

Development Committee – 30 October 2014

Minutes of the meeting of the Development Committee held on **30 October 2014** when there were present:-

Chairman: Cllr P A Capon
Vice-Chairman: Cllr C G Seagers

Cllr Mrs L A Butcher	Cllr Mrs C M Mason
Cllr Mrs T J Capon	Cllr J R F Mason
Cllr T G Cutmore	Cllr Mrs J E McPherson
Cllr R R Dray	Cllr D Merrick
Cllr J H Gibson	Cllr Mrs J A Mockford
Cllr K J Gordon	Cllr T E Mountain
Cllr J D Griffin	Cllr Mrs C E Roe
Cllr J Hayter	Cllr S P Smith
Cllr N J Hookway	Cllr Mrs M H Spencer
Cllr Mrs D Hoy	Cllr D J Sperring
Cllr M Hoy	Cllr M J Steptoe
Cllr J C Lawmon	Cllr I H Ward
Cllr Mrs G A Lucas-Gill	Cllr Mrs C A Weston
Cllr M Maddocks	

Note: The meeting adjourned at 7.30 pm for a fire evacuation and reconvened at 7.34 pm.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs C I Black, M R Carter, Mrs H L A Glynn, Mrs A V Hale, B T Hazlewood, K H Hudson, Mrs J R Lumley, R A Oatham and Mrs B J Wilkins.

OFFICERS PRESENT

J Whitlock	- Planning Manager
K Rodgers	- Team Leader (Area Team South)
M Stranks	- Team Leader (Area Team North)
A Law	- Solicitor
S Worthington	- Committee Administrator

PUBLIC SPEAKERS

Cllr L Street	- for item 4
L Lawrence	- for item 4

225 MINUTES

The Minutes of the meeting held on 25 September 2014 were approved as a correct record and signed by the Chairman.

226 DECLARATIONS OF INTEREST

Cllr M J Steptoe declared a pecuniary interest in item 4 of the Agenda by virtue of business dealings with one of the applicants and left the Chamber during discussion of that item.

Cllr N J Hookway declared a non pecuniary interest in item 4 of the Agenda by virtue of his partner's property overlooking part of the application site.

227 14/00568/FUL – LAND BETWEEN 35 AND 43 VICTORIA DRIVE, GREAT WAKERING

The Committee considered an application for the construction of a three-bedroomed detached dwelling.

Resolved

That planning permission be refused for the following reason:-

The proposal is considered to be contrary to policy ENV3 and paragraphs 100 and 101 of the National Planning Policy Framework (NPPF), which seek to direct development away from areas at risk of flooding by applying the sequential test and, where necessary, the exceptions test. A proposal for one dwelling in the Rochford District, which has residential land that could support infill development such as this outside of flood zone 3a, could occur in an area with a lower risk of flooding within this District than the application site. For this reasoning, the proposal is not considered to meet the sequential test and therefore it is not necessary to apply the exception test. To site the dwelling the subject of this application within flood zone 3a without meeting the sequential test is creating unnecessary flood safety risks to the future occupants of the dwelling. (HPT)

228 14/00365/FUL – MAKRO, RAWRETH LANE, RAYLEIGH

The Committee considered an application for the variation of condition 4 attached to planning permission reference 06/00079/FUL to extend the hours of receiving or dispatching of good or stock, allow the parking of goods/delivery vehicles and operate any plant machinery outside the building to 0500 – 2200 hours Monday to Saturday and 0700 – 1900 hours Sunday.

Mindful of officers' recommendation to approve the application, Members nevertheless considered that the extension in hours proposed was sufficiently significant to warrant granting a temporary permission for an 18-month trial period.

Resolved

That planning permission be approved, subject to the completion of a Legal Obligation to repeat the relevant controls in the existing Legal Agreement and

Unilateral Undertaking of the earlier permissions, subject to the permission being for a temporary period of 18 months as detailed below in condition 1 and subject to the following conditions:-

- (1) The use of the site hereby permitted shall not:-
 - receive or dispatch goods or stock
 - allow the parking of goods/delivery vehicles
 - operate any plant machinery outside the building hereby approved outside the hours of
 - 0500 - 2200 Monday - Saturday
 - 0700 - 1900 Sunday

The use hereby permitted shall be discontinued on or before (*insert date giving 18 months from date of issue*) and the following original hours shall thereafter be complied with:-

0730 - 2100 Monday to Friday
0730 - 1900 on Saturday and
0900 - 1730 on Sunday

- (2) The use of the site hereby permitted shall be restricted to a cash and carry warehouse and/or other uses within Class B8 of the Town and Country Planning (Use Classes) (Amended) Order 2005 (including any Order revoking or re-enacting that Order, with or without modification), or such uses ordinarily incidental to the use hereby permitted.
- (3) The use of the site hereby permitted shall not be open to customers outside the hours of 0730 - 2100 Monday to Friday, 0730 - 1900 on Saturday and 0900 - 1730 on Sunday.
- (4) If there is to be any flood lighting or other means of artificially illuminating the front car park and the proposed canopy extension, then prior to its implementation at the site, details of the illumination shall be submitted to and agreed in writing by the Local Planning Authority. The details as approved shall be implemented at the site and retained as such thereafter.
- (5) Notwithstanding the car park layout seen within the approved application 06/00079/FUL, the existing car parking layout on site shall be retained and maintained in this form and used for no other purpose, which would impede the parking of vehicles.

- (6) A travel plan shall be in place prior to the beneficial occupation of the extension. The proposed travel plan to be submitted to the Travel Plan Co-ordinator, telephone number 01245 437120.
- (7) The car park canopy hereby approved shall be used for the parking of vehicles and shall not be used at any time for the storage, deposit or display of goods, articles, products or other materials, together with any plant, machinery or equipment, whether or not requisite for the permitted use of the site.
- (8) No development shall commence before full details of a scheme of tree planting to take place within the site, which shall include the removal of T1 and T2 as labelled on the approved plan L (90)01 Rev A to planning reference 06/00079/FUL, the protective 'Herras' type fencing enclosing Area 'A' and planting of 10 trees (which shall include such species as silver birch, alder and hornbeam) in the area hatched area marked 'A' on the approved drawing L (90)01 Rev A to planning reference 06/00079/FUL, which shall be undertaken as part of the development hereby permitted (including times of planting), have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the protective fencing, as agreed in writing, enclosing Area 'A' shall be erected prior to the commencement of the development and all tree planting shall be carried out in accordance with the approved details and at the approved times. If within a period of five years from the date of the planting of any tree, that tree or any tree planted as a replacement for it, is removed, uprooted or destroyed, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted, shall be planted at the same place, in the first available planting season following removal (October to March inclusive).
- (9) The existing hedgerow, as shown between the points X-Y-Z on the approved drawing L (90)01 Rev A to planning reference 06/00079/FUL, shall hereafter be retained and not pruned, removed or otherwise reduced in height, without the prior written agreement of the Local Planning Authority.
- (10) Details of any proposed system of ventilation, externally sited refrigeration plant shall be submitted to and approved in writing by the Local Planning Authority prior to installation. All such installations shall be carried out in accordance with the approved details and retained and maintained in their approved form.
- (11) The barriers installed shall be those agreed in accordance with plan reference 6450 SK19, seen within the discharge of condition letter dated 4 October 2006 and installed across the accesses and egresses to the car park (including the emergency entrance), to prevent unauthorised access to the car park outside the hours stipulated in condition 3 of this consent.

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Once implemented, the barriers shall be retained and used to prevent unauthorised accessed to the site outside the permitted opening hours.
(HPT)

The meeting closed at 8.40 pm.

Chairman

Date

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