

Development Committee – 19 November 2020

Minutes of the meeting of the Development Committee held on **19 November 2020** when there were present:-

Chairman: Cllr S P Smith
Vice-Chairman: Cllr P J Shaw

Cllr Mrs L A Butcher
Cllr D S Efde
Cllr A H Eves
Cllr N J Hookway
Cllr D Merrick

Cllr Mrs L Shaw
Cllr C M Stanley
Cllr Mrs C A Weston
Cllr A L Williams
Cllr S A Wilson

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr G J Ioannou.

NON-MEMBERS ATTENDING

Cllrs Mrs J R Gooding, Mrs J E McPherson and M J Steptoe

OFFICERS PRESENT

M Hotten	- Assistant Director, Place & Environment
Y Dunn	- Planning Manager
K Rodgers	- Team Leader (Area Team South)
R Hurst	- Principal Solicitor
S Worthington	- Principal Democratic & Corporate Services Officer
L Morris	- Democratic Services Officer

PUBLIC SPEAKERS

K McCann - for Item 6

195 MINUTES

The Minutes of the meeting held on 22 October 2020 were approved as a correct record and would be signed by the Chairman in due course.

196 DECLARATIONS OF INTEREST

Cllr M J Steptoe declared a non-pecuniary interest in Item 6 – 20/00454/REM – Land east of Rugby Club, Aviation Way, Rochford and Item 7 – 20/00752/FUL – Land rear of 8 St Johns Road, Great Wakering by virtue of membership of Essex County Council.

197 20/00454/REM – LAND EAST OF RUGBY CLUB, AVIATION WAY, ROCHFORD

The Committee considered a reserved matters application for the construction of 12 no. industrial units (use classes B1/B2/B8) pursuant to outline planning permission (reference 15/00781/OUT).

In the officer presentation a correction to the report at paragraph 3.16 was noted as the original outline application allowed only for a total of 1000 square metres of B8 Use, not the figure stated. An informative was recommended to bring to the applicant's attention the restriction on the outline planning consent relating to B8 Use, which the reserved matters consent would have to comply with.

An amendment to conditions 2 and 4, as detailed in the officer report, was also advised in the officer presentation to ensure that the revised soft landscaping would be delivered as this was not shown on the original layout plan referenced in these conditions.

Members considered that condition 4 as detailed in the officer report should be revised to ensure that the service yard areas of the site would also be kept clear and used solely for the purpose of manoeuvring and turning of vehicles in perpetuity.

Members also requested that two additional informatives be added to the consent relating to consideration of planting at the site being of native British tree species and relating to provision of electric vehicle charging points.

Resolved

That Reserved Matters approval be granted, 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 details of the approved plans referenced: Detail Site Layout (1514-JSA-XX-00-DRA01250 Rev. P1 – this layout plan shall be considered as amended by the approved revised soft landscaping plan ref. 7433_001C); GA Layouts Block 01 (1514-JSA-01-XX-DR-A-02200 Rev. P3); GA Elevations Block 01 (1514-JSA-01-XX-DR-A-03200 Rev. P3); GA Layouts Block 02 (1514-JSA-02-XX-DR-A-02200 Rev. P2); GA Elevations Block 02 (1514-JSA-02-XX-DR-A-03200 Rev. P3); GA Layouts Block 03-04 (1514-JSA-03-04-XX-DR-A-03200 Rev. P2); GA Elevations Block 03-04 (1514-JSA-03-04-XX-DR-A-02200 Rev. P2); GA Roof Plans (1514-JSA-XXXX-DR-A-02201 Rev. P1); Proposed Site Sections (1514-JSA-XX-XX-DR-A04250 Rev. P1); Bin and Cycle Stores Design Intent (1514-JSA-XX-XX-DR-A90-001 Rev. P1); Proposed Perimeter Fence (1514-JSA-XX-XX-DR-A-90-003 Rev. P1); Indicative External Lighting (NT0751-AG-EX-XX-DR-E-2401 S3Rev. P01) and Revised Landscaping Plan reference 7433_0336 (Phase 4 Landscape Details and 7433_001C (Phase 4 Landscape Proposal 1 of 2)).

REASON: To ensure that the development is undertaken in accordance with the approved plans

- (3) The soft landscaping as shown by the revised Landscaping Plan reference 7433_0336 (Phase 4 Landscape Details and 7433_001C (Phase 4 Landscape Proposal 1 of 2) shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective within five years of planting shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed in the first available planting season following removal.
- (4) All car parking spaces as indicated by Proposed Detail Site Layout (1514-JSA-XX-00-DR-A-01250 Rev. P1, as amended by and including soft landscaping as shown on the approved revised landscape plan ref. DWG. NO 7433_001C) shall be clearly delineated on site prior to the first operation of the development hereby permitted and shall be retained in perpetuity over the lifetime of the use. The service yard areas as approved (ref 1514- JSA-XX-00-DR-A-01250 Rev. P1) shall also be used solely for the turning and manoeuvring of vehicles and shall be kept clear for this purpose in perpetuity

REASON: To ensure adequate and clear provision of car parking spaces to serve the development in compliance with policies DM1 and DM30 of the Local Development Framework Development Management Plan and the provisions of the Essex County Council Parking Standards Design and Good Practice, September 2009.

- (5) Prior to the installation of any external extraction equipment to the building hereby approved details shall have been submitted to and agreed in writing by the Local Planning Authority; any equipment shall be installed in accordance with the details as may be agreed.
- (6) Prior to the first operation of the development hereby permitted the refuse and cycle storage facilities as cited by plan reference (1514-JSA-XX-XX-DR-A-90-001 Rev. P1) (Bin and Cycle Stores Design Intent) shall have been erected and available for use. This facility shall be retained in perpetuity over the lifetime of the use.
- (7) Notwithstanding the details of the indicative External Lighting plan reference Indicative External Lighting (NT0751-AG-EX-XX-DR-E-2401 S3 Rev. P01) prior to the installation of any external lighting, details shall have been submitted to and agreed in writing by the Local Planning Authority. These details shall include the number, location, the height (relative to ground level) of all lighting columns or bollards, the position of all wall mounted lighting including their luminosity. The lighting shall be installed in accordance with the details agreed.

INFORMATIVES

- (1) Consideration should be given to providing native British tree species on the site.
- (2) Consideration should be given to providing electric vehicle charging points at the site and/or the provision of underground infrastructure during construction of the development hereby approved to enable the provision of electric vehicle charging points on site at a future date.
- (3) The applicants attention is drawn to the need for compliance with relevant conditions on the associated Outline Planning Consent ref 15/00781/OUT including condition 14 which restricts the amount of Use Class B8 floor space across the wider site as a whole and subject to the outline planning consent to 1000 square metres.
- (4) The applicant should be made aware that any departure from the approved plan is likely to result in the development being unauthorised with the requirement for a further application to be submitted, which will be dealt with on a “without prejudice” basis. Early contact with the planning department where a change is contemplated is strongly advised although even minor changes are likely to require a new application. (ADPE)

(11 Members voted for the Motion, 0 voted against and 0 abstained.)

198 20/00752/FUL – LAND REAR OF 8 ST JOHNS ROAD, GREAT WAKERING

The Committee considered an application for the demolition of existing buildings and the erection of two buildings to provide 4 No. 1-bed flats with associated parking and amenity space.

In the officer presentation an amendment to condition 9 was recommended to require obscure glazing/fixing shut of the southern side elevation windows to the proposed building which would be sited adjacent to the eastern site boundary, as well as the northern side elevation windows.

On a requisition pursuant to Committee Procedure Rule 12.4, a recorded vote was taken on the Motion as set out in paragraph 1.1 of the officer's report as follows:-

For (4) Cllrs D Merrick; S P Smith; Mrs C A Weston; A L Williams

Against (7) Cllrs D S Efde; A H Eves; N J Hookway; Mrs L Shaw; P J Shaw; C M Stanley; S A Wilson

Abstain (1) Cllr Mrs L A Butcher

The Motion was lost.

A Motion for refusal of the application moved by Cllr N J Hookway and seconded by Cllr C M Stanley on the grounds that the application does not meet the Council's policy in relation to visitor parking was lost.

On a requisition pursuant to Committee Procedure Rule 12.4, a recorded vote was taken on the Motion as follows:-

For (5) Cllrs D S Efde; A H Eves; N J Hookway; C M Stanley; S A Wilson

Against (6) Cllrs D Merrick; Mrs L Shaw; P J Shaw; S P Smith; Mrs C A Weston; A L Williams

Abstain (1) Cllr Mrs L A Butcher

A Motion to defer the application in order to seek legal advice in relation to a possible reason for refusal of the application relating to a lack of visitor car parking not in accordance with the Council's adopted parking standards was moved by Cllr A L Williams and seconded by Cllr Mrs L Shaw.

On a requisition pursuant to Committee Procedure Rule 12.4, a recorded vote was taken on the Motion as follows:-

For (8) Cllrs Mrs L A Butcher; A H Eves; D Merrick; Mrs L Shaw; P J Shaw; S P Smith; Mrs C A Weston; A L Williams

Against (4) Cllrs D S Efde; N J Hookway; C M Stanley; S A Wilson

Abstain (0)

Resolved

That the item be deferred so that legal advice could be sought in relation to a possible reason for refusal of the application relating to a lack of visitor car parking not in accordance with the Council's adopted parking standards.
(ADPE)

The meeting closed at 8.57pm.

Chairman

Date

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