

Development Committee – 22 September 2016

Minutes of the meeting of the Development Committee held on **22 September 2016** when there were present:-

Chairman: Cllr M R Carter
Vice-Chairman: Cllr J D Griffin

Cllr N J Hookway
Cllr D Merrick
Cllr R Milne
Cllr T E Mountain

Cllr J E Newport
Cllr Mrs L Shaw
Cllr M J Steptoe
Cllr S A Wilson

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs C I Black, G J Ioannou and Mrs C M Mason.

SUBSTITUTE MEMBERS

Cllr A H Eves	- for Cllr Mrs C M Mason
Cllr S P Smith	- for Cllr G J Ioannou
Cllr C M Stanley	- for Cllr C I Black

NON-MEMBERS ATTENDING

Cllrs Mrs J R Gooding and Mrs T R Hughes.

OFFICERS PRESENT

A Law	- Assistant Director, Legal Services
M Stranks	- Team Leader (Area Team North)
E Thorogood	- Senior Planner
S Worthington	- Committee Administrator

PUBLIC SPEAKERS

K Holland - for item 6

194 MINUTES

The Minutes of the meeting held on 21 July 2016 were approved as a correct record and signed by the Chairman.

195 DECLARATIONS OF INTEREST

Cllr D Merrick declared a non-pecuniary interest in item 10 of the Agenda relating to application 16/00655/FUL, 15 Keswick Close, Rayleigh by virtue of being acquainted with the applicant and the member of staff concerned in a professional capacity.

196 15/00736/FUL – LAND ADJACENT TO GRANGE VILLA, LONDON ROAD, RAYLEIGH

The Committee considered an application deferred from 30 June 2016 to form an access and to lay out the site to provide a residential development of 21 flats and 26 houses (47 dwellings in total).

Resolved

That the application be approved, subject to the applicants and owners entering into a legal agreement under Section 106 of the Act to the following heads of terms:-

- a) Footpath link, sub base, surfacing lighting and fencing between north east corner to the development and access road to Rayleigh Sports and Social Club
- b) Contribution of £45,000 for maintenance of Little Wheatley's Play space.
- c) Affordable Housing comprising 17 dwellings at 80% social rented and 20% shared ownership
- d) Education contribution for 9.6 Primary school places at £116,857.
- e) Developer to be responsible for residential travel and information pack for each dwelling on occupation.
- f) Developer to be responsible for provision and implementation of improvements to the two bus stops in the vicinity of the site.
- g) Provision of a 2m wide footway (widening existing) along the entire site frontage on London Road, to include where appropriate dropped crossings.
- h) Developer to provide a pedestrian crossing on London Road to include dropped kerb crossings and provision of a 2m wide footway on the southern side of London Road to link to the existing footway on Little Wheatley Chase.
- i) Developer to make a contribution of £50,000 towards highway improvement measures along the London Road Corridor.

and to the following heads of conditions:-

- (1) SC4B – Time limit three years
- (2) Development to be implemented in accordance with schedule of approved plans
- (3) Submission of external materials

- (4) Submission of landscaping details
- (5) Road junction to be constructed with appropriate kerb radii, road markings and visibility splays prior to occupation.
- (6) Submission of construction management plan to include provision of an area within site for unloading and storage of materials and plant / equipment clear of the highway and means to clean construction vehicles before entering the highway.
- (7) Submission of means to prevent the discharge of surface water from the development onto the highway.
- (8) Submission of details for layout, levels, gradients, surfacing and surface water drainage of Estate Road and footpaths.
- (9) No unbound material to be used in the surface treatment of the vehicular access within 6m of the highway.
- (10) Submission of detailed surface water drainage scheme for the site, based on the approved FRA, sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development.
- (11) Submission of scheme to minimise the risk of offsite flooding caused by surface water run-off and ground water during construction works.
- (12) Submission of Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies throughout the lifetime of the development.
- (13) The applicant or any successor in title shall maintain yearly logs of the maintenance of the sustainable drainage system which shall be carried out in accordance with any approved Maintenance Plan. The maintenance logs for the preceding year prior to March shall be submitted to the Local Planning Authority in April each year.
- (14) Development to be implemented in accordance with the tree impact assessment dated 15/12/15 and method statement and tree protection plan dated 16/12/15 Ref: 001
- (15) Prior to the commencement of development further survey work to establish the population of bats affected by the development with appropriate mitigation to protect and retain the affected bat roost trees during construction. Development to be implemented in accordance with such details as may be agreed.
- (16) Prior to the commencement of the development the applicant shall undertake mitigation work with regard to great crested newts as

outlined in the Preliminary Ecological Appraisal and Great Crested Newt Mitigation strategy dated October 2015 by Messrs. Essex Ecology Services Limited to translocate the species to a suitable receptor site in accord with methodology to be submitted to and agreed in writing by the Local Planning Authority. The development to be implemented in accordance with such details as may be agreed.

- (17) Contaminated land conditions
- (18) Archaeological Full Condition - 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’.
- (19) Part G (water efficiency) of the Building Regulations (2010) shall be met for the dwellings hereby approved and be permanently retained thereafter. (MD)

197 16/00062/FUL – STAR LANE BRICK WORKS, STAR LANE, GREAT WAKERING

The Committee considered an application deferred from 21 July 2016 for the re-design of plots 4 to 13 (from approval 12/00252/FUL) to accommodate requirements for a pumping station.

Resolved

That the application be approved, subject to a section 106 legal agreement to require:-

- a. maintenance of the public open space
- b. maintenance of the acoustic barrier along the northern site boundary

and subject to the following planning conditions:-

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- (2) All external facing and roofing materials to be used in the development hereby permitted shall be those as agreed in respect of condition 2 relating to planning consent 12/00252/FUL unless alternative materials are proposed in which case details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their use.
- (3) Prior to occupation of the dwellings hereby approved details of the proposed hard and soft landscaping including that to the public open amenity space and parking court shall be submitted to and agreed in writing by the Local Planning Authority, details shall include:

- a. Schedules of species, size, density and spacing of all proposed tree, hedge and shrub planting
 - b. Fencing and other means of enclosure and boundary treatments
 - c. Paved or otherwise hard surfaced areas
 - d. Areas to be grass seeded or turfed
 - e. Street furniture
 - i. Notwithstanding the layout plan hereby approved provision of soft landscaping including tree planting shall be incorporated into the design and layout of the parking court.
 - ii. Soft landscaping shall be implemented in its entirety during the first planning 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 replacements plants) removed, uprooted, destroyed or caused to die or become seriously damaged or defective within 5 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 service intakes to dwellings and soil and waste plumbing shall be run internally save for gas and electric boxes whereby details of siting shall be submitted to and agreed in writing by the Local Planning Authority prior to installation. Such details as may be agreed in writing by the LPA shall be those used in the development hereby permitted.
- (5) Prior to first occupation of any dwelling hereby approved, a Residential Travel Information Pack for sustainable transport shall be provided to each dwelling which shall include 6 (six) All Essex Scratch card tickets or equivalent in accordance with details which shall have previously been submitted to and agreed in writing by the LPA.
- (6) Prior to commencement of the development to erect the dwellings hereby approved, a surface water drainage scheme including sustainable urban drainage methods and timetable for implementation, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme should include design calculations and analysis for the hydraulic performance of site soakaways and should demonstrate that surface water run-off generated by storms up to and including the 1 in 100 years frequency critical storm (including allowances for climate change over the development lifetime) will be adequately managed. Once agreed, the drainage scheme shall be

implemented in accordance with the agreed details in the timetable agreed for implementation.

- (7) No doors or other features to enclose shall be installed to any of the car ports across the development hereby permitted.
- (8) The approved remediation scheme submitted and agreed in respect of condition 32 on planning consent 12/00252/FUL shall equally apply to the development hereby permitted. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation unless otherwise agreed in writing by the LPA. The LPA must be given 2 weeks written notification of commencement of the remediation scheme works.
 - a. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the LPA.
 - b. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the LPA. An investigation and risk assessment must then be undertaken and where necessary a remediation scheme prepared in accordance with the requirements of part 1 (site characterisation) of condition 32 on 12/00252/FUL and a remediation scheme must be prepared in accordance with the requirements of part 2 (submission of remediation scheme) again as in condition 32 of 12/00252/FUL. Following completion of measures identified in the approved remediation scheme a verification report must be prepared which is subject to the approval in writing of the LPA in accordance with part 3 of condition 32 of 12/00252/FUL.
 - c. Prior to the first occupation of any dwellings hereby approved and the provision of any services, the developer shall submit to the LPA a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in the agreed remediation scheme.
- (9) Prior to the commencement of development to erect the dwellings hereby approved, full specifications of an acoustic barrier (including heights, materials, performance and maintenance plans) to the northern and eastern boundaries of the site shall be submitted to and agreed in writing by the LPA with a noise assessment report to justify the proposed height of the barrier unless a noise assessment report is submitted and agreed which satisfactorily demonstrates the absence of a need to provide an acoustic barrier as a result of the noise level in the rear garden of the dwellings hereby permitted achieving acceptable noise levels without such. Details of any barrier submitted for approval

shall include methods to reduce the visual impact of the barrier. Any acoustic barrier agreed shall be installed in the approved form prior to first occupation of any dwelling hereby permitted unless otherwise agreed in writing by the LPA and shall be maintained in the agreed form in perpetuity.

- (10) House Type F dwellings shall feature front dormers in accordance with Revised Plans date stamped 05 July 2016 drawing numbers 1358:501 Rev A and 1358:502 Rev A and not with front dormers as per 1358:511 Rev A. (MD)

198 16/00432/FUL – 63 BARLING ROAD, GREAT WAKERING

The Committee considered an application to erect a single storey rear extension.

Resolved

That the application be approved, subject to the completion of a legal agreement under Section 106 of the Act in which it would be agreed that any incomplete elements of the old planning permission (reference 09/00437/FUL) would be abandoned indefinitely, whether commenced or not, and that any past and/or future compensation rights under the various planning legislation relating to the old planning permission insofar as would be payable by the Council would be surrendered, and subject to the following conditions and informatives:-

Conditions

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- (2) The external facing materials shall match the existing parts of the building or site and/or be those materials specified on the plans and application form submitted in relation to the development hereby permitted, unless alternative materials are proposed. Where alternative materials are to be used, no development shall commence before details of those alternative external facing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Where other materials are agreed in writing by the Local Planning Authority, the materials agreed shall be those used in the development hereby permitted.
- (3) Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 2016 (including any Order revoking or re-enacting that Order, with or without modification) no further extensions or out buildings shall be erected on any elevation of the property or within the surrounding curtilage.

- (4) Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class B or Class C, of the Town and Country Planning (General Permitted Development) Order 2016 (including any Order revoking or re-enacting that Order, with or without modification) no balustrading, or similar means of enclosing any part of the roof area (including any roof void) of the extension hereby permitted, shall be erected (or otherwise installed), nor shall any part of the said roof area be used as a balcony, roof garden, amenity or other sitting out area or similar purpose.

Informatives

- (1) Prior to commencement of the permitted development the applicant is advised to undertake a suitable and sufficient site investigation and any necessary risk assessment to ensure the land is free from significant levels of contamination. The Local Planning Authority should be given prior notification of any proposed remediation scheme.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land is free from contamination. The applicant is responsible for the safe development and safe occupancy of the site.

- (2) 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. (MD)

199 16/00713/FUL – “STEPPING STONE”, CANEWDON ROAD, ASHINGDON

The Committee considered an application for an additional flat roof front dormer and roof light, to extend the existing dormer and for alterations to the rear dormer and front porch and to insert an additional ground floor window to the front.

Resolved

That planning permission be approved, subject to the following conditions and informatives:-

Conditions

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- (2) The external facing materials shall match the existing parts of the building or site and/or be those materials specified on the plans and application form submitted in relation to the development hereby

permitted, unless alternative materials are proposed. Where alternative materials are to be used, no development shall commence before details of those alternative external facing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Where other materials are agreed in writing by the Local Planning Authority, the materials agreed shall be those used in the development hereby permitted.

- (3) Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) Order 2016 (including any Order revoking or re-enacting that Order, with or without modification) no further extensions shall be erected on any elevation of the property.

Informatives

- (1) Prior to the commencement of the permitted development, the applicant is advised to undertake a suitable and sufficient site investigation and any necessary risk assessment to ensure the land is free from significant levels of contamination. The Local Planning Authority should be given prior notification of any proposed remediation scheme.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land is free from contamination. The applicant is responsible for the safe development and safe occupancy of the site.

- (2) 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. (MD)

200 16/00655/FUL – 15 KESWICK CLOSE, RAYLEIGH

(Note: Cllr J D Griffin declared a non-pecuniary interest in this item by virtue of being acquainted with the applicant.)

The Committee considered an application for a raised ramped access with balustrading to the rear door.

Resolved

That planning permission be approved, subject to the following conditions and informatives:-

Conditions

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- (2) The external facing materials of the hereby approved raised decking area and associated ramp and balustrading shall match the existing parts of the building or site and/or be those materials specified on the plans and application form submitted in relation to the development hereby permitted, unless alternative materials are proposed. Where alternative materials are to be used, no development shall commence before details of those alternative external facing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Where other materials are agreed in writing by the Local Planning Authority, the materials agreed shall be those used in the development hereby permitted.

Informatives

- (1) Prior to the commencement of the permitted development, the applicant is advised to undertake a suitable and sufficient site investigation and any necessary risk assessment to ensure the land is free from significant levels of contamination. The Local Planning Authority should be given prior notification of any proposed remediation scheme.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land is free from contamination. The applicant is responsible for the safe development and safe occupancy of the site.

- (2) 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. (MD)

201 16/00636/FUL – 204-206 ASHINGDON ROAD, ROCHFORD

The Committee considered an application that had been referred from the Weekly List for the change of use from shop to use as restaurant/café and to form a fenced yard to the adjacent car park and provide an extractor flue.

Resolved

That the application be approved, 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 external facing materials shall match the existing parts of the building or site and/or be those materials specified on the plans and application form submitted in relation to the development hereby permitted, unless alternative materials are proposed. Where alternative materials are to be used, no development shall commence before details of those alternative external facing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Where other materials are agreed in writing by the Local Planning Authority, the materials agreed shall be those used in the development hereby permitted.
- (3) The use of the site hereby permitted, shall not take place (whether or not open to customers) and no deliveries shall be taken at the site, outside the hours of 07:00 to 17:00.
- (4) A mechanical extraction system shall be provided to the kitchen area in accordance with Defra's 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (January 2005). All details shall be submitted to and agreed in writing with the Local Planning Authority. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and compliance with Defra's guidance shall continue while the premises are in use for the permitted purpose. (MD)

The meeting closed at 9.45 pm.

Chairman

Date

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