

## Development Committee – 20 September 2018

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Minutes of the meeting of the Development Committee held on **20 September 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 Mrs D Hoy  
Cllr G J Ioannou  
Cllr R Milne

Cllr P J Shaw  
Cllr M J Steptoe  
Cllr Mrs C A Weston  
Cllr A L Williams  
Cllr S A Wilson

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr C C Cannell.

### **NON-MEMBERS ATTENDING**

Cllrs M Hoy and T E Mountain.

### **OFFICERS PRESENT**

M Thomas	- Assistant Director, Planning and Regeneration Services
K Rodgers	- Team Leader (Area Team South)
M Stranks	- Team Leader (Area Team North)
C Irwin	- Solicitor
S Worthington	- Democratic Services Officer

### **PUBLIC SPEAKERS**

D Hill - for item 6

### **176 MINUTES**

The Minutes of the meeting held on 11 September 2018 were approved as a correct record and signed by the Chairman.

### **177 DECLARATIONS OF INTEREST**

Cllr A L Williams declared a non-pecuniary interest in item 7 (1) of the agenda relating to application 16/00957/FUL – 125 Southend Road, Rochford by virtue of membership of Rochford Parish Council.

### **178 17/00488/FUL – LAND REAR OF 12 TO 26 EASTWOOD ROAD, RAYLEIGH**

The Committee considered an application to demolish existing buildings and construct a development of 41 no. 2-bedroom flats with associated parking and amenity space.

The planning officer summarised a further letter that had been received since publication of the report and recommended that further conditions/amendments to conditions be applied to the planning permission, should Members be minded to approve the application, as set out below:-

- An additional condition relating to compliance with policy H6 requiring 3% of all new housing developments of 30 or more to achieve the optional building regulation requirement relating to wheelchair access;
- Amendment of condition 4 to require the loss of one car parking space, closest to No. 14 Finchfield, to facilitate additional landscaping/screening on the boundary with 14 Finchfield;
- An additional condition to require details of bin enclosures to be agreed prior to construction of them; and
- An amendment to condition 12 requiring the provision of 3 disabled parking bays.

During Member debate, Members all concurred that further conditions should be applied to the grant of planning permission relating to the requirement for a gated barrier for residents' exclusive use in licence with the District Council, that parking spaces be specifically allocated to each of the flats and that the road in the vicinity of the parking space to be lost for landscaping purposes should end at the point where landscaping begins, i.e. the road shown to access the proposed parking space to be lost shall also be lost to additional soft landscaping and that the landscaping be agreed in consultation with Ward Councillors. In addition, full potential for affordable housing should be realised from the site, including consideration of provision of an uplift clause in the s106 agreement.

### **Resolved**

That planning permission be approved, subject to a Section 106 Legal Agreement and subject to the following conditions:-

#### **Section 106 Head of Terms**

- The provision of three on site affordable housing units, including consideration of an uplift clause in the s106 agreement relating to this provision.

#### **Conditions**

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

- (2) The development hereby permitted shall not be carried out other than in strict accordance with the approved plans date stamped 17 May 2017 listed below:-

551.200.02, 551.201.02, 551.202.02, 551.203.01, 551.204.0,  
551.205.01, 551.206.01, 551.207.00, 551.208.00

- (3) Prior to first use in the construction of the buildings hereby approved details of all external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such materials as may be agreed in writing by the Local Planning Authority shall be those used in the development hereby permitted.
- (4) Prior to first use of any of the buildings hereby approved plans and particulars showing precise details of the hard and soft landscaping which shall form part of the development hereby permitted shall be agreed in writing by the Local Planning Authority (and with respect to the soft landscaping adjacent to No. 14 Finchfield in consultation with Ward Members). Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority, which shall show the retention of existing trees, shrubs and hedgerows on the site and include details of:-
- schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
  - existing trees to be retained;
  - areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
  - paved or otherwise hard surfaced areas;
  - existing and finished levels shown as contours with cross-sections, if appropriate;
  - means of enclosure and other boundary treatments (including secure gated access to Castle Road car park adjoining the site for use only by residents of the development hereby approved and by licence with Rochford District Council); and
  - car parking layouts and other vehicular access and circulation areas (including the removal of the car parking space and road immediately north of the boundary with No. 14 Finchfield shown on the approved layout plan and the replacement of this with soft landscaping, including suitable tree planting).

The landscaping as agreed 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.

- (5) Part G (water efficiency) of the Building Regulations (2010) shall be met for the dwellings on the site and be permanently retained thereafter.
- (6) Part L of the Building Regulations 2010 in respect of energy performance shall be met for the dwellings.
- (7) 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.
- (8) Prior to the commencement of the development, excluding ground clearance works, details of how the development will secure at least 10 per cent of their energy from decentralised and renewable or low-carbon sources unless this is demonstrated to be not feasible or not viable shall be submitted to and approved in writing by the Local Planning Authority. The details as agreed shall be implemented prior to first beneficial use of the development (to which the agreed provision relates) hereby approved.
- (9) 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 green field rate or at least 50% betterment of the existing brown field rate 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.
  - Final modelling and calculations for all areas of the drainage system.
  - The appropriate level of treatment for all run off 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.
  - Permission in principle should be demonstrated by the Water Authority for a connection to the surface water sewer.
- (10) 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. 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 request by the Local Planning Authority.
- (11) 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. If the development is phased the requirement for a Construction Method Statement shall apply equally to each phase. The Statement shall provide for:-
- 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
- (12) The proposed development shall not be occupied until such time as the vehicle parking area indicated on the block plan, including a minimum of 3 parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays with numbers allocating one parking space per flat hereby approved. The vehicle parking areas to be provided as aforementioned shall incorporate the change as set out in condition 4. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development, unless otherwise agreed with the Local Planning Authority.

- (13) No beneficial use of the development shall occur until the details of the number, location and design of cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient and covered and provided prior to occupation and retained at all times.
- (14) Prior to occupation of the proposed development, 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 Residential Travel Information Pack shall be provided for each unit.
- (15) Prior to commencement of construction at the site (save for ground works and demolition at the site), details including floor plans to demonstrate that 3 per cent of the dwellings at the site (as a minimum) would be built to the wheelchair accessibility standard (as set out in the Building Regulations) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.
- (16) Prior to construction of the bin stores details of such shall be submitted to and agreed in writing by the Local Planning Authority. The stores (enclosures) shall be provided, as agreed, prior to first occupation at the site. (ADP&RS)

### **179 16/00957/FUL – 125 SOUTHEND ROAD, ROCHFORD**

The Committee considered a retrospective application for the change of use of a premises from shop to tattoo parlour.

Mindful of officers' recommendation to refuse the application, Members nevertheless considered that the application should be approved on the basis that it was preferable to have the premises occupied rather than standing vacant. The premises had been operating as a tattoo parlour for some time without causing problems with parking and without complaints from residents.

#### **Resolved**

That the application be approved, subject to the following condition:-

- (1) The development hereby approved shall be begun before the expiration of three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended). (ADP&RS)

The meeting closed at 8.40 pm.

Chairman .....

Date .....

CONFIRMED

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