

Development Committee – 15 February 2018

Minutes of the meeting of the Development Committee held on **15 February 2018** when there were present:-

Chairman: Cllr S P Smith
Vice-Chairman: Cllr Mrs L Shaw

Cllr J D Griffin
Cllr N J Hookway
Cllr D Merrick
Cllr R Milne
Cllr J E Newport

Cllr C M Stanley
Cllr M J Steptoe
Cllr S A Wilson
Cllr A L Williams

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs D Hoy and T E Mountain.

SUBSTITUTE MEMBERS

Cllr Mrs C M Mason - for Cllr Mrs D Hoy
Cllr J R F Mason - for Cllr T E Mountain

NON-MEMBERS ATTENDING

Cllrs Mrs J R Lumley and Mrs C E Roe.

OFFICERS PRESENT

A Law - Assistant Director, Legal Services
M Thomas - Assistant Director, Planning and Regeneration Services
M Stranks - Team Leader (Area Team North)
R Davis - Senior Planner
A Evans - Senior Planner
S Worthington - Democratic Services Officer

PUBLIC SPEAKERS

S Clark
M Twinley

41 MINUTES

The Minutes of the meeting held on 25 January 2018 were approved as a correct record and signed by the Chairman.

42 16/00899/FUL – TIMBER GROVE, LONDON ROAD, RAYLEIGH

The Committee considered an application that had been referred by the Assistant Director, Planning and Regeneration Services to allow a full and proper consideration of all issues, following the failure of the audio-visual equipment on 11 January 2018.

Resolved

That the application be approved, subject to clarity on and the acceptance of the surface water drainage strategy and mitigation and impact of the revised particulars on group protected trees, subject to the applicant entering into a Section 106 Agreement in respect of the following heads of terms:-

- (A) The delivery of a 35% affordable housing contribution.
- (B) Developer contributions towards secondary school provision where it is estimated that there will be a deficit of 334 places by 2020-2026. Developer contributions of £209,739 are therefore stated to be required index linked to April 2016.
- (C) Developer contributions towards education for 3-4 year olds. Developer contributions of £70,834 index linked to April 2016 is sought to mitigate the impact on local EY&C provision.
- (D) A developer contribution of £32,798 to the CCG to mitigate the impacts of this proposal upon local NHS provision. Payment should be made before the development commences.
- (E) Provision of play equipment on the site.
- (F) The delivery of car parking provision for the Rayleigh Sports and Social Club.

And subject to the following conditions:-

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- (2) The development shall be undertaken in strict accordance with the Revised Plans received November 2017, • 263/17/PL10.00 Plots 1-2, 5-6 and 28-31 Plans and Elevations • 263/17/PL20.00 Plots 3-4, 8-11, 17-18 and 25-26 Plans and Elevations • 263/17/PL30.00 Plots 7 and 12-13 Plans and Elevations • 263/17/PL30.01 Plot 19 Plans and Elevations • 263/17/PL40.00 Plots 14-16 Plans and Elevations • 263/17/PL50.00 Plots 21 and 21-42 Plans and Elevations • 263/17/PL60.00 Plots 22 and 52-54 Plans and Elevations • 263/17/PL60.01 Plot 20 Plans and Elevations • 263/17/PL70.00 Plots 23-24 and 39-40 Plans and Elevations • 263/17/PL80.00 Plots Plans and Elevations • 263/17/PL90.00 Plots 32-37 Plans and Elevations • 263/17/PL90.01 Plots 32-37 Roof Plan • 263/17/PL90.02 Plots 32-37 Elevations • 263/17/PL100.00 Plots 38 Plans and Elevations • 263/17/PL110.00 Plots 44-45 Plans • 263/17/PL110.01 Plots 44-45 Elevations • 263/17/PL120.00 Plots 46-47 Plans and Elevations • 263/17/PL130.00 Plots 48-49 Plans and Elevations • 263/17/PL140.00 Plots 50-51 and 55 Plans and Elevations • 263/17/PL150.00 Plots 56-

63 Plans • 263/17/PL150.03 Plots 56-63 and 71-79 Elevations • 263/17/PL150.04 Plots 64-71 and 80-85 Elevations • • 263/16/PL1001 Location Plan • and additional plans received 15th December 2017, Drawing Numbers, 263/17/PL1000, Site Analysis Plan, Parking, Housing and Amenity), 263/17/PL1002 Site Plan, 263/16/PL150.04 Proposed Plots 64-71 and 80-86 Elevations), 263/16/PL150.02 Proposed Plots 80-86 Plans, 263/16/PL150.01 Proposed Plots 64-71 and 72-79 Plans).

- (3) No development shall commence before a detailed specification of all external materials to be used within the development as detailed for all house types (including windows and doors, roofing materials, guttering /rain water goods) have been submitted to and approved in writing by the Local Planning Authority.
- (4) The development shall be undertaken in strict accordance with the agreed details subject of condition 3.
- (5) No development shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and agreed in writing by the Local Planning Authority. This Plan shall include details of all ecological avoidance, mitigation and enhancement measures to be undertaken prior to commencement of the development and during the progress of development and ecological enhancements to be achieved as part of the development. This plan shall include details as such relate to safeguarding the badger set identified, and how works potentially affecting bat species, mammals, amphibians and reptiles will be assessed within the intervening period between the grant of planning permission and commencement of development. The details shall also include details of any necessary mitigation.
- (6) The development shall be undertaken in strict accordance with the details of condition 5.
- (7) No development shall commence until details of a lighting scheme has been submitted to and approved in writing by the Local Planning Authority.
- (8) The development shall be undertaken in strict accordance with the details of the agreed lighting scheme. Any variation shall be first agreed in writing by the Local Planning Authority prior to implementation.
- (9) Prior to the demolition of the existing care home or the removal of mature trees a repeat daytime inspection shall be undertaken of the care home and all mature trees on site by a licensed bat worker. Any mitigation shall be carried out in accordance with the advice provided.

This inspection shall not be undertaken no more than 6 months in advance of demolition or removal of trees.

- (10) Notwithstanding the submitted plans details of the hard landscaping materials to be incorporated into the development including all public realm hard surfaces, fences and / or walls shall be submitted to and approved in writing by the Local Planning Authority.
- (11) The Development shall be undertaken in accordance with the approved details and shall be fully complete prior to the occupation of any residential unit that hard surface serves including vehicular accesses and pedestrian footways.
- (12) No development shall commence until details of all soft landscaping works associated with the development in the form of a detailed planting specification has been submitted to and approved in writing by the Local Planning Authority. These details shall indicate details of species type including their height at the time of planting together with details of treatment or replacement of any trees, shrubs or plants which become diseased or die within the first 3 years of planting. These details shall also include details of ongoing management over a time period of 10 years from the date of completion of the development.
- (13) The scheme in its entirety shall be undertaken with the agreed details subject of condition 12.
- (14) All planting works as agreed in writing by the Local Planning Authority shall be undertaken within the first planting season following the occupation of the respective units approved.
- (15) Prior to the first use of the access in connection with the residential use the alternative access point shall be stopped up so as to be incapable of being used by motor vehicles.
- (16) Prior to first occupation of the proposed dwellings the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. One pack per dwelling.
- (17) No surface water drainage from the site at any time during the construction phase or at any time thereafter on completion of the development shall be allowed to discharge onto the county highway.
- (18) Prior to commencement of development hereby permitted, details of the proposed surface material for the driveways to each property shall be submitted and agreed in writing by the Local Planning Authority. The details shall be for a porous or permeable surface material unless it is demonstrated that this would not be appropriate at the site in which case means of preventing surface water flow onto the highway from the

driveway shall be proposed. Once agreed, the driveways shall be constructed in accordance with the agreed details.

- (19) No works to hedges or trees on site required in connection with the development hereby approved shall take place within the bird nesting season (February - August inclusive) to guard against harm to any nesting birds, unless otherwise agreed in writing by the Local Planning Authority.
- (20) Prior to commencement of development hereby approved, details to demonstrate compliance of the dwellings against the Lifetime Homes and Code for Sustainable Homes Level 4 standards shall be submitted to and agreed in writing by the Local Planning Authority. The dwellings shall then be built in accordance with the details as agreed.
- (21) The development in its entirety shall be undertaken in accordance with the details and safeguards highlighted in the revised Arboricultural Impact Assessment (AIA) received 14 December 2017.
- (22) No works or development shall take place until a full Arboricultural survey and report in accordance with BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The report shall include the following:
 - A - details and positions of the underground service runs in accordance with sections 4.2 and 7.7 of BS5837:2012.
 - B - details of any changes in levels or the position of any proposed excavations, including those on neighbouring or nearby ground in accordance with paragraph. 5.4.2 of BS5837:2012.
 - C - details of any special engineering required to accommodate the protection of retained trees [e.g. in connection with foundations, bridging, water features, surfacing] in accordance with section 7.5 of BS5837:2012.
 - D - details of the methodology to be employed with the demolition of buildings, structures and surfacing within or adjacent to the root protection areas of retained trees.
 - E - details of the methodology to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of “No-Dig” construction.
 - F - details of the methodology to be employed for the access and use of heavy, large, difficult to manoeuvre plant [including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc.] on site.
 - G - details of the methodology to be employed for site logistics and storage, including an allowance for slopes, water courses and

enclosures, with particular regard to ground compaction and phototoxicity

H - details of the method to be employed for the stationing, use and removal of site cabins within any root protection areas in accordance with section 6.2 of BS5837:2012.

J - details of tree protection measures for the hard landscaping phase in accordance with section 5.6 of BS5837:2012.

K - the timing of the various phases of the works or development in the context of the tree protection measures.

(23) Unless otherwise approved in writing by the Local Planning Authority, no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree's branches, stems or roots be pruned.

(24) No works or development shall take place until a scheme of supervision for the arboricultural protection measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be appropriate to the scale and duration of the development hereby permitted and shall include details of:

A - an induction and personnel awareness of arboricultural matters;

B - identification of individual responsibilities and key personnel;

C - a statement of delegated powers;

D - timing and methods of site visiting and record keeping, including updates;

E - procedures for dealing with variations and incidents.

The development shall be implemented in accordance with the approved scheme.

(25) No development or any preliminary ground works shall take place until:

A - All trees to be retained during the construction works have been protected by fencing of the 'HERAS' type or similar. The fencing shall be erected around the trees and positioned in accordance with British Standard 5837:2012 and with the supplied details as provided in the above conditions and within the supplied arboricultural report; And

B - All weather notices prohibiting accesses have been erected on the fencing demarcating a construction exclusion zone as detailed in BS5837:2012 section 6

(26) 'No development or preliminary ground works of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written

scheme of investigation which has been submitted by the applicant and approved by the local planning authority'. The work will comprise archaeological evaluation by trial trenching, which may be followed by open area excavation if significant features are found. A professional archaeological contracting team should undertake any archaeological work.

An archaeological brief outlining the methods of investigation can be issued from this office (on request) and there would be a cost implication for the developer.

- (27) Prior to the commencement of development the off site car parking provision secured by planning permission 16/01105/FUL shall be fully operational and available for use.
- (28) Prior to the commencement of development details of the proposed acoustic fencing including the extent and the design of the fencing shall be submitted to and approved in writing by the Local Planning Authority.
- (29) The development shall be undertaken in full compliance with the details agreed:
- (30) The development shall be designed such that ground floor levels are above any predicted flood levels for the site and shall incorporate flood resilient measures / proofing.
- (31) All highway related works including the construction of pedestrian footways and vehicular carriageways shall be fully complete prior to the occupation of the development.
- (32) Prior to the commencement of development a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include details of fuel storage on site including the means of safeguarding against spillages of fuel and mitigation in place in the event of any escape of fuel, oil or any other potential source of contamination to air, land or water during the duration of development. This Construction Management Plan will highlight details of all other potential hazards and risk during the duration of development including dust and particulate matter, noise, vibration and smells and methods deployed to minimise the impacts and mitigate the risks.
- (33) The development shall be undertaken in strict accordance with the details of the approved construction management plan.
- (34) The hours of construction / operation on site including any deliveries or transfer of materials to or from the site shall be restricted to the hours of 7.30 am to 7.30 pm (Monday to Friday) and between the hours of 8.30 am and 7.30 pm on Saturday and Sundays).

- (35) No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
- Limiting discharge rates to the 1 in 1 greenfield rate or at least 50% betterment of existing brownfield rates for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
 - Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
 - Provide consideration of the critical drainage area partially located within the site.
 - Final modelling and calculations for all areas of the drainage system.
 - The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
 - Detailed engineering drawings of each component of the drainage scheme.
 - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
 - A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

- (36) No works shall take place until a scheme to minimise the risk of off site flooding caused by surface water run off and ground water during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

- (37) No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

- (38) The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
- (39) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- (40) There shall be no discharge of surface water onto the Highway.
- (41) No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide areas within the curtilage of the site for the purpose of:-
- i) the parking of vehicles of site operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) wheel and underbody washing facilities
- (42) Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
- (43) The parking shall be provided in accordance with the EPOA Parking Standards.
- (44) Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- (45) Prior to occupation of development, the eastern junction on London Road shall be closed off and reinstated with full height kerb and include the provision of a 2m wide footway along the entire site frontage from the existing facility at Gunn Close to the site access junction with associated dropped kerb crossing.

Informatives

- All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

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- The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, CM2 5PU
- The Highway Authority cannot accept any liability for costs associated with the developer's improvements. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.
- Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.
- The above is required to ensure the proposal complies with the County Council's Highways and Transportation Development Control Policies, as originally contained in Appendix G of the Local Transport Plan 2006/2011 and refreshed by Cabinet Member Decision dated 19 October 2007.
- The requirements above should be imposed by way of negative planning condition or planning obligation as appropriate.
- Prior to any works taking place in the public highway the developer shall enter into the appropriate legal agreement with the Highway authority under the Highways Act 1980 to regulate the construction of the highway works.
- Prior to occupation, the development shall be served by a system of operational street lighting which shall thereafter be maintained in good repair.
- In all cases where spoil is unavoidably brought out onto the highway, the applicant / developer must be reminded of their responsibility to promptly remove such spoil at their own expense and to the satisfaction of the Highway Authority.
- Full details of SUDS should be provided and agreed. (ADP&RS)

(Note: Cllrs Mrs C M Mason, J R F Mason, J E Newport, C M Stanley and S A Wilson wished it to be recorded that they had voted against the above decision.)

The meeting closed at 9.00 pm.

Chairman

Date

CONFIRMED

If you would like these minutes in large print, Braille or another language please contact 01702 318111.