



The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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c.c. Director of Planning 16/2/94

Newman and Maxwell
Solicitors
Lakeside House
9 Knightswick Road
Canvey Island
Essex SS8 9PA

Land Charge

Your Reference: N/C/Horton
Our Reference: T/APP/M1520/A/93/229177/P7

Date: 15 FEB 1994

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR E HORTON
APPLICATION NO: -CPT/211/89

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal against the decision of the Castle Point Borough Council to refuse outline planning permission for a farm bungalow at Railway View Farm, Benfleet. I held a hearing into the appeal on 6 January 1994 and I inspected the site on the same day.
2. The application which gave rise to this appeal was supported by a block plan which indicated the siting and footprint of a 3 bedroomed bungalow and garage. It was agreed at the hearing that this plan was inaccurate in some details and that the siting would be required to be changed to meet the separation distance necessary for safety from the 33kV conductors. I will treat the plan as being indicative only.
3. From all that I heard at the hearing, from my reading of the representations and from everything which I saw at the appeal site and in the surrounding area, I am of the opinion that the main issue is whether the agricultural need for a dwelling out-weighs the objections to development within the Coastal Protection Belt.
4. The site lies within the Metropolitan Green Belt as defined in the Approved Review Development Plan and incorporated in the Essex Structure Plan Approved First Alteration 1991. Policy S9 accepts that dwellings for agricultural workers may be permitted in conjunction with farms if it can be shown that the worker must be resident on the agricultural holding. In those circumstances, the erection of a farm bungalow would be appropriate development for the purposes of green belt policy.
5. The site also lies within the Coastal Protection Belt which Structure Plan Policy NR18 seeks to protect from inappropriate development which would adversely affect its open or rural character or wildlife. It is necessary therefore to establish the need for the dwelling and to check whether that need could be met by the purchase or erection of a dwelling within the adjoining built-up area of Benfleet.
6. The appeal site is separated from Benfleet by the Fenchurch Street to Southend railway line which runs on an embankment at this point. Access is obtained through a narrow tunnel from Watlington Road immediately to the north of the entrance to the appeal site. The road then turns eastward to run along the southern side of the railway to provide access to a large new sewage works, a scouts hut and some recreational land. The land between Railway View Farm and the new sewage works was the site of the former sewage works. This land has been used for the temporary storage of household refuse but it is now used in part as a motor-cycle track while an animal sanctuary with various

Noted ✓
17.2.94

buildings is under construction following the grant of planning permission 26 February 1993.

7. Canvey Way which is the A130, provides direct access to Canvey Island from the A127 and runs to the north and west of the farm. The land in between, including that occupied by the farm, is low lying and the existing farm buildings are seen against the background of the higher land on which former and existing sewage disposal works have been constructed.

8. The farm consists of a narrow strip of land running south from the entrance along the boundary of the former sewage works to the sea wall on the north side of East Haven Creek. The land then extends westward up to Canvey Way which is on a viaduct at that point. The farm extends to about 4ha and about 11.7ha of grazing land is rented elsewhere and the appellant has a hay cropping agreement in respect of a further 5.7ha. Some cattle are also grazed on land south of East Haven Creek, which can be seen from the holding, on a weekly payment per head basis.

9. The farm buildings consist of a range of 5 loose boxes or stables and a workshop/cattle shelter which are all of block and tile construction; a wooden calf shelter; a large dutch hay barn with a solid rear wall and tiled roof which is partly partitioned and suitable for pigs; a large wooden poultry house and a series of 3 'veranda' buildings for open range poultry.

10. The appellant has about 20 years farming experience, mainly with cattle and poultry and he has been working full-time developing Railway View Farm for the last 8 years while continuing to live on Canvey Island. The separation of home and work has involved 4 or more round trips each day, often at night, each of 8 miles and about 15-20 minutes duration each way. The stock kept varies with market conditions and the seasons. At the time of the hearing, I was informed that a total of 15 cows, 8 heifers and 6 calves were kept of which 10 were at Railway View Farm. The poultry consisted of about 500 hybrid layers, 100 point-of-lay and a further 100 at 12 weeks of age. A pair of breeding geese were kept and the off-spring and some turkey poults reared for the Christmas market. There were no pigs on the holding at the date of the inspection but I was informed that 2 boars and 18 sows had been kept in part of the hay barn during 1993.

11. The difficulties of working the holding from Canvey Island were explored at the hearing. The animals in need of frequent observation were kept in the buildings or on the land at the farm while the remainder were put out to graze on other land. Apart from the expense of travelling and the loss of working hours, the main problems arose from the need to be within sight and sound of stock. This was particularly so during calving, farrowing and when young chicks were being brooded. In the appellant's opinion, the purchase of a property in the residential area to the north of the railway would not provide the proximity to stock or the protection of both livestock and dead stock which was necessary to prevent heavy financial losses.

12. The application was submitted to the Council early in 1989 but not determined until May 1993. The delay was at the appellant's request. It has resulted in some of the supporting documentation being well out of date. The initial report from ADAS was based on a visit made in March 1989 with a further report in October 1989 dealing with the prospects for a poultry enterprise. The stocking of the farm has changed and developed over the intervening period, partly as a result of implementing some of the suggestions made by the two ADAS advisers. I was informed that the appellant now had the equipment and the Council's agreement, as the adjoining landowner, to be self-sufficient in hay. The poultry enterprise appears to be established and 'farm-gate' sales developing. The farm gross margin predicted by ADAS for 1989/90 of about £8500 has become a net profit in the succeeding 3 years of about £6000, £8000 and in 1992/93 of £8500. These figures do not represent a generous reward for a full-time occupation and a significant investment of capital but they do indicate to me a continuing dedication to maintaining and expanding the small holding over a significant period of time.

Annex E to Planning Policy Guidance - The Countryside and the Rural Economy (PPG7, January 1992) provides national advice on the circumstances in which isolated dwellings may be justified. In this case, it seems to me that the need to reside on the farm, rather than close by, has been established. It would not be sufficient to live in the adjoining residential area. While this would cut down the time and expense of travelling, it would not place your client within 'sight and sound' of his stock. It is not so much a personal preference as an operational requirement if the holding is to develop from a state of marginal profitability, to a soundly based operation producing a steady, if modest, income.

14. The protection of livestock from theft or injury and the general protection of property is not in itself an adequate reason for a dwelling but the catalogue of problems produced does confirm the additional advantage which may flow from residing on the site.

15. The fragile nature of the farming business would in some cases be reason to suggest that, for a trial period, a temporary home should be provided. However, in this case the trial period has effectively already covered about 8 years and the unit is still developing slowly. I also accept that it would be very difficult and expensive to deliver a mobile home type unit to the site in view of the extremely narrow tunnel under the rail line.

16. I have reached the point in my consideration of the appeal where I am persuaded that a dwelling on the site is necessary for the operation of the unit. I turn now to the objections based on the impact that a modest bungalow might have on the landscape. The existing farm buildings extend in a line along the eastern boundary. The impact is limited from the approach road to the sewage works and partly screened by some existing planting. It is from Canvey Way that the most direct view of the buildings and of the proposed site for the dwelling could be obtained. The distance is about 300m and the existing buildings are seen against the backdrop of the rising ground to the east. It is perhaps fortunate that the ridge lines all run roughly north to south and that the design is simple and uncluttered. The expectation is that the revised siting of the dwelling would result in it replacing the existing loose boxes which were approved by the Council in 1986. The area is open and rather bleak and there are pylons carrying 132kV lines striding across the pasture in addition to the pole-mounted 33 kV lines which would dictate the precise location of the proposed dwelling. I consider that a modest single storey dwelling of simple design and constructed in appropriate materials would not appear intrusive. The usual domestic paraphernalia would only be seen from a distance and in time could be partly screened by planting.

17. I have taken note of the letters of support from the appellant's friends and the absence of any objections from residents or local groups. The support of the local branch of the National Farmers Union and the clear advice on the desirability of living on the holding from the veterinary practice both provide weight to your client's case. I conclude that the agricultural need for a dwelling out-weighs the objections to development within the Coastal Protection Belt.

18. The Council offered a list of draft conditions which it would wish to see imposed if I am minded to allow the appeal and these were discussed at the hearing. I consider that the standard outline conditions should be applied and supplemented by a condition requiring the submission of details of all means of enclosure in view of the location of the site. I propose to impose the standard agricultural occupation condition but without the reference to forestry as the Council considers that this is inappropriate in this part of south Essex. It is also appropriate to require the dwelling to be resited from the position shown on the indicative block plan to ensure a safe separation from the 33kV overhead power lines. I am informed that the 600mm gas transmission pipeline is well removed from the proposed development and a specific condition is unnecessary but the siting should be confirmed when detailed plans are being prepared and it will effect the location and species

f trees than can be planted. I intend to require the ridge of the building to be kept low and to run parallel to the existing long low buildings. The form of design will enable the building to fit into the general farm group rather than standing out as a new form of development in the open area south of the railway.

9. I have taken into account all the other matters raised in the representations, including references to decisions on other developments in the area, but they do not outweigh the considerations that have led to my decision.

10. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant outline planning permission for a farm outbuilding at Railway View Farm, Benfleet in accordance with the terms of the application (No CPT/211/89) dated 3 February 1989 and the plans submitted herewith, subject to the following conditions:

1. a. approval of the details of the siting, design and external appearance of the building, the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority;

b. application for approval of the reserved matters shall be made to the local planning authority before the expiration of 3 years from the date of this letter;

2. the development hereby permitted shall be begun either before the expiration of 5 years from the date of this letter, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later;

3. development shall not begin until details of all hedges, fences, walls and amenity screening have been submitted to and approved by the local planning authority; the approved means of enclosure shall be erected within 6 months of the first occupation of the approved dwelling;

4. the occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture, or a widow or widower of such a person, and to any resident dependents;

5. the dwelling shall be sited a minimum distance of 4.5m from the outer conductor of the 33kV line which crosses the site;

6. The dwelling shall have a maximum ridge height of 5m and the ridge shall run north to south.

21. An applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

22. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

Yours faithfully



APPEARANCES

FOR THE APPELLANT

Mr B A Newman LLB

- Partner, Newman and Maxwell,
Solicitors, Lakeside House, 9
Knightswick Road, Canvey
Island, Essex SS8 9PA

Mr E Horton

- Appellant

Mrs S Horton

- Wife of Appellant

FOR THE PLANNING AUTHORITY

Mr J R Forde

- Castle Point Borough Council

DOCUMENTS

- Document 1 List of persons present at the hearing
- Document 2 Letter from the Council notifying local people of the appeal with circulation list
- Document 3 4 Letters received in response to (2) above
- Document 4 Letter of support from Cllr Mrs J E King dated 23 November 1993
- Document 5 Statement - Mr E Horton
- Document 6 Statement with 2 appendices - Mr J R Forde

PLANS

Plan A 1:250 + 1:2500 Site and location plans

PHOTOGRAPHS

Photos 1 - 6 Appeal site and adjoining land

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning General Development Order 1988

DISTRICT COUNCIL OF CASTLE POINT

To..... E. Horton Esq.,
..... 158a Waarden Road,
..... Canvey Island.....
..... Essex. SS8 9BE.

This Council do hereby give notice of their decision to REFUSE permission for the following development:-

One detached 3 bedroomed bungalow with garage for agricultural worker at Railway View Farm, Watlington Road, Benfleet.

for the following reasons:-

1. The site is within a Area of Extended Green Belt on the Approved Review Development Plan and Metropolitan Green Belt in the Essex Structure Plan where development of this nature is not normally permitted except in very special circumstances for the construction of new buildings or for the change of use or extension of existing buildings where it can be shown that the worker must be resident on the agricultural holding. In this case insufficient evidence as to the necessity for the worker to be permanently resident on the holding has been produced to justify over-riding the strong presumption against development of the Green Belt in this location.

The site lies within the Coastal Protection Belt where policies NR 18 of the County Structure Plan and RC16 of the Castle Point Local Plan (Consultation Draft) seek to protect the undeveloped coastline outside built up areas from inappropriate development which would adversely affect its open or rural character or wildlife. In this case it is considered that the establishment of a residential property in this location would be contrary to these aims.

COUNCIL OFFICES, KILN ROAD

THUNDERSLEY, BENFLEET, ESSEX

SS7 1TF.

Dated 19th May, 1993

Signed by

Chief Executive and Clerk
of the Council

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TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning General Development Order 1988

Registered
20/11/97

BOROUGH OF CASTLE POINT

To Mr. and Mrs. E. Horton;
c/o Design & Plan, Regis House, 98 High Street,
..... Billericay, Essex, CM12 9XU
.....
.....

In pursuance of the powers exercised by them as borough planning authority this Council do hereby give notice of their decision to APPROVE the following matters and details which were reserved for subsequent approval in the planning permission granted

on February, 19⁹⁴ in respect of Outline Application No. CPT/211/89

at Railway View Farm, Watlington Road, South Benfleet
.....

in accordance with the following drawings submitted by you:-

Details of one detached 3 bedroom bungalow, and conversion of part of existing stable to provide garage

subject to compliance with the following conditions:-

SEE ATTACHED SCHEDULE

The reasons for the foregoing conditions are as follows:-

SEE ATTACHED SCHEDULE

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX
SS7 1TF.

30th August, 1995
Date
Bam Rollins
.....
Chief Executive and Clerk of the Council

IMPORTANT - ATTENTION IS DRAWN TO THE NOTES OVERLEAF

SCHEDULE OF CONDITIONS AND REASONS WHICH
FORM PART OF DECISION NOTICE NO. CPT/211/89

CONDITIONS

1. A scheme of landscaping including details of all hedges, planting and tree planting to be carried out, together with details of all trees and other natural vegetation to be retained on site shall be submitted to and approved by the Castle Point Borough Council in writing, prior to commencement of the development hereby approved; such landscaping scheme to be implemented prior to completion and occupation of the said development.

Any tree contained within such scheme dying or being removed within 5 years of the date of this permission shall be replaced by a tree of similar size and species by the applicant or the applicants successor in title.

2. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, no dormers, windows, or other glazed areas shall be inserted or constructed in the roof of the dwelling hereby permitted without the express consent in writing of the Castle Point Borough Council.
3. No development of the type specified in Classes A to H inclusive, of Part I of Schedule 2 of the Town and Country Planning General Development Order 1988, as amended shall be carried out without the written permission of the Castle Point Borough Council.

REASONS

1. To ensure a satisfactory development incorporating a degree of natural relief in the interests of the amenities of this site.
2. In order to ensure that the dwelling hereby permitted remains of an appropriate size and form for its use as a dwelling for an agricultural worker for this small farm and to ensure the dwelling does not become significantly more prominent in this wide open landscape in the Green Belt.
3. The proposal is located within the Greenbelt where development is only allowed in the most exceptional circumstances.

Dated: 30th August, 1995

Signed by:.....

Benny Rollinson

Chief Executive and Clerk
of the Council

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TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

RECEIVED ON CARD

9 MAY 1989

To Second House Ltd.
c/o Ayshford & Sansome, 112 The Broadway,
..... Thorpe Bay, SS1 3HH

This Council, having considered your *(Outline) application to carry out the following development :-

Change of use from Light Industrial to Warehousing at 3A Claydons Lane,
Stadium Way, 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 41 of the Town & Country Planning Act 1971.

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated 11th April 1989

Signed by

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

REGISTERED ON CARD
12 JUN 1989

DISTRICT COUNCIL OF CASTLE POINT

To.....Mr. and Mrs. G. Orphen.....
.....c/o Grayscan Estates & Development Company Ltd., 71 Southend
.....Road, Stanford-le-Hope, Essex.....

This Council, having considered your* (outline) application to carry out
the following development :-

Formation of pitched roof over existing flat roofed side and rear extension, hipped
roofed porch, and formation of two hipped roofed, front dormers and formation of
hipped roof over existing dormer at 69 Florence Road, Canvey Island

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:-

SEE ATTACHED SCHEDULE

The reasons for the foregoing conditions are as follows:-

SEE ATTACHED SCHEDULE

COUNCIL OFFICES, KILN ROAD
THUNDERSLEY, BENFLEET, ESSEX

Dated18th May 1989

Signed by

Sam Kollmer

Chief Executive and Clerk
of the Council

3

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

SCHEDULE OF CONDITIONS & REASONS WHICH
FURNISH PART OF DECISION NOTICE NO. CPT/BR/213/89

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 proposed development shall be finished externally in materials to harmonize with the existing building.
3. The proposed window in the northern elevation at first floor level shall be obscure glazed and permanently retained as such.

No windows, openings or other glazed areas shall be created in the eastern elevation at first floor level, without the express consent in writing of the Castle Point District Council.

REASONS

1. This condition is imposed pursuant to Section 41 of the Town and Country Planning Act 1971.
2. In order to ensure a development sympathetic to and in keeping with the existing development.
3. & 4. In order to protect the privacy of the adjoining residents.

Dated: 18th May 1990

Barry Hollister

Signed by:.....
Chief Executive & Clerk of the Council

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TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

To..... Mr. and Mrs. Buchan,
c/o R. Gadd, 100 Linden Way, Canvey Island, Essex
.....

This Council, having considered your ~~*(outline)~~ application to carry out
the following development :-

Single storey, hipped roofed, side extension, single storey, hipped roofed,
rear extension and detached, single garage at 100 Linden Way, Canvey Island

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:-

SEE ATTACHED SCHEDULE

The reasons for the foregoing conditions are as follows:-

SEE ATTACHED SCHEDULE

COUNCIL OFFICES, KILN ROAD
THUNDERSLEY, BENFLEET, ESSEX

Dated 18th May 1989
Signed by
Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

- * 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

SCHEDULE OF CONDITIONS & REASONS WHICH
FORMS PART OF DECISION NOTICE NO. CPT/214/88

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. Within the confines of the site, there shall be no obstruction to visibility, above a height of 2' (0.6m) within the area of the 2.1m x 2.1m sight splay to be provided at the junction of any vehicular access and the adjoining highway. Such sight splays to be provided prior to the commencement of the development hereby approved.
3. The proposed development shall be finished externally in materials to harmonize with the existing building.
4. No building work shall be carried out between 8 p.m. and 8 a.m. or after 4 p.m. Sundays.
5. The garage shall be used for domestic purposes only incidental to the enjoyment of the dwelling house as such.
6. The garage(s) shall be retained solely for that use and not converted into living accommodation.

REASONS

1. This condition is imposed pursuant to Section 41 of the Town and Country Planning Act 1971.
2. To obtain maximum visibility in the interests of highway safety.
3. In order to ensure a development sympathetic to and in keeping with the existing development.
4. To safeguard the residential amenities of the adjoining occupier.
5. To safeguard the amenities of the surrounding dwellings.
6. To retain adequate on site caraging provision.

Dated: 18th May 1988

Bern Rollins

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Signed By:
Chief Executive & Clerk of the Council

TOWN AND COUNTRY PLANNING ACT 1971

CPT/216/89

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

REGISTERED ON CARD
19 APR 1989

To **R.H. Nickolds, Esq.,**
..... **c/o R.J. Scott Assoc., 91 High Street, Hadleigh, Essex, SS7 2PA**

This Council, having considered your ~~*(Outline)~~ application to carry out the following development :-

**Minor amendment to approved roof plan of detached four bedroomed bungalow at
329 Long Road, Canvey Island**

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 reasons for the foregoing conditions are as follows :-

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated **30th. March. 1989**

Signed by

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

TOWN AND COUNTRY PLANNING ACT 1971

CPT/217/89

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

REGISTERED ON CARD
12 JUN 1989

To

Mr. and Mrs. Jackson,
c/o C.S. Development Designs, 174 Long Road,
Canvey Island, Essex

This Council, having considered your *(Outline) application to carry out the following development :-

**Single storey, part pitched roofed, part flat roofed, side and rear extension
at 7 Brookside, Canvey Island**

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 :-

SEE ATTACHED SCHEDULE

The reasons for the foregoing conditions are as follows :-

SEE ATTACHED SCHEDULE

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated ... 13th May 1989 ...

Signed by

Bam Rolinson
Chief Executive and Clerk
of the Council

3

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

SCHEDULE OF CONDITIONS & REASONS WHICH
FORMS PART OF DECISION NOTICE NO. CMT/217/89

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. Within the confines of the site, there shall be no obstruction to visibility, above a height of 2' (0.6m) within the area of the 2.1m x 2.1m sight splay to be provided at the junction of any vehicular access and the adjoining highway. Such sight splays to be provided prior to the commencement of the development hereby approved.
3. Prior to completion and occupation of the development hereby approved, a 1.8m (6') brick wall/close boarded screen fence shall be erected and thereafter retained in the positions indicated green on the plan returned herewith.
4. No building work shall be carried out between 8 p.m. and 8 a.m. or after 4 p.m. Sundays.
5. The garage shall be used for domestic purposes only incidental to the enjoyment of the dwelling house as such.
6. The garage(s) shall be retained solely for that use and not converted into living accommodation.
7. The garage(s) door(s) shall be permanently set a minimum distance of 20' (6m) from the highway boundary.

REASONS:

1. This condition is imposed pursuant to Section 41 of the Town and Country Planning Act 1971.
2. To obtain maximum visibility in the interests of highway safety.
3. To safeguard the privacy and amenities of both this and adjoining premises.
4. To safeguard the residential amenities of the adjoining occupier.
5. To safeguard the amenities of the surrounding dwellings.
6. To retain adequate on site parking provision.
7. To ensure garage forecourts of adequate depth clear of the adjoining highway.

Dated: 12th May 1989

Sam Bollinger

Signed by.....
Chief Executive & Clerk of the Council

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TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

To R.H. Nickolds, Esq.,
c/o R.J. Scott Associates, 91 High Street, Hadleigh, Essex
.....

This Council, having considered your *(Outline) application to carry out the following development :-
One detached, four bedroomed house with integral double garage at
Plot 15, Nevada Road, Canvey Island

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 :-

SEE ATTACHED SCHEDULE

The reasons for the foregoing conditions are as follows :-

SEE ATTACHED SCHEDULE

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated ...26th April, 1989

Signed by

Bam Chief Executive and Clerk
of the Council

3

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

SCHEDULE OF CONDITIONS & REASONS WHICH
FORMS PART OF DECISION NOTICE NO. CPT/ER/219/89

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. Within the confines of the site, there shall be no obstruction to visibility, above a height of 2' (0.6m) within the area of the 2.1m x 2.1m sight splay to be provided at the junction of any vehicular access and the adjoining highway. Such sight splays to be provided prior to the commencement of the development hereby approved.
3. The garage shall be used for domestic purposes only incidental to the enjoyment of the dwelling house as such.
4. The garage(s) shall be retained solely for that use and not converted into living accommodation.
5. The garage(s) door(s) shall be permanently set a minimum distance of 20' (6m) from the highway boundary.
6. The proposed windows in the southern elevation at first floor shall be obscure glazed, and permanently maintained as such.

REASONS

1. This condition is imposed pursuant to Section 41 of the Town and Country Planning Act 1971.
2. To obtain maximum visibility in the interests of highway safety.
3. To safeguard the amenities of the surrounding dwellings.
4. To retain adequate on site garaging provision.
5. To ensure garage forecourts of adequate depth clear of the adjoining highway.
6. In order to protect the privacy of the adjoining residents.

Dated:

Bern Rollins
3

Signed by:.....
Chief Executive & Clerk of the Council

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

REGISTERED ON CARD

9 MAY 1989

DISTRICT COUNCIL OF CASTLE POINT

To Mr. T. Geech,
..... 41 Harvest Road,
..... Canvey Island,
..... Essex

This Council, having considered your *(Outline) application to carry out the following development :-

Mock-pitched roofed garage, hipped roofed, front dormers and first floor, flat roofed, rear extension at 8 Mill 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. The proposed development shall be finished externally in materials to harmonize with the existing building.

The reasons for the foregoing conditions are as follows :-

1. This condition is imposed pursuant to Section 41 of the Town & Country Planning Act 1971.
2. In order to ensure a development sympathetic to and in keeping with the existing development.

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated 20th April 1989

Signed by

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

REGISTERED
7 JUN 1989

To.....**Mr. B. Edgar,**.....
 c/o R.A. Parker, 18 Arundel Drive, Corringham, Essex
.....

This Council, having considered your* (outline) application to carry out the following development :-

First floor, pitched roofed, side extension at 1 Thurlstone, 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 shall be begun on or before the expiration of five years beginning with the date of this permission.
2. The proposed development shall be finished externally in materials to harmonize with the existing building.
3. No building work shall be carried out between 8 p.m. and 8 a.m. or after 4 p.m. Sundays.

The reasons for the foregoing conditions are as follows:-

1. This condition is imposed pursuant to Section 41 of the Town & Country Planning Act 1971.
2. In order to ensure a development sympathetic to and in keeping with the existing development.
3. To safeguard the residential amenities of the adjoining occupier.

COUNCIL OFFICES, KILN ROAD
THUNDERSLEY, BENFLEET, ESSEX

Dated **18th May 1989**
Signed by

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

REGISTERED ON CARD

DISTRICT COUNCIL OF CASTLE POINT

9 MAY 1989

To **Mr. R. Street,**
..... **c/o G.B. Spencer Ltd., 2 Market Square Chambers,**
..... **Rechford, Essex**

This Council, having considered your *(Outline) application to carry out the following development :-

**Single storey, pitched roofed, front extension at 14 Sunnymede Close,
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 shall be begun on or before the expiration of five years beginning with the date of this permission.
2. The proposed development shall be finished externally in materials to harmonize with the existing building.
3. No building work shall be carried out between 8 p.m. and 8 a.m. or after 4 p.m. Sundays.

The reasons for the foregoing conditions are as follows :-

1. This condition is imposed pursuant to Section 41 of the Town & Country Planning Act 1971.
2. In order to ensure a development sympathetic to and in keeping with the existing development.
3. To safeguard the residential amenities of the adjoining occupier.

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated **20th April 1989**

Signed by

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

Regencard
27.4.89

DISTRICT COUNCIL OF CASTLE POINT

To Mr. and Mrs. A. Hernaman,
c/o The Jarvis Gunning Partnership, 663 High Road,
Benfleet, Essex, SS7. 5SF.....

This Council, having considered your *(Outline) application to carry out the following development :-

One detached, three bedroomed house and one detached, four bedroomed house and garages at site of 115 Thundersley 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 :-

SEE ATTACHED SCHEDULE

The reasons for the foregoing conditions are as follows :-

SEE ATTACHED SCHEDULE

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated 30th March 1989

Signed by 3

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

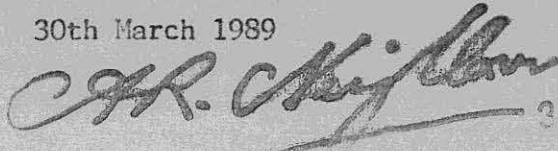
SCHEDULE OF CONDITIONS & REASONS WHICH
FORMS PART OF DECISION NOTICE NO. CPT/227/89

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(s) and the means of access thereto (hereinafter called "the reserved matters"), the approval of which shall be obtained from the district planning authority before development is begun.
2. Application for approval of the reserved matters shall be made to the district 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.
4. The reserved matters referred to in Condition 1 above shall contain full details of all materials to be used on the external elevations of the proposed development.
5. The reserved matters referred to in Condition 1 above shall contain details of all landscaping, planting and tree planting to be carried out on the site, together with details of all trees and other natural vegetation on the site to be retained.
6. The reserved matter referred to in Condition 1 above shall contain details of all hedges, fences, walls and amenity screening to be erected, planted or constructed to serve the development hereby approved.
7. Within the confines of the site, there shall be no obstruction to visibility, above a height of 2' (0.6m) within the area of the 2.1m x 2.1m sight splay to be provided at the junction of any vehicular access and the adjoining highway. Such sight splays to be provided prior to the commencement of the development hereby approved.
8. The garage(s) shall be retained solely for that use and not converted into living accommodation.
9. The garage(s) door(s) shall be permanently set a minimum distance of 20' (6m) from the highway boundary.

CONTINUED...../

Dated 30th March 1989


Signed by
Chief Executive & Clerk of the Council.

SCHEDULE OF CONDITIONS & REASONS WHICH
FORMS PART OF DECISION NOTICE NO. CPT/227/89

CONDITIONS/CONTINUED:

10. No trees shall be damaged, destroyed or uprooted, felled, lopped or topped without the previous written consent of the Castle Point District Council. Any trees removed without such consent or dying or being damaged or becoming seriously diseased within 5 years of the date of this permission shall be replaced with trees of such size and species as may be agreed with the Castle Point District Council.
11. All trees and shrubs (including hedges) must be protected by chestnut paling fences for the duration of the construction period at a distance equivalent to not less than the spread of the tree from the trunk. No materials are to be stored or temporary building to be erected inside this fence. No changes in ground level must be made within the spread of any tree or shrub without the prior written consent of the Castle Point District Council.
12. Where garage spaces and forecourt parking spaces are provided on the site, these facilities shall be retained solely for that use and for no other purpose whatsoever.
13. The three bedroomed house hereby permitted shall be provided with a minimum of a garage and one car parking space and the four bedroomed house shall be provided with a minimum of a garage and two parking spaces.
14. The dwellings hereby permitted shall be provided with rear garden amenity spaces of at least 1000 sq.ft. in area and a minimum of 30 feet in depth from any part of the rear wall of the dwelling.
15. The dwellings hereby permitted shall be of the same size, depth and siting as indicated on the plan accompanying the application.
16. All windows provided in the side elevations at first floor in the dwellings hereby permitted shall be obscure glazed and permanently retained as such.

CONTINUED...../

Dated 30th March 1989


Signed by C.R. Chiklun
Chief Executive & Clerk of the Council. 3

SCHEDULE OF CONDITIONS & REASONS WHICH
FORMS PART OF DECISION NOTICE NO. CPT/227/89

REASONS:

- 1.) The particulars submitted are insufficient for consideration of the details mentioned, and also pursuant to Section 42 of the Town & Country Planning Act, 1971.
- 2.)
- 3.)
- 4.) In order that full consideration can be given to these matters prior to commencement of the development hereby approved.
- 5.)
- 6.)
7. To obtain maximum visibility in the interests of highway safety.
8. To retain adequate on site garaging provision.
9. To ensure garage forecourts of adequate depth clear of the adjoining highway.
10. To preserve the natural amenities of the site.
11. To preserve the natural amenities of the site.
12. To ensure the retention of adequate on site car parking to the Council's adopted standard.
13. To ensure satisfactory parking provision is available on site clear of the public highway.
- 14.& To ensure a satisfactory form of development.
- 15.
16. In the interests of the privacy of the occupiers of adjoining dwellings.

Dated: 30th March 1989


Signed by
Chief Executive & Clerk of the Council.

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

REGISTERED ON CARD

DISTRICT COUNCIL OF CASTLE POINT

19 APR 1989

To **Mr. T. Surrett,**
..... **c/o P.A. Scott Assoc., 268 Rainsford Road,**
..... **Chelmsford, Essex, CM1 2PN**

This Council, having considered your *(Outline) application to carry out the following development :-

Two storey, pitched roofed, rear extension at 573 Daws Heath Road, Hadleigh

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 proposed development shall be finished externally in materials to harmonize with the existing building.
3. The new window to the bedroom at first floor level in the south elevation of the dwelling shall be fixed shut with the exception of one top hung ventilation sash, obscure glazed and permanently retained as such thereafter.

The reasons for the foregoing conditions are as follows :-

1. This condition is imposed pursuant to Section 41 of the Town & Country Planning Act 1971.
2. In order to ensure a development sympathetic to and in keeping with the existing development.
3. To protect the privacy of the occupier of the adjoining dwelling.

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated **30th March 1989**
Signed by

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

To
Mr. D. Bennett,
.....
6 Deepdale,
.....
Thundersley,
Essex

This Council do hereby give notice of their decision to REFUSE permission for the following development:-

Three detached, four bedroomed houses with semi-integral garages with private access drive at site adjacent 6 Deepdale, Thundersley

for the following reasons:-

1. The proposal does not comply with the Council's policy for the control of backland development in that it is not served by a satisfactory vehicular access with adequate sight lines, incorporating safe pedestrian facilities and satisfactory arrangements for parking and servicing.
2. The proposed narrow contrived access road, sited between existing dwellings at the end of the cul-de-sac, is alien to the character and form of the existing development pattern of the area and will adversely affect the amenities of the occupiers of the adjoining dwellings by reason of noise and general disturbance.

COUNCIL OFFICES, KILN ROAD
THUNDERSLEY, BENFLEET, ESSEX

Dated **20th April 1989**

Signed by

Chief Executive and Clerk
of the Council

Reg 24-1-90.

Chief Executive and Clerk

EAM/CAD/10/7/1132

Chief Planning Officer

CPT/230/89

19th January, 1990

c.c. Land Charges

Plan No. CPT/230/89 - Outline - One
detached bungalow with garage - Site
adj. 15 Stevens Close, Canvey Island -
Appeal by Mr. and Mrs. O'Rahilly

With reference to the above appeal, I attach a copy of the decision letter from the Department of the Environment. The Inspector has allowed the appeal subject to conditions.

The decision will be reported to the Town Planning Committee on 6th February, 1990.

Bay Rollison



DH/P

Planning Inspectorate
Department of the Environment

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct Line 0272-218 927
Switchboard 0272-218811
GTN 1374

10/7/1132

Mr B A Yeomans
1 Well Lane
Galleywood
CHELMSFORD
Essex
CM2 8QY

Your reference

Our reference
T/APP/M1520/A/89/125077/P8

Date

11 JAN 90

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR AND MRS O'RAHILLY
APPLICATION NO: CPT 230/89

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the Castle Point District Council to refuse outline planning permission for the erection of a detached bungalow at No 15 Stevens Close, Canvey Island. I have considered the written representations made by you and by the Council. I inspected the site on 10 November 1989.
2. From my inspection of the site and its surroundings and from my consideration of the written representations I am of the opinion that the main issue in this appeal is whether a bungalow on the appeal site would be harmful to the appearance of the locality.
3. At the site visit I found the appeal site to lie to the north-west of your clients' semi-detached bungalow which fronts the south-west side of Stevens Close just before an almost right-angled bend. Because of this bend your clients' plot has a road frontage only marginally wider than that of the adjoining bungalow to the south-east but a garden of about twice its size. As the gardens of the bungalows in the road to the south-east of that bungalow are of similar size I consider that in principle the erection of a modest sized bungalow on the appeal site would be in accordance with the scale of the development in the locality, particularly as the bungalows that front the Close to the north-west of your clients have plots of extremely limited depth.
4. From the plans submitted and from what I saw at the site visit it is clear that a bungalow could be built on a similar building line to those bungalows to the north-west and that the front elevation would be set back only marginally behind that of your clients' bungalow. In being so set back however it would have only a very small front garden albeit that its private rear garden would be of reasonable size. I do not however consider that the narrowing of the plot in front of the bungalow would make it appear cramped in its surroundings because there would be a reasonable distance on either side of its flank walls between it and the bungalows on either side.
5. In utilizing a plot of limited width however the proposal does offend the letter of the Council's Residential Development Control Policy, which Policy was adopted by the Council on 11 September 1984. The objective of this Policy is to ensure that new

development on the Island does not echo earlier residential development which was often at a very high density producing a rather unattractive townscape. The policy which I therefore regard as being soundly based, sets out criteria for new residential development, one of which is that where a building plot has a depth of more than 75 ft a minimum frontage of 30 ft will be required. The frontage of your clients' plot is only 8.1 m and in this way it offends the policy although in all other respects the proposal complies with its requirements.

6. Having given the matter careful consideration it seems to me that this policy should be interpreted with a degree of flexibility in circumstances where a proposal meets its broad objective to which I have referred. I regard the proposal as meeting this objective because, firstly, the appeal site is somewhat larger than the plots of nearby bungalows, secondly, occupants of the bungalow proposed would have access to a private rear garden of reasonable size, and thirdly, the proposal is in accordance with the scale of development in the locality.

7. You have not raised any objections to conditions that the Council would wish to impose on any consent and accordingly I intend to impose those conditions that would ensure that there would be adequate off-street car parking and garaging on the appeal site in order to prevent the proposal leading to unnecessary parking on Stevens Close itself.

8. I have considered all other matters raised in the representations but these are insufficient to outweigh those factors which have led me to my decision.

9. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the erection of a detached bungalow at No 15 Stevens Close, Canvey Island in accordance with the terms of application No CPT/230/89 dated 14 February 1989 and the plans submitted therewith subject to the following conditions:

1. a. Approval of details of the siting, design and external appearance of the bungalow, the means of access thereto and landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority.
b. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this letter.
2. The bungalow shall not be occupied until space has been laid out within the site for cars to turn so that they may enter and leave the site in forward gear.
3. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 or any Order revoking and re-enacting that Order the garage shall be retained as such and not converted into living accommodation.
4. The development hereby permitted shall be begun either before the expiration of 5 years from the date of this letter or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved whichever is the later.

10. An applicant for approval of the reserved matters referred to in this permission has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than Section 23 of the Town and Country Planning Act 1971.

I am Sir

Your obedient Servant

A handwritten signature in cursive script, appearing to read 'T H M Walker'.

T H M WALKER MA(Oxon) Solicitor
Inspector

CASTLE POINT DISTRICT COUNCIL

Application No.

CPT/230/89

Appeal allowed

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

To **Mr. & Mrs. O'Rahilly,**
c/o C.S. Development Designs, 174 Long Road,
Canvey Island, Essex
.....

This Council do hereby give notice of their decision to REFUSE permission for the following development:-

**One detached bungalow with garage at site adjacent 15 Stevens Close,
Canvey Island**

for the following reasons:-

The proposed development would not comply with the Canvey Island Residential Development Control Policy which states that all detached dwellings, other than one bedroomed bungalows, on plots greater than 75' deep shall have a minimum frontage of 30'.

The proposal has a frontage of 26'10" only including the shared frontage and as such, the proposal represents overdevelopment of the site.

COUNCIL OFFICES, KILN ROAD
THUNDERSLEY, BENFLEET, ESSEX

20th April 1989

Dated

Signed by *Ben Rollins*

Chief Executive and Clerk
of the Council

IMPORTANT - ATTENTION IS DRAWN TO THE NOTES OVERLEAF

Application No. CPT/230/89

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Order 1973

District Council of CASTLE POINT

To
Mr. and Mrs. O'Rahilly,
c/o. Lapdeal Ltd., 174 Long Road, Canvey Island, Essex
.....

In pursuance of the powers exercised by them as district planning authority this Council do hereby give notice of their decision to APPROVE the following matters and details which were reserved for subsequent approval in the planning permission granted.

on 2nd January 19 90 in respect of Outline Application No. CPT/230/89
at Site adjacent 15 Stevens Close, Canvey Island
in accordance with the following drawings submitted by you:-

Details of one detached, three bedroomed bungalow with pitched roofed detached garage
subject to compliance with the following conditions:-

The reasons for the foregoing conditions are as follows:-

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Date 8th March, 1990

Chief Executive and Clerk of the Council



Planning Inspectorate

Department of the Environment

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct Line 0272-218927

Switchboard 0272-218811

GTN 1374

c.c. Clo 26/4/90 fm

R D Stemp Esq FRICS FRTPI
107A Maldon Road
BURNHAM-ON-CROUCH
Essex CM0 8DL

CLERK'S DEPT

25 APR 1990

DISTRIBUTION

JW

Your reference

Our reference

T/APP/M1520/2/89/137203/P3

Date

23 APR 90

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MRS S HYDE
APPLICATION NO:- CPT/231/89

1. As you know, I have been appointed by the Secretary of State for the Environment to determine this appeal, which is against the decision of Castle Point District Council to refuse outline planning permission for erection of a bungalow on land at rear of 45 Leigh Road, Canvey Island, Essex. I have considered the written representations made by you and by the council, and the views of neighbours. I inspected the site and its surroundings on 11 April 1990.
2. The proposed point of access was shown on the submitted plan, but otherwise the application was entirely in outline. An artists's impression was superseded by an illustrative sketch, Appendix 7 to your grounds of appeal.
3. In my opinion the main issues in this case are first whether a bungalow sited at rear of 45 Leigh Road in accordance with that sketch or with any feasible variation thereof would damage the appearance of the area; secondly whether the development would interfere with the degree of peace and quiet which neighbouring residents may reasonably expect to enjoy (including likely future occupants to No 45); and thirdly, whether the special need of your client to house her parents, or any other special circumstances, are strong enough to outweigh any objection that I may find in answer to the first 2 issues. In this connection I note that "vendor's elderly parents" in the application should read "owner's elderly parents".
4. You acknowledge that this would be backland development, but you submit that it is acceptable because of the distance achievable between dwellings. The 3 m wide drive accessway, garaging and parking would be of suitable standard. A refuse collection point would be provided near to the highway; and adequate screening and landscaping would be part of the detailed scheme. Your client would agree to a condition prohibiting any floor space above ground level. The detached outbuilding between No 45 and the site would be demolished. At the site inspection you pointed out a possible route for the drive that could avoid the need to fell the tree which stands on the submitted point of access. You say that the development would not cause demonstrable harm to interests of acknowledged importance.



There is no Local Plan for the area, and you say that the Council's standards, upon which they rely, are of unclear status. You criticise their standard requiring plots in excess of 75ft in depth to have a road-frontage of 30ft, which is not relevant to this backland plot. All other standards would be met, as regards the proposed development and the retained plot. Accordingly the proposal is not overdevelopment. The bungalow would not be visible from the street. You deny that there would be any harm to the character of the area, or to neighbours. You compare this project with a list of similar developments which have been allowed in Canvey Island, implying that the council are inconsistent in having refused this application.

6. I have considered this case in the light of advice given in government planning circulars and guidance notes, to facilitate development and always to approve planning applications, having regard to all material considerations, unless the council can demonstrate that there would be harm to interests of acknowledged importance. It is important to make full and effective use of underused land within existing urban areas, so as to relieve pressure for release of land in the Green Belt. Long back gardens can often usefully be developed if the conditions are right.

7. I consider that use of the long proposed driveway and turning area would cause serious disturbance to neighbours at No 47 (and to future occupants of No 45) by reason of cars having to manoeuvre within a restricted space; it is likely that the turning space would on occasions be used for parking, in which case subsequent visitors would have to reverse the full length of the drive, in a manner that would cause more disturbance. Parking in Leigh Road is controlled by double yellow lines on both sides. Delivery vehicles would therefore have to enter the drive, and either reverse out or try to turn in a restricted space. Generally, the introduction of vehicular and domestic activity so deeply into the site would cause disturbance to occupants of Nos 43, 45 and 47.

8. Furthermore the objector at No 47 said in her letter of 20 December 1989 (of which you were sent a copy on 5 January 1990) that she has been granted planning permission on appeal in January 1989 to build a single-storey 2-bedroomed extension reaching up to the boundary of your client's land. Your written representations dated 1 March 1990 do not deny her statement. I have no reason to doubt what she says. If any such permission were to be implemented, the proposed driveway as illustrated would pass almost immediately beside her bedroom extension. This could cause serious disturbance. The Council's non-statutory guidelines for the control of backland development call for a minimum distance of 3ft (0.9 m), but ideally 10ft (3 m). If the drive were to be sited much further from the boundary with No 47, there would be insufficient distance from the flank wall of your client's bungalow.

9. Leigh Road is an exceptionally attractive residential part of Canvey Island where it is important to preserve the character and appearance of the area. The development would harm the appearance of the area in the following ways. The tree on the frontage at the point of access would have to be felled to comply with the submitted plan; or if the route were altered as you indicated, there would probably still be root damage. A lime tree and conifers towards the rear would probably be lost to make space for the illustrated garage and drive.

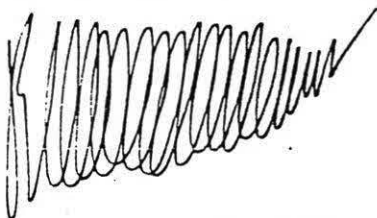
In an area characterised by well-spaced dwellings on generous plots, the bungalow and garage sited as illustrated so close to 3 of the 4 plot boundaries would be seen by neighbours (albeit not from the street) as a cramped and contrived form of development, out of character with the setting of surrounding dwellings.

10. I do not give much weight to the council's standard laying down a required length of frontage, because it does not seem to deal with the possibility of acceptable backland development. This outline project is undesirable, not because of any failure to comply with arithmetical standards, but because it would be an unsatisfactory form of "tandem" development consisting of one dwelling immediately behind another which, given the constraints of this particular site, would damage the important interest of preserving the character and appearance of these pleasant surroundings.

11. I have compared this project with ones at Rainbow Road and with others on Canvey Island to which you drew attention; but circumstances differ from site to site, especially in regard to residential character and quality. I must determine the present appeal on its own merits, with reference to the constraints of this particular site. I sympathise with your client's wish to have her elderly parents living nearby. A bungalow on this site could be expected to remain long after it has ceased to be needed by those particular first occupants. The council suggest that the existing outbuilding could be adapted for her parents as a dwelling ancillary to your client's bungalow. This is not a matter for me. I have considered the proposed demolition of that building, and indeed all other factors favourable to the project, but they are outweighed by sound and clear-cut objections. No landscaping or other conditions would make the project acceptable, whatever might be the siting or design of the new bungalow.

12. For the reasons I have explained in this letter, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am, Sir
Your obedient Servant



R M MAXTONE GRAHAM MA(Cantab), Advocate
Legal Assoc: Royal Town Planning Inst
Inspector

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

To Susan Hyde,
45 Leigh Road,
Canvey Island,
Essex

This Council do hereby give notice of their decision to REFUSE permission for the following development:-

One detached bungalow at 45 Leigh Road, Canvey Island.

for the following reasons:-

1. The proposed development would not comply with the Canvey Island Residential Development Control Policy which states, in the case of plot depths in excess of 75' a minimum frontage of 30' shall be provided. The proposed dwelling has a frontage of 21'4" (6.5m), and as such the proposal represents overdevelopment of the site.
2. The proposal represents undesirable backland development which, by reason of its narrow frontage and the site's unsatisfactory relationship with the adjoining dwellings, would create a discordant feature in the street scene, of mean and cramped appearance, detrimental to the privacy and amenities of the adjoining residents.

COUNCIL OFFICES, KILN ROAD
THUNDERSLEY, BENFLEET, ESSEX

Dated 20th April 1989

Signed by *Benny Rollins*
Chief Executive and Clerk
of the Council

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

REGISTERED ON CARD

DISTRICT COUNCIL OF CASTLE POINT

19 APR 1989

To **K. Osborn, Esq.,**
..... **14 Virginia Close,**
..... **Benfleet,**
..... **Essex**

This Council, having considered your *(Outline) application to carry out the following development :-

Single storey, flat roofed, front extension at 14 Virginia Close, 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 proposed development shall be finished externally in materials to harmonize with the existing building.
3. No building work shall be carried out between 8 p.m. and 8 a.m. or after 4 p.m. Sundays.

The reasons for the foregoing conditions are as follows :-

1. This condition is imposed pursuant to Section 41 of the Town & Country Planning Act 1971.
2. In order to ensure a development sympathetic to and in keeping with the existing development.
3. To safeguard the residential amenities of the adjoining occupier.

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated **30th March 1989**

Signed by
C. J. [Signature]

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

REGISTERED ON CARD

DISTRICT COUNCIL OF CASTLE POINT

19 APR 1989

To **K. Hurley, Esq.,**
..... **16 Virginia Close,**
..... **Benfleet,**
..... **Essex**

This Council, having considered your *(Outline) application to carry out the following development :-
Single storey, flat roofed, front extension at 16 Virginia Close, 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 proposed development shall be finished externally in materials to harmonize with the existing building.
3. No building work shall be carried out between 8 p.m. and 8 a.m. or after 4 p.m. Sundays.

The reasons for the foregoing conditions are as follows :-

1. This condition is imposed pursuant to Section 41 of the Town & Country Planning Act 1971.
2. In order to ensure a development sympathetic to and in keeping with the existing development.
3. To safeguard the residential amenities of the adjoining occupier.

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated 30th March 1989

Signed by *[Signature]*

Chief Executive and Clerk of the Council 3

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

10.7.89

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

To.....**Wickes Building Suppliers, Ltd.,**.....
c/o Alan Dines Partnership, Abbey House, Abbey Square,
.....**Reading, Berkshire, RG1 3BE**.....

This Council, having considered your* (outline) application to carry out the following development :-

Replacement of existing roller shutter door with glazed screen at Wickes, 1 Rat Lane, Rayleigh

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 41 of the Town & Country Planning Act 1971.

COUNCIL OFFICES, KILN ROAD
THUNDERSLEY, BENFLEET, ESSEX

Dated **13th June 1989**
Signed by *Barry Rollins*

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

- * 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

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

REGISTERED ON CARD

DISTRICT COUNCIL OF CASTLE POINT

9 MAY 1989

To **Mr. and Mrs. Winch,**
..... **c/o C.S. Development Designs Ltd., 174 Long Road,**
..... **Canvey Island, Essex**

This Council, having considered your *(Outline) application to carry out the following development :-

**Single storey, hipped roofed, front extension and formation of hipped roof
over existing projecting flat roofed garage at 110 Oakfield 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 proposed development shall be finished externally in materials to harmonize with the existing building.

The reasons for the foregoing conditions are as follows :-

1. This condition is imposed pursuant to Section 41 of the Town & Country Planning Act 1971.
2. In order to ensure a development sympathetic to and in keeping with the existing development.

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated **20th April 1989**

Signed by *[Signature]*

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

SCHEDULE OF CONDITIONS & REASONS WHICH
FORM PART OF DECISION NOTICE NO. CPT/238/89

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. A scheme of landscaping including details of all hedges, planting and tree planting to be carried out, together with details of all trees and other natural vegetation to be retained on site shall be submitted to and approved by the Castle Point District Council in writing, prior to commencement of the development hereby approved; such landscaping scheme to be implemented prior to completion and occupation of the said development.

Any tree contained within such scheme dying or being removed within 5 years of the date of this permission shall be replaced by a tree of similar size and species by the applicant or the applicants successor in title.
3. The proposed development shall be finished externally in materials to harmonize with the existing building.
4. The extension shall not be occupied until the car parking area shown on the submitted plans has been surfaced in impervious materials to be approved by Castle Point District Council.
5. The first floor window on the eastern elevation of the extension shall be obscure glazed and retained as such thereafter.
6. The extension shall not be occupied until the car parking area shown has been enclosed by screening along its eastern and western boundaries, details of which shall be agreed in writing by Castle Point District Council.

REASONS:

1. This condition is imposed pursuant to Section 41 of the Town & Country Planning Act 1971.
2. To ensure a satisfactory development incorporating a degree of natural relief in the interests of the amenities of this site.
3. In order to ensure a development sympathetic to and in keeping with the existing development.
4. To ensure that the development is satisfactory.
5. To protect the amenity of occupiers of nearby property.
6. In the interests of amenity of the occupiers of adjoining property.

Dated 17th May 1989

Benny Kollmer

Signed by.....
Chief Executive & Clerk of the Council.

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TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

REGISTERED ON CARD
12 JUN 1989

To..... A. Raby, ESq.,
..... c/o Doug. E. Mills, Architectural Consultant,
..... 19. Downer Road South, Benfleet, Essex.....

This Council, having considered your*(outline) application to carry out the following development :-

Part two storey, pitched roofed, rear extension at 123 Kiln 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:-

SEE ATTACHED SCHEDULE

The reasons for the foregoing conditions are as follows:-

SEE ATTACHED SCHEDULE

COUNCIL OFFICES, KILN ROAD
THUNDERSLEY, BENFLEET, ESSEX

Dated **17th May 1989**

Signed by
Sam Kollmer
Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

- * 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

TOWN AND COUNTRY PLANNING ACT 1971

CPT/239/89

Town and Country Planning General Development Orders

REGISTERED ON CARD

DISTRICT COUNCIL OF CASTLE POINT

19 APR 1989

To**G. Sanders Builder,**.....
.....**c/o Ron Hudson Designs, 309 London Road, Hadleigh, Benfleet, Essex**.....

This Council, having considered your *(Outline) application to carry out the following development :-

One detached house and garage at 6 Sydervelt Road, Canvey Island

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 :-

SEE ATTACHED SCHEDULE

The reasons for the foregoing conditions are as follows :-

SEE ATTACHED SCHEDULE

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated ... **30th March 1989**

Signed by
C. R. Chapman

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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


SCHEDULE OF CONDITIONS & REASONS WHICH
FORMS PART OF DECISION NOTICE NO. CPT/239/89

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(s) and the means of access thereto (hereinafter called "the reserved matters"), the approval of which shall be obtained from the district planning authority before development is begun.
2. Application for approval of the reserved matters shall be made to the district 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.
4. Within the confines of the site, there shall be no obstruction to visibility, above a height of 2' (0.6m) within the area of the 2.1m x 2.1m sight splay to be provided at the junction of any vehicular access and the adjoining highway. Such sight splays to be provided prior to the commencement of the development hereby approved.
5. Prior to completion and occupation of the development hereby approved, a 1.8m (6') brick wall/close boarded screen fence shall be erected and thereafter retained in the positions indicated green on the plan returned herewith.
6. The garage shall be used for domestic purposes only incidental to the enjoyment of the dwelling house as such.
7. The garage(s) shall be retained solely for that use and not converted into living accommodation.
8. The garage(s) door(s) shall be permanently set a minimum distance of 20' (6m) from the highway boundary.
9. The siting and layout shall be as shown on the plan hereby approved.
10. The proposed lounge serving the dwelling hereby approved shall not gain natural light solely from the north.
11. Any windows formed in the eastern elevation at first floor level shall be obscure glazed and permanently retained as such.

/CONTINUED.....

Dated: 30th March 1989


Signed by:.....
Chief Executive & Clerk of the Council

SCHEDULE OF CONDITIONS & REASONS WHICH
FORMS PART OF DECISION NOTICE NO.CPT/239/89

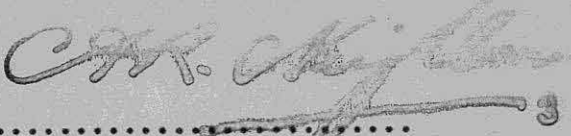
CONDITIONS/CONTINUED:

12. Where garage spaces and forecourt parking spaces are provided on the site, these facilities shall be retained solely for that use and for no other purpose whatsoever.

REASONS:

- 1.) The particulars submitted are insufficient for consideration of the
- 2.) details mentioned, and also pursuant to Section 42 of the Town and
- 3.) Country Planning Act 1971.
4. To obtain maximum visibility in the interests of highway safety.
5. To safeguard the privacy and amenities of both this and adjoining premises.
6. To safeguard the amenities of the surrounding dwellings.
7. To retain adequate on site garaging provision.
8. To ensure garage forecourts of adequate depth clear of the adjoining highway.
- 9.& 10. In order to ensure a satisfactory form of development.
11. In order to protect the privacy of the adjoining residents.
12. To ensure the retention of adequate on site car parking to the Council's adopted standard.

Dated: 30th March 1989


Signed by:.....
Chief Executive & Clerk of the Council

TOWN AND COUNTRY PLANNING ACT 1971

CPT/240/89

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

REGISTERED ON CARD

To **Mr. J.E. Jennings,** **9 MAY 1989**
..... **9 The Chase,**
..... **Rayleigh,**
..... **Essex**

This Council, having considered your *(Outline) application to carry out the following development :-

**Change of use from retail greengrocers to licensed betting office at
79 Hart 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 41 of the Town & Country
Planning Act 1971.**

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated **11th April 1989**

Signed by *[Signature]*

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

CASTLE POINT DISTRICT COUNCIL

*(Outline) Application No.

CPT/241/89

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

REGISTERED ON CARD

DISTRICT COUNCIL OF CASTLE POINT

19 APR 1989

To Ryge Properties,
c/o Ron Hudson Designs, 309 London Road, Hadleigh, Essex
.....

This Council, having considered your *(Outline) application to carry out the following development :-

**Two detached, one bedroomed bungalows with garages at 19 Munsterburg Road,
Canvey Island**

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 :-

SEE ATTACHED SCHEDULE

The reasons for the foregoing conditions are as follows :-

SEE ATTACHED SCHEDULE

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated 30th March 1989

Signed by

C.R. Mijl
Chief Executive and Clerk
of the Council

3

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

SCHEDULE OF CONDITIONS & REASONS WHICH
FORMS PART OF DECISION NOTICE NO.CPT/241/89


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. Within the confines of the site, there shall be no obstruction to visibility, above a height of 2' (0.6m) within the area of the 2.1m x 2.1m sight splay to be provided at the junction of any vehicular access and the adjoining highway. Such sight splays to be provided prior to the commencement of the development hereby approved.
3. Prior to completion and occupation of the development hereby approved, a 1.8m (6') brick wall/close boarded screen fence shall be erected and thereafter retained in the positions indicated green on the plan returned herewith.
4. No development of the type specified in Classes A to H inclusive, of Part I of Schedule 2 of the Town and Country Planning General Development Order 1988, shall be carried out without the written permission of the Castle Point District Council.
5. The garage shall be used for domestic purposes only incidental to the enjoyment of the dwelling house as such.
6. The garage(s) shall be retained solely for that use and not converted into living accommodation.
7. The garage(s) door(s) shall be permanently set a minimum distance of 20' (6m) from the highway boundary.

REASONS

1. This condition is imposed pursuant to Section 41 of the Town and Country Planning Act 1971.
2. To obtain maximum visibility in the interests of highway safety.
3. To safeguard the privacy and amenities of both this and adjoining premises.
4. The site of the development hereby approved is restricted in size and additional development could result in an unacceptable diminution in privacy or private open space standards.
5. To safeguard the amenities of the surrounding dwellings.
6. To retain adequate on site garaging provision.
7. To ensure garage forecourts of adequate depth clear of the adjoining highway.

Dated: 30th March 1989

Signed by: 
Chief Executive & Clerk of the Council

Noted on card

CPT 242 89
Application No. / /

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Order 1973

CASTLE POINT

District Council of

To **Mr. and Mrs. L. Killick,**
c/o Ron Hudson Designs Ltd., 309 London Road,
Hadleigh, Benfleet, Essex.

In pursuance of the powers exercised by them as district planning authority this Council do hereby give notice of their decision to APPROVE the following matters and details which were reserved for subsequent approval in the planning permission granted.

on **30th March** **1989** in respect of Outline Application No. **CPT./242/89**
at **..9. Thundersley Grove, Benfleet**
in accordance with the following drawings submitted by you:-

Details of four bedroomed detached house with semi-integral double garage
subject to compliance with the following conditions:-

The reasons for the foregoing conditions are as follows:-

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

1st June 1989
Date

Chief Executive and Clerk of the Council

CASTLE POINT DISTRICT COUNCIL

*(Outline) Application No.

CPT/242/89

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

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27.4.89

DISTRICT COUNCIL OF CASTLE POINT

To Mr. and Mrs. L. Killick,
c/o Ron Hudson Designs, 309 London Road, Hadleigh, Essex

This Council, having considered your *(Outline) application to carry out the following development :-
One detached house and part-integral garage at 9 Thundersley Grove, 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 :-

SEE ATTACHED SCHEDULE

The reasons for the foregoing conditions are as follows :-

SEE ATTACHED SCHEDULE

COUNCIL OFFICES, KILN ROAD,
THUNDERSLEY, BENFLEET, ESSEX

Dated 30th March 1989

Signed by 3

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

* 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

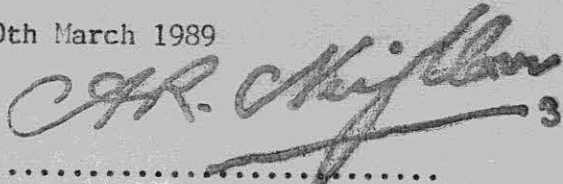
SCHEDULE OF CONDITIONS & REASONS WHICH
FORMS PART OF DECISION NOTICE NO. CPT/242/89

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(s) and the means of access thereto (hereinafter called "the reserved matters"), the approval of which shall be obtained from the district planning authority before development is begun.
2. Application for approval of the reserved matters shall be made to the district 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.
4. The reserved matters referred to in Condition 1 above shall contain full details of all materials to be used on the external elevations of the proposed development.
5. The reserved matters referred to in Condition 1 above shall contain details of all landscaping, planting and tree planting to be carried out on the site, together with details of all trees and other natural vegetation on the site to be retained.
6. The reserved matter referred to in Condition 1 above shall contain details of all hedges, fences, walls and amenity screening to be erected, planted or constructed to serve the development hereby approved.
7. Within the confines of the site, there shall be no obstruction to visibility, above a height of 2' (0.6m) within the area of the 2.1m x 2.1m sight splay to be provided at the junction of any vehicular access and the adjoining highway. Such sight splays to be provided prior to the commencement of the development hereby approved.
8. The garage(s) shall be retained solely for that use and not converted into living accommodation.
9. The garage(s) door(s) shall be permanently set a minimum distance of 20' (6m) from the highway boundary.

CONTINUED...../

Dated 30th March 1989


Signed by
Chief Executive & Clerk of the Council.

SCHEDULE OF CONDITIONS & REASONS WHICH
FORMS PART OF DECISION NOTICE NO. CPT/242/89

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27489

CONDITIONS/CONTINUED:

10. No trees shall be damaged, destroyed or uprooted, felled, lopped or topped without the previous written consent of the Castle Point District Council. Any trees removed without such consent or dying or being damaged or becoming seriously diseased within 5 years of the date of this permission shall be replaced with trees of such size and species as may be agreed with the Castle Point District Council.
11. All trees and shrubs (including hedges) must be protected by chestnut paling fences for the duration of the construction period at a distance equivalent to not less than the spread of the tree from the trunk. No materials are to be stored or temporary building to be erected inside this fence. No changes in ground level must be made within the spread of any tree or shrub without the prior written consent of the Castle Point District Council.
12. Where garage spaces and forecourt parking spaces are provided on the site, these facilities shall be retained solely for that use and for no other purpose whatsoever.
13. The dwelling hereby permitted shall be provided with a minimum of a garage and a parking space if up to three bedrooms are provided and a minimum of a garage and two parking spaces if more than three bedrooms are provided.
14. The dwelling hereby permitted shall be of the same size, depth and siting as indicated on the plan accompanying the application.
15. All windows provided in the side elevations at first floor in the dwelling hereby approved shall be obscure glazed and permanently retained as such.

REASONS:

- 1.) The particulars submitted are insufficient for consideration of the
- 2.) details mentioned, and also pursuant to Section 42 of the Town & Country
- 3.) Planning Act, 1971.
- 4.) In order that full consideration can be given to these matters prior to
- 5.) commencement of the development hereby approved.
- 6.)

Dated: 30th March 1989

CONTINUED...../

Signed by:.....
Chief Executive and Clerk of the Council

SCHEDULE OF CONDITIONS & REASONS WHICH
FORMS PART OF DECISION NOTICE NO. CPT/242/89

REASONS/CONTINUED:

7. To obtain maximum visibility in the interests of highway safety.
8. To retain adequate on site garaging provision.
9. To ensure garage forecourts of adequate depth clear of the adjoining highway.
10. To preserve the natural amenities of the site.
11. To preserve the natural amenities of the site.
12. To ensure the retention of adequate on site car parking to the Council's adopted standard.
13. To ensure satisfactory parking provision is available on site clear of the public highway.
14. To ensure a satisfactory form of development.
15. In the interests of the privacy of the occupiers of adjoining dwellings.

Dated 30th March 1989


3

Signed by
Chief Executive & Clerk of the Council.

TOWN AND COUNTRY PLANNING ACT 1971
Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

Mr. and Mrs. D. Cox,
To.....c/o Antonia Van Oosten; 15 Marloes Road; London.....

This Council, having considered your* (outline) application to carry out the following development:-
First floor, pitched roofed, side extension; two storey, pitched roofed, front and rear extensions and single storey, side extension at Badgers Hollow, Badger Hall 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:-

1. The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.
2. Details or samples of all materials to be used on the external elevations of the development proposed shall be submitted to and approved by the Castle Point District Council in writing, prior to commencement of the development hereby approved.

The reasons for the foregoing conditions are as follows:-

1. This condition is imposed pursuant to Section 41 of the Town & Country Planning Act 1971.
2. In order to ensure a satisfactory development in sympathy with and harmonious to existing development in this area.

COUNCIL OFFICES, KILN ROAD
THUNDERSLEY, BENFLEET, ESSEX

Dated 24th September 1989
Signed by Barry Rollinson

Chief Executive and Clerk
of the Council

Note! This permission does not incorporate Listed Building Consent unless specifically stated.

- * 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

PC
CASTLE POINT DISTRICT COUNCIL

Application No.

CPT/BR/244/89

TOWN AND COUNTRY PLANNING ACT 1971

Town and Country Planning General Development Orders

DISTRICT COUNCIL OF CASTLE POINT

To Mr. Cockell,
..... c/o C.S. Development Designs Ltd., 174 Long Road,
..... Canvey Island, Essex

This Council do hereby give notice of their decision to REFUSE permission for the following development:-

**First Floor, flat roofed, front and rear extensions at 37 Amid Road,
Canvey Island**

for the following reasons:-

The proposal, by reason of the first floor, front extension, would result in undue overlooking and overdomination of the adjoining property, to the detriment of the privacy and amenities of the adjoining residents in the enjoyment of their rear garden area.

COUNCIL OFFICES, KILN ROAD
THUNDERSLEY, BENFLEET, ESSEX

Dated **22nd June, 1989**

Signed by *R. Baker*

Chief Executive and Clerk
of the Council

IMPORTANT - ATTENTION IS DRAWN TO THE NOTES OVERLEAF