW1H 9LZ

Telephone 01-334 8540 Ext

461

The James Abbott Partnership  
Chartered Surveyors  
22 South Street  
ROCHFORD  
Essex SS4 1BJ



Your reference

TCP/738:FHS/PJB

Qyr reference

T/APP/877A/A/60773

DATE

12 JUL 1972

- 4 JUL 1972

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971  
APPEAL BY THE WILKIN BUILDING COMPANY LIMITED

1. I refer to your clients' appeal under section 23 of the Town and Country Planning Act 1962 (now section 36 of the 1971 Act) against the decision of the Benfleet Urban District Council, acting on behalf of the Essex County Council to refuse planning permission for the residential development with 30 private dwellings and the provision of an access road on land fronting Wensley Road, Thundersley, Benfleet, Essex. The determination of this appeal falls to me by virtue of Schedule 9 to the Town and Country Planning Act 1971 and the Town and Country Planning (Determination of appeals by appointed persons) (Prescribed Classes) Regulations 1970. I have considered all the written representations made by you and by the council and also those made by interested persons. I inspected the site on Tuesday 6 June 1972.
2. The 2½ acres rectangular-shaped appeal site has a frontage of 985 ft and a depth of 105 ft to the west side of Wensley Road some 250 ft north of its junction with the A13, Kiln Road. The site is woodland, to the south of which 2 large detached houses have been built, set well back from, but fronting, the A13. To the north, beyond an overgrown plot of vacant land, is a row of 4 small post great war bungalows. To the west is mixed grass and woodland and to the east 6 small bungalows of the same period in an otherwise wooded area backing onto farm land, are scattered along the opposite frontage of this narrow unmade track. Wensley Road is one of several similar tracks crossing this predominantly rural district south of the built-up area of Thundersley and north of the A13 ribbon development, where sporadic and isolated residential development remains from the post great war period.
3. The main arguments advanced on behalf of your clients are: first, the appeal site is within an area that is proposed and not established green belt where the open rural character that is essential for the purposes of a green belt does not exist because of the considerable amount of disfiguring sporadic development. In the same area to the north moreover, a large caravan site is now being residentially developed; second, there is no reason to suppose that the proposed residential development would not fit in with any future comprehensive housing layout that may be approved for the area as a whole. Restrictions imposed on the siting of the 2 new houses at the junction of Wensley Road with Kiln Road clearly indicate the intention to improve this sub-standard junction thereby opening the way for the residential development of your clients' land; third, a substantial proportion of the land allocated for residential development is not available because of sewage disposal problems whereas there are no such problems in relation to the

476/71

10/7/317

appeal site which consequently is immediately available for development and should be released accordingly; fourth, your clients are a small building company urgently needing land in order to be able to continue house building. Uncertainty regarding the strategic plans for South East Essex and the development of Maplin Sands has resulted in a standstill in the release of more land for housing development and in consequence prices are rocketing beyond the reach of the small builder and justifies the approval of the appeal site for this purpose.

4. The main arguments advanced on behalf of the council are: first, the appeal site is white land on the approved county development plan, where development is not intended, and is proposed green belt in the submitted review where a local need has to be proved to justify the release of such land for residential development. The site is predominantly rural in character and serves, in association with the surrounding area, which has the same character, to prevent the coalescence of the built-up areas of Southend, Thundersley, Hadleigh and Rayleigh; second, the caravan site is about  $\frac{1}{4}$  mile away to the north and was originally approved in 1950. It is well related in respect of existing urban areas, is not within the proposed green belt, and, in view of the serious local need then existing for more housing in this area, was approved for residential development as also has been infilling along the substantially built-up frontage of Kiln Road; third, the appeal site is within an area where plot land development of the immediate post great war period is an inherited problem. The development of the whole of this large area will be likely to follow the approval of the housing proposed on your clients' land and this would effect the whole strategy for this district which should only be decided within the context of the strategic plan. Developed in isolation the appeal site could well inhibit the proper layout of this area for housing if it is decided in the future that development should take place; fourth, there is 4.3 years supply of land available in this district that has been approved or is allocated for residential development and additional land will become available by 1975, when sewage disposal problems are solved, for 6.4 years. Combined with Basildon, there is sufficient land available for the next 13 years. The increased supply of money and the hoarding of land by speculators also is at the source of the housing land shortage.

5. From my inspection of the site and surroundings, the plan submitted and the representations made, I am of the opinion that the deciding issue is the effect that the proposed development of the appeal site with 30 dwellings and the provision of an access road would have upon the surroundings. The development proposed by your clients on this long narrow strip of woodland would be seen as an isolated row of dwellings north of the frontage development along Kiln Road extending deep into the predominantly undeveloped backland, the rural character of which survives despite the sporadic plot land development which this area has in common with that found in the north-westerly environs of Southend. Your clients' proposal would be seriously detrimental to the predominantly rural character of this area which it is the important objective of the approved county development plan and the submitted review to retain in order to separate Thundersley from Hadleigh. I find therefore, that for the reasons to which I have referred, and notwithstanding your clients need to secure land for early residential development, it would be wrong to allow the development now proposed.

6. I have included in my considerations whether the appeal site has been appropriately shown as being within the proposed green belt, but I find no reason to question its inclusion for the time being pending a decision on the green belt proposals as a whole. Regarding the other matters raised, in my judgment they are of insufficient weight to influence my decision.



Department of the Environment  
2 Marsham Street, London SW1P 3EB.

Under the provisions of section 245 of the Town and Country Planning Act 1971 a person who is aggrieved by the decision given in the accompanying letter may challenge its validity by an application made to the High Court within 6 weeks from the date when the decision is given. (This procedure applies both to decisions of the Secretary of State and to decisions given by an Inspector to whom an appeal has been transferred under paragraph 1(1) of Schedule 9 to the Town and Country Planning Act 1971.)

The grounds upon which an application may be made to the Court are:-

1. that the decision is not within the powers of the Act (that is, the Secretary of State or Inspector, as the case may be, has exceeded his powers); or
2. that any of the relevant requirements have not been complied with, and the applicant's interests have been substantially prejudiced by the failure to comply.

"The relevant requirements" are defined in section 245 of the Act: they are the requirements of that Act and the Tribunals and Inquiries Act 1971 or any enactment replaced thereby, and the requirements of any order, regulations or rules made under those Acts or under any of the Acts repealed by those Acts. These include the Town and Country Planning (Inquiries Procedure) Rules 1969 (SI 1969 No 1092), which relate to the procedure on cases dealt with by the Secretary of State, and the Town and Country Planning Appeals (Determination by Appointed Persons) (Inquiries Procedure) Rules 1968 (SI 1968 No 1952), which relate to the procedure on appeals transferred to Inspectors.

The right to make an application under section 245 as a "person aggrieved" is limited to the appellant or applicant (as the case may be) and persons whose legal rights have been infringed. The local authority who are directly concerned with the case are given a similar right of appeal.

A person who thinks he may have grounds for challenging the decision should seek legal advice before taking any action.

7. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss your clients' appeal.

I am Gentlemen  
Your obedient Servant

J. H. Chater

J H CHATER CEng MIMunE MInstHE  
Inspector



COUNTY COUNCIL OF ESSEX \*~~Outline~~ Application No. ~~BEN~~ 475, 71B/.....

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

~~Borough~~  
Urban District Council of ~~BENFLEET~~  
~~Rural District~~

To Mr. and Mrs. B.G. Morgan,  
164 Eastern Esplanade, Thorpe Bay, Essex.

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\*~~Outline~~ application to carry out the following development:

Extension, bathroom and garage - 362 High Road, Benfleet,

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to GRANT PERMISSION for † [the said development]

subject to compliance with the following conditions:-

1. The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.
2. The building hereby permitted shall be resited in the position shown hatched in black on the plan returned herewith.
3. There shall be no obstruction to visibility above a height of 3' 6" within the area of the sight splay hatched blue on the plan returned herewith.

The reasons for the foregoing conditions are as follows:-

1. This condition is imposed pursuant to Section 65 of the Town and Country Planning Act, 1968.
2. In order to ensure the proper planning and layout of the area.
3. To obtain maximum visibility at the road junction in the interests of road safety.

Dated EIGHTH day of SEPTEMBER 19 71.

BENFLEET URBAN DISTRICT COUNCIL,  
COUNCIL OFFICES, THUNDERSLEY,  
BENFLEET, ESSEX, SS7 1TF.

*C.R. Key*  
(Town Clerk)  
(Clerk of the Council)

ER.

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

IMPORTANT - ATTENTION IS DRAWN TO THE NOTES OVERLEAF

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

(4) This permission does not incorporate Listed Building Consent unless specifically stated.



COUNTY COUNCIL OF ESSEX

\* [Outline] Application No. .... BEN 474 71A

## TOWN AND COUNTRY PLANNING ACT 1962

## Town and Country Planning General Development Orders 1963 to 1969

Borough

Urban District

Rural District

Council of

Benfleet

To

New Park House, London Road, Benfleet.

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [outline] application to carry out the following development:-

**Amended side elevations and conservatory - Plots 1 & 2 (46) New Park Road, Benfleet.**

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to GRANT PERMISSION for † [the said development]

subject to compliance with the following conditions:-

**The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.**

The reasons for the foregoing conditions are as follows:-

**This condition is imposed pursuant to Section 65 of the Town and Country Planning Act, 1968.**

Dated FIRST day of DECEMBER, 1971.

BENFLEET URBAN DISTRICT COUNCIL,  
COUNCIL OFFICES,  
THUNDERSLAY, BENFLEET,  
ESSEX, SS7 1TF.

*C. R. Meek Brown*  
(Town Clerk)  
(Clerk of the Council)

3.

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

(4) This permission does not incorporate Listed Building Consent unless specifically stated.



XXXXXX

BEN 474 71

COUNTY COUNCIL OF ESSEX

\*[Outline] Application No. ....../...../...../.....

## TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

XXXXXX

BENFLEET

Borough

XXXXXX  
Urban District

Rural District

Council of .....

Stephen Lambert Group,

To

203 London Road, Benfleet,

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [outline] application to carry out the following development:-

Two detached dwellings - n/o 46 New Park Road, Benfleet,

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to GRANT PERMISSION for † [the said development]

1. subject to compliance with the following conditions:-
- The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.
  - The elevations of the buildings hereby approved shall be treated in accordance with the schedule of finishes attached hereto, from which there shall be no departure without the prior consent, in writing of the Benfleet U.D.C.
  - Details of ornamental trees, which shall be planted before occupation of the dwellings hereby approved in the positions shown by black crosses on the plan returned herewith, shall be submitted to the Benfleet U.D.C. before commencement of the works hereby approved.

The reasons for the foregoing conditions are as follows:-

- This condition is imposed pursuant to Section 65 of the Town and Country Planning Act, 1968.
- In order to ensure a reasonable degree of variation whilst maintaining aesthetic harmony between the appearances of existing and new buildings in the area as a whole.
  - In order to introduce a degree of natural relief in contrast to the hardness of the building mass.

Dated

EIGHTEENTH

day of

AUGUST

1971.

BENFLEET URBAN DISTRICT COUNCIL,  
COUNCIL OFFICES, THUNDERSLEY,  
BENFLEET, ESSEX, SS7 1TP.

ER.

*C. R. May Brown*  
(Town Clerk)  
(Clerk of the Council)

3

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

(4) This permission does not incorporate Listed Building Consent unless specifically stated.



COUNTY COUNCIL OF ESSEX

\*[Outline] Application No. **BEN/ 473** **71** /...../...../...../.....**TOWN AND COUNTRY PLANNING ACT 1962****Town and Country Planning General Development Orders 1963 to 1969**Borough  
Urban District  
Rural District

Council of

**BENFLEET****Mr. E.W.C. Capper,**

To

**30 Thundersley Church Road, Thundersley, Benfleet,**

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [outline] application to carry out the following development:-

**Conservatory and car-port - 30 Thundersley Church Road, Thundersley,**

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to **GRANT PERMISSION** for † [the said development]

subject to compliance with the following conditions:-

**The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.**

The reasons for the foregoing conditions are as follows:-

**This condition is imposed pursuant to Section 65 of the Town and Country Planning Act, 1968.**

Dated **EIGHTEEN** day of **AUGUST** 19 **71**.

**BENFLEET URBAN DISTRICT COUNCIL,**  
**COUNCIL OFFICES, THUNDERSLEY,**  
**BENFLEET, ESSEX, SS7 1TF.**

ER.

*C. H. Key Bow*  
(Town Clerk)  
(Clerk of the Council)

3.

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

(4) This permission does not incorporate Listed Building Consent unless specifically stated.



COUNTY COUNCIL OF ESSEX

\*[Outline] Application No. .... / ..... / ..... / .....

## TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

**ESSEX**

Urban District

Council of

**BENFLEET****RURAL DISTRICT**

To

**Mr. C.A. Pilgrim,****52 Common Lane, Thundersley, Benfleet, Essex.**

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [outline] application to carry out the following development:-

**Outline - house and garage - north side of 2 Deenhurst, Thundersley,**

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to GRANT PERMISSION for † [the said development]

subject to compliance with the following conditions:-

1. The development hereby permitted may only be carried out in accordance with details of the siting, design and external appearance of the building and the means of access thereto (hereinafter called "the reserved matters"), the approval of which shall be obtained from the Local Planning Authority before the development is begun.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority within three years beginning with the date of this outline application.
3. The development hereby permitted shall be begun on or before whichever is the later of the following two dates - (a) the expiration of five years beginning with the date of the outline permission; or (b) the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

The reasons for the foregoing conditions are as follows:-

4. The building hereby approved shall be resited behind a line drawn between the nearest corners of the buildings on either side.
5. Details of ornamental trees, which shall be planted before occupation of the dwelling hereby approved, shall be shown on the reserved details required in Condition 1 above.

The reasons for the foregoing conditions are as follows:-

- 1.2.3. The particulars submitted are insufficient for consideration of the details mentioned, and also pursuant to Section 66 of the Town and Country Planning Act, 1968.
4. In order to ensure a satisfactory development.
5. In order to introduce a degree of natural relief in contrast to the hardness of the building mass.

Dated **EIGHTEENTH** day of **AUGUST** 19 **71.**

**BENFLEET URBAN DISTRICT COUNCIL,**  
**COUNCIL OFFICES, THUNDERSLEY,**  
**BENFLEET, ESSEX, SS7 1TE.**

*C.R. May Brown*  
(Town Clerk)  
(Clerk of the Council)

ER.

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

(4) This permission does not incorporate Listed Building Consent unless specifically stated.



COUNTY COUNCIL OF ESSEX

\*[Outline] Application No. **BEN 471 71** /...../...../.....

**TOWN AND COUNTRY PLANNING ACT 1962**

**Town and Country Planning General Development Orders 1963 to 1969**

**Borough**

**Urban District**

**Rural District**

**BENFLEET**

Council of .....

To

**Mr. N. Kantoyannis,**

**7, Homefields Avenue, Benfleet, Essex.**

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [outline] application to carry out the following development:-

**Extension to lounge at 7, Homefields Avenue, Benfleet.**

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to **GRANT PERMISSION** for † [the said development]

subject to compliance with the following conditions:-

**The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.**

The reasons for the foregoing conditions are as follows:-

**This condition is imposed pursuant to Section 65 of the Town and Country Planning Act, 1968.**

Dated **EIGHT EENTH** day of **AUGUST,** 19 **71.**

**BENFLEET URBAN DISTRICT COUNCIL,**  
**COUNCIL OFFICES, THUNDERSLEY,**  
**BENFLEET, ESSEX. SS7 1TF.**

*C. H. Clegg Brown*  
**(Town Clerk)**  
**(Clerk of the Council)** 3.

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

(4) This permission does not incorporate Listed Building Consent unless specifically stated.



COUNTY COUNCIL OF ESSEX

\*[outline] Application No. **BEN** **470** **71** /.....

**TOWN AND COUNTRY PLANNING ACT 1962**

**Town and Country Planning General Development Orders 1963 to 1969**

**Borough:**

**Urban District**

**Rural District**

Council of .....

**BENFLEET**

To **MR. G.F. ILLINGWORTH,**

**31, Princes Avenue, Thundersley, Benfleet.**

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [outline] application to carry out the following development:-

**Extension to lounge and kitchen at 31, Princes Avenue, Thundersley.**

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to **GRANT PERMISSION** for † [the said development]

subject to compliance with the following conditions:-

**The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.**

The reasons for the foregoing conditions are as follows:-

**This condition is imposed pursuant to Section 65 of the Town and Country Planning Act, 1968.**

Dated **EIGHTEENTH** day of **AUGUST,** 19 **71.**

**BENFLEET URBAN DISTRICT COUNCIL,**  
**COUNCIL OFFICES, THUNDERSLEY,**  
**BENFLEET, ESSEX. SS7 1EP.**

*C. H. Nepean*  
**(Town Clerk)**  
**(Clerk of the Council)** 3.

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them; having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

(4) This permission does not incorporate Listed Building Consent unless specifically stated.



COUNTY COUNCIL OF ESSEX

\*[Outline] Application No. **BEN 469 71** / .....

**TOWN AND COUNTRY PLANNING ACT 1962**

**Town and Country Planning General Development Orders 1963 to 1969**

~~Borough~~  
Urban District  
~~Rural District~~

Council of .....

**BENFLEET**

To .....

**Mr. E. Doarks,**

**17, Stanley Road, Benfleet, Essex.**

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [outline] application to carry out the following development:-

**Car-port in place of existing garage and shed at 17 Stanley Road, Benfleet.**

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to GRANT PERMISSION for † [the said development]

subject to compliance with the following conditions:-

**The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.**

The reasons for the foregoing conditions are as follows:-

**This condition is imposed pursuant to Section 65 of the Town and Country Planning Act, 1968.**

Dated **EIGHTEENTH** day of **AUGUST,** 19 **71.**

**BENFLEET URBAN DISTRICT COUNCIL,**  
**COUNCIL OFFICES, THUNDERSLEY,**  
**BENFLEET, ESSEX. S87 1TF.**

*C. H. C. Neill*  
(Town Clerk)  
(Clerk of the Council) **3**

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

(4) This permission does not incorporate Listed Building Consent unless specifically stated.



## TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

~~Borough~~

Urban District

~~Rural District~~

Council of

Benfleet

To

Messrs. C.S. Wiggins &amp; Sons Ltd.,

57 Hart Road, Thundersley, Benfleet.

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [outline] application to carry out the following development:-

**Demolition of existing bungalow and erection of 7 chalets and garages -  
43 New Park Road, Benfleet.**

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to GRANT PERMISSION for † [the said development]

subject to compliance with the following conditions:-

1. The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the schedule of finishes submitted with the application, a copy of which is returned herewith. There shall be no departure from the schedule without the prior permission of the Benfleet U.D.C. in writing.
3. There shall be no obstruction to visibility above a height of 3'6" within the area of the sight splay hatched blue on the plan returned herewith.
4. A 6'0" brick wall shall be erected in the positions marked green on the plan returned herewith.

The reasons for the foregoing conditions are as follows:-

5. Details of planting along the site boundaries between the buildings and the highway boundary to be carried out before occupation of the buildings hereby approved shall be submitted to the Benfleet U.D.C. before commencement of the works hereby approved.
6. Details of ornamental trees, which shall be planted before occupation of the dwellings hereby approved in the positions shown by black crosses on the plan returned herewith, shall be submitted to the Benfleet U.D.C. before commencement of the works hereby approved.
7. No gate, fence, wall or other means of enclosure shall be erected, constructed, or planted between the proposed buildings and the highway boundary without the prior approval of the local planning authority (save as provided for in Conditions 4, 5 & 6 above).

The reasons for the foregoing conditions are as follows:-

1. This condition is imposed pursuant to Section 65 of the Town and Country Planning Act, 1968.
2. In order to ensure a reasonable degree of variation whilst maintaining aesthetic harmony between the appearances of existing and new buildings in the area as a whole.
3. To obtain maximum visibility at the road junction in the interests of road safety.
4. To screen the rear gardens in the interests of amenity.
5. In order that the front of the site may be for the most part open planned

The reasons for the foregoing conditions are as follows:-

- with some degree of deterrent to trespass across the front gardens of properties and to introduce planting into the street scene in the interests of visual amenity.
6. In order to introduce a degree of natural relief in contrast to the hardness of the building mass.
7. To ensure satisfactory development and to safeguard the amenities of the surrounding area and the occupiers of the proposed dwelling(s).

Dated TWENTY NINTH day of SEPTEMBER, 1971.

Benfleet Urban District Council,  
Council Offices,  
Thundersley, Benfleet,  
Essex, SS7 1TF.

C. H. C. [Signature]  
(Town Clerk)  
(Clerk of the Council)

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

(4) This permission does not incorporate Listed Building Consent unless specifically stated.



## TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1953 to 1969

~~Borough~~  
Urban District  
~~Rural District~~Council of BENFLEETTo Mr. J.E. Downer,  
16 Wincoat Drive, Benfleet, Essex.

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [outline] application to carry out the following development:-

Rooms in roof - 16 Wincoat Drive, Benfleet,

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to GRANT PERMISSION for† [the said development]

subject to compliance with the following conditions:-

The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.

The reasons for the foregoing conditions are as follows:-

This condition is imposed pursuant to Section 65 of the Town and Country Planning Act, 1968.

Dated EIGHTEENTH day of AUGUST 1973.

BENFLEET URBAN DISTRICT COUNCIL,  
COUNCIL OFFICES, BRIMLEY,  
BENFLEET, ESSEX, S17 1TF.

*(Signature)*  
(Town Clerk)

(Clerk of the Council)

MR. \* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

IMPORTANT - ATTENTION IS DRAWN TO THE NOTES OVERLEAF

COUNTY COUNCIL OF ESSEX

Application No. BEN / 466 / 71 / .....

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

~~Borough~~  
~~Urban District~~ } Council of BENFLEET  
~~Rural District~~

To Mr. A. Barsby,  
44 Church Road,  
Hadleigh,  
Benfleet, Essex.

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council do hereby give notice of the decision to REFUSE permission for the following development:-

**Outline - demolition of existing and erection of four detached units and garages - land between Bartley Road and Albert Road, Benfleet,**

for the following reasons:-

1. It is considered that the proposed density of 16 units per acre is excessive.
2. The layout is not satisfactory in that the minimum distance of 80 feet between backs of residential accommodation cannot be provided.

Dated EIGHTEENTH day of AUGUST 1971  
BENFLEET URBAN DISTRICT COUNCIL,  
COUNCIL OFFICES, THUNDERSLEY,  
BENFLEET, ESSEX, SS7 1TP.

ER.

C. H. C. May Brown  
(Town Clerk)  
(Clerk of the Council)



## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing and Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

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(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

COUNTY COUNCIL OF ESSEX

Application No. BEN / 465 / 71 / .....

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

Borough }  
Urban District } Council of BENFLEET  
Rural District }

To Mr. J. Williams,  
10 Hadleigh Park Avenue,  
Thundersley, Benfleet,

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council do hereby give notice of the decision to REFUSE permission for the following development:-

Alterations and extensions to form lounge and diner additions,  
car-port and store, two bedrooms and bathroom -  
10 Hadleigh Park Avenue, Thundersley,

for the following reasons:-

The proposal is considered to be unacceptable in that it provides for residential accommodation on the side boundary of the plot which could not fail to create a precedent for other similar proposals in the street on single and double storeys which would ultimately result in the linking of houses, thereby detracting from their individual characters.

Dated EIGHTEENTH day of AUGUST

BENFLEET URBAN DISTRICT COUNCIL,  
COUNCIL OFFICES, THUNDERSLEY,  
BENFLEET, ESSEX, SS7 1TP.

19 N. J. R. May Brown 3.  
(Town Clerk)  
(Clerk of the Council)



## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing and Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

465/71

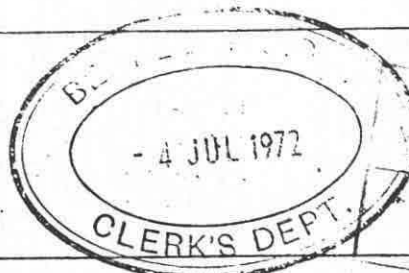
MF/P



Department of the Environment  
Caxton House Tothill Street London SW1H 9LZ

Telephone 01-834 8540 Ext 461

K E Wodhams Esq  
Chartered Architect  
49 South Street  
ROCHFORD  
Essex SS4 1BL



Your reference

BENFLEET U.D.C.  
SOLICITOR'S DEPARTMENT  
Date  
12 JUL 1972

3 JUL 1972

Sir

TOWN AND COUNTRY PLANNING ACT 1971  
APPL BY J T WILLIAMS ESQ

1. I refer to your client's appeal under section 23 of the Town and Country Planning Act 1962 (now section 36 of the 1971 Act) against the decision of the Benfleet Urban District Council, acting on behalf of the Essex County Council to refuse planning permission for alterations and extensions at No 10 Hadleigh Park Avenue, Thundersley, to form lounge and diner additions, car port and store, 2 bedrooms and a bathroom. The determination of this appeal falls to me by virtue of Schedule 9 to the Town and Country Planning Act 1971 and the Town and Country Planning (Determination of appeals by appointed persons) (Prescribed Classes) Regulations 1970. I have considered all the written representations made by you and by the council and also those made by one other interested person. I inspected the site on Tuesday 6 June 1972.

2. The appeal premises are the southern L-shaped half of a semi-detached pair of houses built in the early 1930's with front bay windows, a pitched tiled roof and roughcast walls. A white, boarded fascia spans the 8 ft 9 ins wide space between the southern wall of the house and the southern boundary and this has been covered over behind the fascia to form a car port. A well-kept bungalow with brick elevations and a pitched tiled roof is to the south, the intervening space of about 7 ft between the bungalow and the common boundary with the appeal site being occupied by a matching small brick-built garage - used as a store - in the front and a yard at the rear, onto which a coloured patterned leaded light window opens from the lounge; the principal western facing lounge windows are enclosed by a small conservatory. A more closely spaced pair of similar semi-detached houses are to the south of the bungalow.

3. The main arguments advanced on behalf of your client are: first, Hadleigh Park Avenue is bordered by residential development comprising both houses and bungalows which have mixed styles. The adjoining bungalow is in a sound condition and redevelopment in the near future is unlikely - its replacement or extension by a dwelling with a character leading to an impression of terraced development would not be viable; second, there are no objections to the rear addition and to refuse to allow the side addition simply because it extends up to the boundary of the plot is doctrinaire and unreasonable for several neighbouring districts in the same county commonly allow such development; third, the northward facing window of the bungalow is 7 ft 6 ins away from the common boundary, has coloured glazing set in leaded lights and is not the primary source of light for the lounge. The flank wall of the proposed addition is intended to be colour-washed white which would increase the amount of light reaching this window.



4. The main arguments advanced on behalf of the council were: first, it was considered that the creation of habitable accommodation within the boundary of plots detracted from the privacy, freedom of design and value of dwellings - it has never been permitted in the urban district under the Urban and Country Planning Acts; second, the proposal would detract from the appearance of the road by giving the appeal property and its semi-detached neighbour a cramped appearance in the street scene as viewed against the bungalows on each side; third, approval of this proposal would create an undesirable precedent to the eventual serious detriment of the character of the road especially if the adjoining bungalow was ever enlarged at both ground and dormer levels by a few inches of the extension proposed by your client.

5. From my inspection of the site and surroundings, the plan submitted and the representations made, I am of the opinion that the deciding issue is the effect that the proposed side and rear additions to No 10 Hadleigh Park Avenue would have first, upon the appearance of the street and second, upon the neighbouring property. On the first point, the bungalow at No 12 is acceptably sited between 2 pairs of semi-detached houses without giving the impression of an unduly cramped appearance by virtue of the fact that not only are these houses of moderate size and in scale with their neighbours but also because of the apparent spacing. The proposed extension of No 10 up to the boundary of the bungalow in 2-storeys would significantly reduce the apparent spacing, giving this frontage an unpleasant cramped appearance which would be harmful to the street scene. On the second point, the bulk and mass of the proposed extension in 2-storeys up to the common boundary would have an overbearing and oppressive effect to the detriment of the residential amenities of the bungalow. I find therefore that for the reasons to which I have referred, and notwithstanding the withdrawal of objections by the present occupant of the bungalow, it would be wrong to allow the development proposed by your client. I have considered the other matters raised but in my judgment they are of insufficient weight to influence my decision.

6. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss your client's appeal.

I am Sir  
Your obedient Servant

*J. H. Chater*

J H CHATER  
Inspector

Under the provisions of section 245 of the Town and Country Planning Act 1971 a person who is aggrieved by the decision given in the accompanying letter may challenge the validity of an application made to the High Court within 6 weeks from the date when the decision is given. (This procedure applies both to decisions of the Secretary of State and to decisions given by an Inspector to whom an appeal has been transferred under paragraph 7(1) of Schedule 9 to the Town and Country Planning Act 1971.)

The grounds upon which an application may be made to the Court are:-

1. that the decision is not within the powers of the Act (that is, the Secretary of State or Inspector, as the case may be, has exceeded his powers); or
2. that any of the relevant requirements have not been complied with, and the applicant's interests have been substantially prejudiced by the failure to comply.

"Relevant requirements" are defined in section 245 of the Act: they are the provisions of that Act and the Tribunals and Inquiries Act 1971 or any enactment made thereunder, and the requirements of any order, regulations or rules made under any of the Acts repealed by those Acts. These include the Town and Country Planning (Inquiries Procedure) Rules 1969 (SI 1969 No 1552), which relate to the procedure on cases dealt with by the Secretary of State, and the Town and Country Planning Appeals (Determination by Appointed Persons) (Inquiries Procedure) Rules 1969 (SI 1969 No 1552), which relate to the procedure on appeals determined by appointed persons.

The right to make an application under section 245 as a "person aggrieved" is limited to the applicant or appellant (as the case may be) and persons whose legal rights have been affected by the local authority who are directly concerned with the case and who have a similar right of appeal.

A person who thinks he may have grounds for challenging the decision should seek legal advice before taking any action.



COUNTY COUNCIL OF ESSEX

Application No. **BEN 464 71** / .....

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

~~Borough~~  
~~Urban District~~ } Council of **BENFLEET**  
~~Rural District~~

To **S.C. & J.S. Partridge,**  
**c/o Harry Rona, & Partners,**  
**5 High Street,**  
**Wickford, Essex.**

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council do hereby give notice of the decision to REFUSE permission for the following development:-

**Outline - demolition of existing and erection of pair of semi-detached houses and integral garages - 1 Wycombe Avenue, Benfleet.**

for the following reasons:-

1. It is considered that the plot, the subject of this application, is too narrow to satisfactorily accommodate the erection of two units of accommodation to a standard of design and compatible with existing dwellings in the road which all occupy plots in excess of 21 feet.
2. It is considered that the proposed development, if approved, could not fail to create a cramped appearance in the street scene to the detriment of the other properties in the vicinity.

Dated **EIGHTEENTH** day of **AUGUST**

19

**BENFLEET URBAN DISTRICT COUNCIL,**  
**COUNCIL OFFICES, THUNDERSLEY,**  
**BENFLEET, ESSEX, SS7 1TF.**

ER.

*(Signature)*  
**(Town Clerk)**  
**(Clerk of the Council)**

3.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing and Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.



COUNTY COUNCIL OF ESSEX

Application No. **BEN** / **463** / **71** / .....

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

**Borough** }  
**Urban District** } Council of **BENFLEET**  
**Rural District** }

To **Mr. R. L. Baker,**  
**Pitsea Wharf, Marsh Road,**  
**Pitsea, Essex.**

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council do hereby give notice of the decision to REFUSE permission for the following development:-

**Multi-storey car park - Church Creek, Benfleet.**

for the following reasons:-

1. The proposed development would be out of character and scale with the existing development fronting High Street and intrude substantially in open views to the west.
2. The proposed development could impede the flood flows of The Creek which is a designated main river.
3. The site of the proposed development is within an area defined in the Review Development Plan primarily for Public Open Space purposes and partly for residential purposes.

Dated **TWENTIETH** day of **OCTOBER**

19**71**

**BENFLEET URBAN DISTRICT COUNCIL,**  
**COUNCIL OFFICES,**  
**THUNDERSLEY,**  
**BENFLEET, ESSEX, SS7 1TF.**

**C. H. Clegg**  
(Town Clerk)  
(Clerk of the Council)

3.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing and Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

(2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act, 1962 (as amended by the Town and Country Planning Act, 1968).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Minister on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.



COUNTY COUNCIL OF ESSEX

\*[Outline] Application No. BEN 462 71

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Orders 1963 to 1969

Borough

Urban District

Rural District

Council of

BENFLEET

To

Mr. Linton,

"Valhalla", Downer Road North, Benfleet, Essex.

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [Outline] application to carry out the following development:-

**Erection of detached house and garage - s/o 60 Underhill Road, Benfleet.**

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to GRANT PERMISSION for † [the said development]

subject to compliance with the following conditions:-

**the development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.**

The reasons for the foregoing conditions are as follows:-

**This condition is imposed pursuant to Section 65 of the Town and Country Planning Act, 1968.**

Dated EIGHTEENTH day of AUGUST, 1971.

Benfleet Urban District Council,  
Council Offices,  
Thundersley, Benfleet,  
Essex, SS7 1TF.

*C. R. May Brown*  
(Town Clerk)  
(Clerk of the Council) 3

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

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(4) This permission does not incorporate Listed Building Consent unless specifically stated.



COUNTY COUNCIL OF ESSEX

\*[Outline] Application No. **BEN 461 71** /...../...../.....

**TOWN AND COUNTRY PLANNING ACT 1962**

**Town and Country Planning General Development Orders 1963 to 1969**

**Borough**

**Urban District**

**Rural District**

Council of

**BENFLEET**

To

**Mrs. B. Binding,**

**7 Bradley Avenue, Thundersley, Benfleet.**

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your\* [outline] application to carry out the following development:-

**Two storm porches - 7 Bradley Avenue, Thundersley.**

in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to **GRANT PERMISSION** for † [the said development]

subject to compliance with the following conditions:-

**The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.**

The reasons for the foregoing conditions are as follows:-

**This condition is imposed pursuant to Section 65 of the Town and Country Planning Act, 1968.**

Dated **Eighteenth** day of **AUGUST**, 19**71**.

**Benfleet Urban District Council,**  
**Council Offices,**  
**Thundersley, Benfleet,**  
**Essex, SS7 1TF.**

*C. R. New Brown*  
3.  
(Town Clerk)  
(Clerk of the Council)

\* This will be deleted if necessary

† Details of the development now permitted will be inserted here, where this is not precisely the same as that described in the application.

## NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Minister of Housing of Local Government, in accordance with Section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1.). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act, 1965 and Section 23 of the Industrial Development Act 1966).

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(4) This permission does not incorporate Listed Building Consent unless specifically stated.