

Development Committee – 20 July 2023

Minutes of the meeting of the Development Committee held on **20 July 2023** when there were present:-

Chairman: Cllr A H Eves
Vice-Chairman: Cllr Mrs V A Wilson

Cllr Mrs E L Brewer	Cllr R C D Linden
Cllr R P Constable	Cllr G W Myers
Cllr D S Efde	Cllr Mrs L Shaw
Cllr T D Knight	Cllr C M Stanley
Cllr J L Lawmon	Cllr S A Wilson

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr I A Ward.

SUBSTITUTE MEMBERS

Cllr I A Foster

NON-MEMBERS ATTENDING

Cllrs A G Cross and Mrs E P Gadsdon

OFFICERS PRESENT

P Drane	- Director of Place
S Worthington	- Acting Service Manager – Democratic Services, RDC and BBC
Y Dunn	- Planning Manager
C Buckley	- Team Leader (Development Team South)
K Rodgers	- Team Leader (Development Team South)
V Meanwell	- Democratic Services Officer

ALSO PRESENT

T Newcombe - Partner, Birketts

PUBLIC SPEAKERS

A Makda - for item 6

136 MINUTES

The Minutes of the meeting held on 22 June 2023 were approved as a correct record and signed by the Chairman.

137 DECLARATIONS OF INTEREST

Cllrs I A Foster and Mrs L Shaw each declared an other registrable interest in item 6 of the agenda relating to 23/00033/FUL – Land east of Ashingdon Road and North of Rochford Garden Way, Rochford by virtue of being Ward

Members for the application and Cllr D S Efde also declared an other registrable interest in the same application by virtue of membership of Rochford Parish Council.

138 23/00033/FUL LAND EAST OF ASHINGDON ROAD AND NORTH OF ROCHFORD GARDEN WAY, ROCHFORD

The Committee considered an application for the variation of condition 4 (approved plans) attached to planning permission 20/00363/OUT – outline application for the demolition of Nos. 148 and 150 Ashingdon Road; form secondary access onto Percy Cottis Road to serve residential development of 662 dwellings and community building with associated infrastructure; details of Phase 1 of 233 dwellings to consider access, layout, appearance, scale and landscaping; details of phases 2 and 3 to consider access and layout only.

A Motion moved by Cllr A H Eves, and seconded by Cllr D S Efde, that the officer's recommendation be approved was carried on a show of hands.

Resolved

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

Conditions

- (1) No development shall commence within any phase (except phase 1 as annotated on the approved phasing plan reference P18-2109_63-02E) until plans and particulars showing precise details of the scale, appearance and landscaping, (hereinafter called the 'Reserved Matters'), within the phase have been submitted to and approved in writing by the Local Planning Authority. All development at the site shall be carried out in accordance with the Reserved Matters details approved.
- (2) In the case of the Reserved Matters, application for the first reserved matters application for approval shall be made no later than the expiration of 2 years beginning with the date that permission was granted for application ref: 20/00363/OUT (8th March 2022). Application for the approval of the remaining 'Reserved Matters' referred to in Condition 1 above shall be made to the Local Planning Authority before the expiration of 5 years from the date that permission was granted for application ref: 20/00363/OUT (8th March 2022). The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the first of the Reserved Matters to be approved.
- (3) The development to which this permission relates in respect of Phase 1 as shown on the approved phasing plan reference P18-2109_63-02E, shall be commenced before the expiration of 3 years from the date that permission was granted for application ref: 20/00363/OUT (8th March 2022).
- (4) The development hereby approved shall be constructed in accordance (save for any revised details as agreed in respect of the discharge of any landscaping condition) with the following approved plans:

- Play Space Concept Masterplan P18-2009_56A
 - Phase 1 Layout P18-2109_62K
 - Phase 1 Parking Strategy P18-2109_62-01C
 - Phase 1 Garden Sizing Plan P18-2109_62-02B
 - Phase 1 Materials Layout P18-2109_62-03C
 - Phase 1 Storey Heights Plan P18-2109_62-05B
 - Phase 1 Tenure Plan P18-2109_62-06E
 - Phase 1 Refuse Strategy Plan P18-2109_62-07B
 - Phase 1 Enclosures Layout P18-2109_62-09D
 - Enclosure Details P18-2109_67
 - Site Section over Southern Ditch P18-2109_84
 - Phase 1 House Type Pack P18-2109_70C
 - Entrance Avenue Landscape Proposals P18-2109_54D
 - Phase 1 Concept On Plot Proposals P18-2109_57D
 - Phase 1 Part M P18-2109_62-04B
 - Phase 1 Street Scenes P18-2109_65-01C
 - Phase 1 Bin Store P18-2109_72-01
 - Phase 1 Bike Store P18-2109_72-02
 - Proposed Access from Percy Cottis Way 185180-002A
 - Proposed Emergency Access 185180-021B
 - Proposed Pedestrian access to Ashingdon Road 185180-005
 - Proposed Access from Ashingdon Road 185180-004F
 - Proposed access from Oxford Road 185180-003A
 - Phasing Plan P18-2109_63-02 Rev E
 - Landscape Masterplan P18-2109_59 REV L
 - Landscape Masterplan P18-2109_83-1 REV L
 - Landscape Masterplan P18-2109_83-2 REV L
 - Phases 2 and 3 Layout P18-2109_63-03 REV AL
 - Parameter Plan Development Platforms 185180-036A
 - Parameter Plan Land Use and Access P18-2109_39E
 - Parameter Plan Trees Hedgerows/Buildings P18-2109_53B
 - Parameter Plan Location Plan PA604-210B
- (5) External facing materials to be used in the construction of the dwellings within Phase 1 shall be those as detailed on pages 30, 34 and 38 of the Design Code (P18-2019_66B September 2020) unless alternatives are proposed in which case details shall have been submitted to and approved in writing by the Local Planning Authority prior to their use in construction on site.
- (6) Concurrently with the submission of Reserved Matters containing any non-residential buildings at the site, details to demonstrate that the building(s) would meet the BREAAAM very good rating as a minimum (unless it can be demonstrated that this is not viable or practical (in which case details of viability/practicality shall also be submitted to and agreed in writing with the Local Planning Authority) shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, the building(s) shall be built in accordance with the agreed details to achieve the BREAAAM very good rating as a minimum or otherwise agreed and details submitted in writing to the Council to demonstrate that this rating has been achieved within 3 months of completion.

- (7) No works including ground works within 20 metres of the badger setts on site or including the creation of trenches or culverts or the presence of pipes shall commence until a licence to interfere with a badger sett for the purpose of development has been obtained from Natural England and a copy of the licence has been provided to the Local Planning Authority. The existing badger setts on site to be retained shall be protected during construction in accordance with the licence or as otherwise agreed in writing by the Local Planning Authority. Prior to commencement of any development including ground works at the site, measures to protect badgers from being trapped in open excavations and/or pipe and culverts must be implemented in accordance with the details contained in the Ecological Impact Assessment Final Rev E by Southern Ecological Solutions, date of issue 10 December 2019 and retained throughout the construction works. The measures shall include: (a) the creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and (b) open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.
- (8) Existing hedgerows and trees indicated to remain on the Trees/Hedgerow and Building Parameter Plan (Reference P-18-2109_53B) shall remain and not be felled or removed. Those sections of existing hedgerow and trees indicated to be felled/removed on this same plan (subject to any change in terms of retention of more existing hedgerow/trees as agreed in relation to any landscaping condition) shall only be felled/removed/managed outside of the bird nesting season (March to August inclusive) unless otherwise agreed in writing with the Local Planning Authority in which case details justifying works outside these times shall be submitted to and approved in writing by the Local Planning Authority.
- (9) The development hereby approved shall be implemented throughout construction in accordance with the tree protection details agreed in the decision issued in respect of application reference 22/00862/DOC, unless alternative details for the protection of trees to be retained are subsequently submitted to and agreed in writing by the Local Planning Authority, in which case construction of the development hereby approved shall be carried out at all times in accordance with the revised details as agreed.
- (10) The development hereby approved shall be carried out in accordance with the details as agreed in the decision issued in respect of application reference 22/00892/DOC in the decision letter dated 13th October 2022 in respect of those bird and bat boxes to be installed within Phase 1 (or as subsequently amended by submission to and approval in writing by the local planning authority). The boxes as agreed shall be installed during the construction of the relevant dwelling, or in accordance with the time frame as set out in the decision letter referred to above.
- (11) Details including plans showing the location of proposed bat and bird boxes to be provided within phases 2 and 3 and a time frame for installation within the relevant phase shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development within each of these phases. Boxes could be integrated within new residential properties or attached externally to properties or existing trees. A minimum of 20 bat boxes shall be provided across the site and a proportion should be proposed close

to the eastern boundary of the development and main Public Open Space. Bird boxes shall be proposed as follows (or similar) 2 x 1G Schwegler Generalist Bird Box and 30 x specialised Manthorpe swift bricks with bricks installed in numbers no less than two per household. A total of 30 bricks should be installed (as per details provided in the submitted report titled Ecological Impact Assessment Final Rev E by Southern Ecological Solutions, date of issue 10 December 2019).

- (12) The development hereby approved, shall be implemented in strict accordance with the reptile mitigation strategy as agreed in the decision issued in respect of application reference 22/00472/DOC (or as subsequently amended by submission to and approval in writing by the local planning authority).
- (13) The surface water drainage scheme as agreed in the decision issued in respect of application 22/00863/DOC as set out in the decision letter dated 6th June 2023 (or as subsequently amended by submission to and approval in writing by the local planning authority) shall be implemented, in full, in accordance with the agreed details. Additionally, prior to first occupation within Phase 1, all relevant permissions to discharge from the site into any outfall should be demonstrated by submission to and approval in writing of the relevant details by the local planning authority.
- (14) No construction works shall take place within phases 2 and 3 until a detailed surface water drainage scheme for each of these phases, 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:
 - a. Limiting combined discharge rates for all phases to 55.7litres/second for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change. All relevant permissions to discharge from the site into any outfall should be demonstrated.
 - b. 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.
 - c. Demonstrate that all storage features can half empty within 24 hours for the 1:30 plus 40% climate change critical storm event.
 - d. Final modelling and calculations for all areas of the drainage system.
 - e. Detailed engineering drawings of each component of the drainage scheme.
 - f. A final drainage plan which details exceedance and conveyance routes, finished floor levels and ground levels and location and sizing of any drainage features.
 - g. A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme as agreed for each phase shall subsequently be implemented in accordance with the agreed details prior to first occupation within that phase (or in accordance with an alternative timetable as agreed by the Local Planning Authority).

- (15) The scheme to minimise the risk of off-site flooding caused by surface water run-off and ground water during construction works carried out in relation to the development hereby approved and to prevent pollution, as agreed in the decision issued in respect of application 22/00893/DOC (or as subsequently amended by submission and approval in writing of alternative details by the local planning authority) shall be implemented as approved throughout construction on site in relation to the development hereby approved.
- (16) Prior to first occupation within each phase a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system within each phase and the maintenance activities/frequencies shall have 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 in writing.
- (17) Details of the foul water pumping station including boundary treatment and landscaping shall be submitted to and agreed in writing by the Local Planning Authority prior to construction relating to the delivery of this. The pumping station shall be delivered in accordance with the agreed details.
- (18) Prior to first occupation within phase 1 a detailed on site flood alleviation scheme, based on an assessment of the hydrological and hydro-geological context of the development, shall have been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:
 - a. Provide sufficient storage to ensure a reduction in off site flooding as a result of existing surface water flows during all storm events up to and including the 1 in 100 year plus 40% climate change event.
 - b. Final modelling and calculations for all areas of the flood alleviation scheme.
 - c. A final drainage plan which details exceedance and conveyance routes, finished floor levels and ground levels and location and sizing of any flood alleviation features.
 - d. A written report summarising the final strategy, including total number of off site receptors benefitting and highlighting any minor changes to the previously approved flood alleviation strategy.
 - e. Construction tender documents including, but not limited to, drawings, specifications, health and safety information and cost estimates.
 - f. A project delivery and grant funding management plan.
 - g. Maintenance schedules and arrangements in a Maintenance Plan.

The scheme shall subsequently be implemented in full prior to occupation of the 150th dwelling on site and all elements of the scheme maintained in the approved form in perpetuity in accordance with maintenance schedules and arrangements as set out in the agreed Maintenance Plan.

- (19) The strategic open green spaces within Phase 1 (Phase 1 being identified in approved phasing plan reference P18-2109_63-02E) including the west-east green corridor, centrally positioned northern green space and the eastern parkland shall be implemented in accordance with details as shown on the approved plans P18-2109_83-1 REV L; P18-2109_83-2 REV L; P18-2109_63-03 REV AL and planting schedules as detailed in the Design Code (P18-2019_66B September 2020), and delivered in accordance with recommendations in the Ecological Impact Assessment Final Rev E by Southern Ecological Solutions, dated 10 December 2019, unless as revised by details agreed in relation to the submission of additional landscaping details which shall relate to the following as listed below, details of which shall have been submitted to and agreed in writing by the Local Planning Authority prior to implementation of the strategic open green spaces:-
- a. details of planting, method statements (to be as per pages 46 and 47 of the Design Code as appropriate) and after-care plans;
 - b. details of replacement hedgerows and shrub planting including to naturally buffer the badger setts on site and provide new connecting hedgerow planting to ensure connectivity along the eastern edge of the site to improve foraging;
 - c. signage boards to explain the provision of suitable alternative natural green spaces (SANGS) and the importance of this provision in the interests of mitigation to the coastal recreational disturbance avoidance and mitigation strategy (RAMS);
 - d. details of existing trees to be retained including reconsideration to retain a greater proportion of existing trees within the central tree belt along the east-west ditch;
 - e. details of land levels and changes proposed to existing ground levels by site sections (to accord with the details approved in respect of the areas being part of the flood alleviation scheme at the site);
 - f. details of naturalistic cladding treatment to naturalistic headwalls to SUDS features including detailed section drawings, details of headwalls/inlets, outlets and any guard rails/fencing required;
 - g. a long-term maintenance schedule and specifications including a timetable for monitoring and maintenance;
 - h. details of materials to be used in hard-surfaced areas/paths/cycleways including, in relation to the open space adjacent to the northern boundary, details of informal play features;

- i. means of enclosure and other boundary treatment including materials to be used and location of these shown on a plan;
- j. minor artefacts and structures (e.g. benches, bins, signs etc);
- k. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/densities, weed control protection and maintenance; and
- l. Implementation timetable for delivery of agreed hard and soft landscaping of the strategic open green spaces. No existing trees within the central tree belt along the east-west ditch shall be removed prior to the above details being agreed.

The hard and soft landscaping as agreed shall be planted/provided in accordance with the agreed implementation timetable. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be 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. The hard landscaping within the residentially developable areas as agreed shall be completed in accordance with a phased arrangement to be submitted to and agreed in writing by the Local Planning Authority or prior to final occupation within the phase, whichever is earlier, and retained in the approved form.

- (20) The hard and soft landscaping forming part of the entrance avenue planting and landscaped square as shown on approved plan reference P18-2109_54D within Phase 1, shall be fully implemented in accordance with the agreed timetable for implementation (that shall have been submitted to and agreed in writing by the Local Planning Authority prior to any construction above damp proof course within Phase 1 at the site) and in accordance with the approved details as shown on the aforementioned plan and including tree planting method as detailed at pages 46 and 47 of the Design Code (P18-2019_66B September 2020).

Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be 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. The hard landscaping within the residentially developable areas as agreed shall be completed in accordance with a phased arrangement to be submitted to and agreed in writing by the Local Planning Authority or prior to final occupation within the phase, whichever is earlier, and retained in the approved form.

- (21) Trees shown adjacent to the highway between car parking spaces and or areas of grass verge as shown on approved plan reference P18-2109_62K shall be planted in accordance with details of species, size and planting method (which shall be as per pages 46 and 47 of the Design Code (P18-

2019_66B September 2020)) which shall have been submitted to and agreed in writing by the Local Planning Authority prior to first occupation at the site; these details shall include clear plans showing any tree planting proposed within the highway and confirmation from Essex County Council Highways that this has been agreed with respect to trees being sited clear of all underground services and visibility splays and sympathetic to any street lighting scheme. Details should also include a time frame for delivery. All of the trees shown on the aforementioned approved layout plan shall be planted in accordance with the agreed details and time frame.

Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be 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. The hard landscaping within the residentially developable areas as agreed shall be completed in accordance with a phased arrangement to be submitted and agreed in writing by the Local Planning Authority or prior to final occupation within the phase, whichever is earlier, and retained in the approved form.

- (22) Prior to first occupation at the site, details of the tree planting, including species and size, planting method (which shall accord with details as per pages 46 and 47 of the Design Code (P18-2019_66B September 2020)) and time frame for implementation within the highway verge as indicatively shown on approved plan reference P18-2019_62K shall be submitted to and approved in writing by the Local Planning Authority. The trees shall all be planted in accordance with the agreed details and time frame.

Any replacement tree removed, uprooted, destroyed, or be 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.

- (23) Details of the hard and soft landscaping forming part of on-plot amenity space/landscaping within Phase 1 including the living courtyards to flatted blocks shall have been submitted to and agreed in writing by the Local Planning Authority prior to first occupation. Details shall include:-
- a. in relation to the living courtyards to flatted blocks details in accordance with those shown in principle on pages 14 and 15 of the Design Code (P18-2019_66B September 2020);
 - b. details of planting method statement to include tree planting method as per pages 46 and 47 of the Design Code (P18-2019_66B September 2020) as appropriate and after care plan;
 - c. a long-term maintenance schedule and specifications including timetable for monitoring and maintenance;

- d. details of materials to be used in hard surfaced areas/driveways/paths/cycleways;
- e. details of refuse stores and cycle stores;
- f. minor artefacts and structures (e.g. benches, signs etc); and
- g. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/densities, weed control protection and maintenance.

The hard and soft landscaping as agreed shall be planted/provided prior to the first occupation of the flatted block served by the relevant landscaping at the site unless an alternative phased timetable has been submitted to and 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 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. The hard landscaping within the residentially developable areas as agreed shall be completed in accordance with a phased arrangement to be submitted to and agreed in writing by the Local Planning Authority or prior to final occupation within the phase, whichever is earlier, and retained in the approved form.

- (24) Details of the hard and soft landscaping of the amenity open green space at the corner of Street 5 and Avenue 01 within Phase 1 as shown on approved plan reference P18-2109_62K, shall have been submitted to and agreed in writing by the Local Planning Authority prior to first occupation. Details shall include:-
- a. details of planting method statement and after-care plan;
 - b. a long-term maintenance schedule and specifications including a timetable for monitoring and maintenance;
 - c. details of materials to be used in hard surfaced areas/paths/cycleways;
 - d. means of enclosure and other boundary treatment including materials to be used and location of these shown on a plan;
 - e. minor artefacts and structures (e.g. benches, bins, signs etc); and
 - f. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers/densities, weed control protection and maintenance.

The hard and soft landscaping as agreed shall be planted/provided prior to the first occupation at the site unless an alternative phased timetable has been submitted to and 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 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. The hard landscaping within the residentially developable areas as agreed shall be completed in accordance with a phased arrangement to be submitted to and agreed in writing by the Local Planning Authority or prior to final occupation within the phase, whichever is earlier, and retained in the approved form.

- (25) The informal play space to be provided within the area of northern open space as shown on approved plans reference P18-2109_59 REV L and P18-2109_83-2 REV L shall be delivered in accordance with the details of surfacing materials, equipment and timeframe for implementation that shall have been submitted to and agreed in writing by the Local Planning Authority prior to first occupation at the site in accordance with those details shown in principle on plan reference P18-2109_56A. The surfacing and equipment shall be maintained in the agreed form.
- (26) Prior to the installation of any boundary treatment around the Allotment Land, details shall be submitted to and agreed in writing by the Local Planning Authority. The approved boundary treatment (fencing/hedging) shall be installed in accordance with a timeframe that shall have been submitted to and agreed in writing by the Local Planning Authority prior to the allotments being laid out.
- (27) Prior to the occupation of any dwelling, details shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how at least 10 per cent of the energy from the development within the phase would be provided from renewable or low carbon sources (taking into account a fabric first approach as set out in the submitted Energy and Sustainability Statement by White Peak Planning dated December 2019 Ref 2019.001.003). The measures, as agreed, shall be implemented prior to the occupation of the dwellings to which the measures relate.
- (28) Within Phase 1 at least 2 dwellings shall be built to full wheelchair accessibility standards (i.e. comply with optional building regulation requirement Part M4(3)) and at least 21 dwellings shall be built to wheelchair adaptable standards (i.e. comply with optional building regulation requirement Part M4(2)). Evidence of the relevant dwellings having met the required building regulations requirements as above shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the relevant dwellings.
- (29) Within Phases 2 and 3 (taken as a whole) a minimum of 13 dwellings shall be built to full wheelchair accessibility standards (i.e. comply with optional building regulation requirement Part M4(3)) and 26 dwellings shall be built to

wheelchair adaptable standards (i.e. comply with optional building regulation requirement Part M4(2) (unless a lesser number has been compensated for by an increase in this provision within Phase 1) unless a minimum of 20 dwellings would meet the Part M4(3) standard within Phase 2/3 in which case the requirement relating to Part M4(2) would fall away. Evidence of the relevant dwellings having met the required building regulations requirements as above shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the relevant dwellings.

- (30) All dwellings shall meet the optional building regulations requirement relating to water efficiency (Part G) of 110 litres/person/day (unless this would not be viable in which case details to demonstrate this shall have been submitted to and agreed in writing by the Local Planning Authority prior to completion of the relevant dwelling where this standard would not be met) and evidence to confirm that this would be achieved shall have been submitted to and agreed in writing by the Local Planning Authority prior to completion of the relevant dwellings on site.
- (31) If, during development of the site hereby approved, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
- (32) Prior to first occupation of the development, the main vehicular access to the site onto Ashingdon Road shall be provided as shown in principle on Drawing No. 185180-004F.
- (33) Prior to last occupation within Phase 1 hereby approved, the emergency vehicle access and associated pedestrian/cycleway onto Ashingdon Road shall be provided as shown in principle on Drawing No. 185180-021B; this shall include appropriate lighting to accord with a scheme that shall have been submitted to and agreed by the Local Planning Authority. Details of the retractable bollards and chicane gates to the emergency vehicle access shall also be submitted to and agreed in writing by the Local Planning Authority. The bollards and gates shall be installed as agreed prior to first occupation alongside the provision of the emergency access and thereafter retained in the approved form.
- (34) Prior to the first occupation within Phases 2 and 3 at the development hereby approved (unless otherwise agreed in writing by the Local Planning Authority), the vehicle access onto Percy Cottis Road shall be provided as shown in principle on Drawing No. 185180-002A in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.
- (35) The development within Phase 1 shall be carried out in accordance with the details as shown on plans agreed in the decision issued in respect of application 23/00227/DOC (or as subsequently amended by submission and approval in writing of alternative details by the local planning authority) which

show the means to prevent the discharge of surface water from the development onto the highway. The drainage infrastructure as agreed shall be thereafter retained in the approved form.

- (36) Prior to the formation of any hard surfaces within the developable areas within phases 2 and 3, details showing the means to prevent the discharge of surface water from the development onto the highway shall have been submitted to and approved in writing by the Local Planning Authority. The development within each phase shall be carried out in accordance with the agreed details and shall thereafter be retained in the approved form.
- (37) No unbound material shall be used in the surface treatment of any vehicular access within 6 metres of the highway boundary.
- (38) Prior to first occupation at the site details of provision of visitor electric vehicle charging points (minimum 2 across the site) to serve visitor parking (or as otherwise agreed in writing by the Local Planning Authority) including a timeframe for implementation, shall have been submitted to and agreed in writing by the Local Planning Authority. The equipment shall be installed and maintained as operational as agreed.
- (39) Notwithstanding any part of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) vehicle parking including on driveways and within parking courts to serve the residential properties and all visitor parking across the site hereby approved shall be provided in accordance with the approved layout plans prior to first occupation of the residential property it would serve (or prior to first use of the highway immediately adjacent) and shall be used solely for the parking of vehicles and the vehicle parking shall be retained thereafter in the approved form.
- (40) Prior to first occupation within Phase 1, details of a segregated footpath/cycleway within the eastern parkland at the site linking Oxford Road to The Drive with additional markings and signage along both Oxford Road and The Drive and timeframe for implementation, shall have been submitted to and agreed in writing by the Local Planning Authority. The footpath/cycleway shall be implemented in accordance with the agreed details and timeframe.
- (41) Prior to first occupation at the site within Phases 1 and 3 (respectively), unless an alternative timeframe for implementation has been submitted to and agreed in writing by the Local Planning Authority, 2 metre wide footpath connections to Ashingdon Road shall have been provided between Nos 168 and 170 Ashingdon Road and south of Sapwoods DIY shop, as shown in principle on Drawing Nos 185180-001C and 185180-005 respectively.
- (42) Prior to the first occupation at the site, details of the lighting scheme for all lighting within the strategic open spaces including the west-east green corridor, central northern open space and the eastern parkland as shown within Phase 1 on the approved phasing plan Drawing No P18-2109_63-02E shall have been submitted to and approved in writing by the Local Planning Authority with this including a programme for implementation. The lighting as agreed shall be implemented in accordance with the agreed timeframe for implementation and shall remain operational thereafter in the approved form.

The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

- (43) A lighting scheme for lighting along the pedestrian footpaths from the site connecting to Ashingdon Road as shown on approved layout plans, Drawing Nos P18-2109_62K and P18-2109_63-03 Rev AL shall have been submitted to and approved in writing by the Local Planning Authority prior to delivery of the relevant footpath. Lighting shall be provided as agreed in conjunction with works to deliver the footpaths and be retained thereafter in the approved form.
- (44) Prior to first occupation of the flatted blocks within Phase 1, cycle stores and refuse stores in accordance with the approved plans Drawing Nos P18-2109_72 (sheet 02) and P18-2109_72 (sheet 01) shall have been provided and shall be maintained thereafter in the approved form.
- (45) No windows at first floor level shall be installed in the western facing elevation of the flatted dwellings to plots 38 and 39 within Phase 1 hereby approved.
- (46) The site-wide Construction Environment Management Plan (CEMP) (July 2022) and Construction Traffic Management Plan Revision 3 (dated 12th July 2022) as agreed in the decision issued in respect of application ref: 22/00547/DOC (or as subsequently amended following submission and approval in writing by the Local Planning Authority) shall be complied with throughout the construction period at the site. The site-wide CEMP shall include but not be limited to:-
 - a. Contractor's access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
 - b. Details of any construction and delivery traffic haul routes and management measures including the timing of deliveries;
 - c. A plan specifying the area and siting of land to be provided for parking, turning, loading and unloading of all vehicles visiting the relevant parts of the site and siting of the contractor's compound during the construction period to be agreed on a phased basis;
 - d. Dust management during the construction period and wheel washing or other suitable mitigation measures such as lorry sheeting, including the consideration of construction/engineering related emissions to air, to include dust and particulate monitoring and review and the use of low emissions vehicles and plant/equipment;
 - e. Noise and vibration (including piling) impact/prediction assessment, monitoring and recording protocols/statements and consideration of mitigation measures in accordance with the provisions of BS5228 (2009): Code of Practice for Noise and Vibration Control on Construction and

- Open Site -Parts 1 and 2 (or as superseded);
- f. Details of best practice measures to be applied to prevent contamination of the water environment during construction;
 - g. Measures for soil handling and management including soil that is potentially contaminated;
 - h. Details of concrete crusher if required or alternative procedure;
 - i. Details of odour control systems including maintenance and manufacture specifications;
 - j. Maximum noise mitigation levels for construction equipment, plant and vehicles;
 - k. Site lighting for the relevant part of the site;
 - l. Screening and hoarding details;
 - m. Liaison, consultation and publicity arrangements, including dedicated points of contact;
 - n. Complaints procedures, including complaints response procedures;
 - o. Membership of the considerate contractors' scheme; and
 - p. Any archaeological protection and mitigation measures to be implemented during the construction process.
- (47) The visibility splay across the south-western corner of the central northern green space as shown on Drawing No. P18-2109_83-2 REV L shall be soft landscaped and maintained as such in perpetuity. Any soft landscaping shall be maintained at a maximum height from ground level of 600mm. Prior to the formation of this soft landscaped area or any part of the carriageway (whichever is delivered first) immediately adjacent to it, evidence that a section 142 licence has been obtained from Essex County Council Highway Authority (unless otherwise agreed in writing with the local planning authority) to allow the management company at the site to undertake maintenance of this area shall have been submitted to and agreed in writing by the local planning authority.
- (48) Prior to the final surfacing of the roads within Phase 1, including shared surface streets and private drives, details of the surfacing materials as indicated on drawing no. P18-2109_62K (save for the road parallel to part of the southern boundary of the site which would provide access to the foul drainage pumping station which shall be a shared surface street as shown on drawing no. P18-2109_63-03 Rev AL and shall be surfaced consistently as such), shall have been submitted to and approved in writing by the Local Planning Authority. Those details as agreed shall be those used in the construction of the development hereby approved.

And subject to the heads of terms of the Section 106 agreement dated 10 March 2022 set out below:-

Heads of Terms

- (1) Affordable Housing at 35% and 80/20 split.
- (2) Financial contributions towards Early Years and Childcare, Primary and Secondary education provision with final figures to be calculated according to standard formula based on approved dwelling mix delivered and total net maximum dwelling number of 660 (662 minus 2 dwellings to be demolished).
- (3) Delivery and maintenance in perpetuity of strategic open space and play space, Sustainable Urban Drainage (SUDs) features and Flood Alleviation Scheme (FAS) features on site, including details of management company and management plan to be provided. In respect of SUDs and FAS features 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 (as agreed by condition). These must be available for inspection upon request by the Local Planning Authority.
- (4) Allotment provision including provision of water supply infrastructure to the site, boundary treatment and vehicular access and transfer to a Management Company or an Alternative Body.
- (5) A financial contribution to Essex County Council of £100,000 towards upgrades to the Southend Road/Sutton Road “Anne Boleyn” Roundabout.
- (6) The delivery of off site highway works, to be included in a section 278 agreement and to include a timetable for implementation and completion (to be agreed by Essex County Council/Rochford District Council) for:
 - a. Improvements at the Ashingdon Road/Rectory Road roundabout to provide widening on the approaches of Rectory Road and Ashingdon Road south to provide two-lane entries and changes made to road markings on the Ashingdon Road north approach to provide a wider entry lane. The proposed improvement scheme is shown in principle on ACE drawing no. 185180-015A.
 - b. Improvements at Ashingdon Road/Dalys Road/Roche Avenue roundabout to provide widening at both Ashingdon Road approaches to provide two-lane entries and also modify road markings on Dalys Road to provide a two-lane entry. The proposed junction arrangement is shown in principle on ACE drawing no. 185180-016A.
 - c. Provision of improvement measures in the vicinity of Holt Farm Junior/Infant Schools to include upgraded Toucan facility (and financial contribution of between £50,000 and £65,000 payable to ECC towards maintenance of this upgraded toucan crossing), widening of Ashingdon Road to accommodate new ghost right turn junction for the site access with associated signage/markings and speed restrictions as part of School Zone measures;

- d. Improvement of 2 existing bus stops on Ashingdon Road immediately to the north and south of the approved main vehicular site access to be upgraded to provide raised kerbs/shelter/timetable flagpole and real time passenger information as deemed necessary and as approved by Essex County Council; and
 - e. Improvements and localised widening to Percy Cottis Road.
- (7) A financial contribution of up to £100,000 payable to ECC in the event that further off-site highway works are required by ECC involving improvements along Dalys Road and/or Ashingdon Road.
 - (8) Financial contributions to Essex County Council for the maintenance of trees within the highway at the site and in relation to off site mitigation tree planting within the highway. Trees in soft landscaping £356.02 (per tree) and tree with grills, pit or watering system, generally in hard landscaping £538.47 (per tree).
 - (9) Provision and implementation of a Residential Travel Plan including payment of a Travel Plan Monitoring fee to Essex County Council of £2555 per annum (index linked) from first occupation until 1 year after the first occupation of the final dwelling.
 - (10) Provision of a Sustainable Transport Fund to the initial sum of £101,286 from which a Travel Voucher (3-month bus pass or £150 cycle voucher) shall be provided to each household that first occupies each dwelling alongside a Residential Travel Information Pack.
 - (11) Prior to first occupation at the site a financial contribution of £700,000 to Essex County Council towards bus service enhancements along the Ashingdon Road corridor to upgrade existing services/creation of new service routes or the provision of Bus Priority measures as deemed necessary and approved by Essex County Council.
 - (12) Prior to first occupation at the site a financial contribution to Essex County Council of £250,000 towards cycling infrastructure upgrades from the site to connect with Rochford town centre and employment sites on Cherry Orchard Way, as identified in the Rochford Cycling Plan as Flagship routes 1 and 2.
 - (13) Financial contribution of £50,000 to ECC towards the provision of a pedestrian crossing of Brays Lane or other location within the vicinity of the development.
 - (14) Community land to be offered to a Healthcare Provider (at the sum of £1) for healthcare use for a period of 2 years following commencement of the development and a financial contribution of £262,300 to be paid to Rochford District Council prior to first occupation. Land to be transferred with service infrastructure provided by the developer. In the event that the land is not transferred in relation to the construction of a healthcare facility, then the owners are released from the transfer obligation.
 - (15) Prior to occupation of any of the dwellings, a financial contribution of £50,000 shall be made payable to Rochford District Council for landscaping

improvements along the Ashingdon Road frontage and within Holt Farm Junior School.

- (16) Financial contribution of £75,630 for Waste Services Infrastructure payable to Essex County Council.
- (17) Financial contribution to be paid to Essex County Council prior to commencement for provision or improvement of Library Services to Rochford Library. Contribution to be calculated based on number of dwellings delivered at a total cost of £322.72 per dwelling (made up of two separate contributions of £77.80 and £244.92 per dwelling).
- (18) Prior to occupation of the 50th Dwelling, payment of a financial contribution of £75,000 to Rochford District Council towards the provision and enhancement of youth-based facilities in the District of Rochford.
- (19) Financial contribution of £127.30 per dwelling (i.e. total maximum contribution of £84,018 relating to maximum total of 660 dwellings (net additional dwellings)) to Rochford District Council prior to occupation of the dwelling to which the payment would relate, to mitigate cumulative impact from increased recreational activity on international sites of ecological importance along the district's coastline.
- (20) Financial contribution of £67,560 to Rochford District Council (calculated based on the Capital Asset Value for Amenity Trees (CAVAT)) for compensatory tree planting in the district to be paid prior to commencement of the development.
- (21) Financial contribution of £75,000 to Rochford District Council to be paid prior to commencement of development, to be used for compensatory tree stock planting.

Prior to commencement, the owners shall submit to the Council the School Drop off and Pick up Parking Spaces Management Plan which shall set out the measures to be put in place to ensure the parking spaces are only used for these purposes during relevant times and for no other purpose. Prior to first occupation of the 50th dwelling, the owners shall provide these parking spaces. Prior to first occupation of the 100th dwelling, the owners shall transfer the parking spaces to the management company. (DP)

(9 Members voted in favour of the Motion, 1 against and 3 abstained.)

139 23/00487/FUL – 14 ASHINGDON HEIGHTS, ASHINGDON

The Committee considered an application for a proposed single storey extension to an existing detached garage (sun room) and use of the remaining garage as storage.

A Motion moved by Cllr G W Myers and seconded by Cllr J L Lawmon that the officer's recommendation be approved was carried on a show of hands.

Resolved

That planning permission 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 development shall only be undertaken in accordance with the following approved plan: 7179 (date stamped 31st May 2023).
- (3) The external facing materials to be used in the construction of the development hereby permitted, shall be those as listed on the application form and or those shown on the approved plans unless alternative materials are proposed in which case details shall be submitted to and agreed in writing by the Local Planning Authority prior to their use. (DP)

(This was agreed unanimously.)

The meeting closed at 8.42 pm.

Chairman

Date

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