

Development Committee – 07 December 2023

Minutes of the meeting of the Development Committee held on **7 December 2023**
when there were present:-

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

Cllr Mrs E L Brewer
Cllr R P Constable
Cllr D S Efde
Cllr R C D Linden

Cllr Mrs L Shaw
Cllr I H Ward
Cllr S A Wilson

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr T D Knight, Cllr J L Lawmon, Cllr G W Myers and Cllr C M Stanley.

SUBSTITUTE MEMBERS

Cllr A L Williams - for Cllr G W Myers

NON-MEMBERS ATTENDING

Cllr J E Cripps
Cllr R Lambourne
Cllr S E Wootton

OFFICERS PRESENT

P Drane - Director of Place
S Worthington - Acting Service Manager, Democratic Services RDC and BBC
Y Dunn - Planning Manager
M Stranks - Team Leader
C Buckley - Team Leader
V Meanwell - Democratic Services Officer

PUBLIC SPEAKERS

R Slater for Item 6

248 MINUTES

The Minutes of the meeting held on 23 November 2023 were approved as a correct record and signed by the Chairman, subject to an amendment on page 3 that a comma be placed in the sentence between the words 'plastic' and 'recycled rubber particles' within the motion and the resolution.

249 DECLARATIONS OF INTEREST

Cllr Mrs L Shaw declared a non-registrable interest in all items by virtue of membership of Essex County Council.

Cllr A H Eves declared a non-registrable interest in item 8 by virtue of having his workshop situated on the land of Glazebrook Farm and removed himself from the meeting for this item. Cllr Eves also declared a non-registrable interest in item 9 by virtue of being in the same trade as the applicant and being acquainted with the applicant.

250 23/00261/FUL – WATERSIDE FARM, THE CHASE, PAGLESHAM

The Committee considered an application to convert an existing barn to form two holiday lets with associated landscaping.

Cllr R P Constable moved a Motion, seconded by Cllr A L Williams, to approve the application, subject to the conditions on pages 6.17 to 6.21 of the report with the following additional wording added to condition 11: *Details of an emergency flood plan shall be submitted to and agreed in writing with the Local Planning Authority and shall be implemented on site and maintained in perpetuity and this was approved on a show of hands.*

(8 Members voted in favour of the Motion, 2 against and 0 abstained)

Resolved

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

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 be carried out in accordance with the following approved plans: 2842/02 Revision C and 2842/01 received by the Local Planning Authority on the 20th March 2023.
3. Prior to commencement of the development or preliminary groundworks a programme of archaeological work in accordance with a written scheme of investigation shall be submitted to and approved by the Local Planning Authority. The development shall then be carried out in accordance with the agreed programme.
4. Prior to commencement of the development hereby approved all of the Pre-commencement recommendations contained within Section 2.1 of the submitted Smart Ecology Barn Owl Mitigation plan reference 2019-019 dated 04/04/2019 submitted in support of the application must be fully implemented.

In particular no development is to commence if after the mitigation measures are implemented Barn Owls are found to be nesting within the building. Implementation may only proceed once the young barn owls have fledged and the nest is no longer in use.

5. The recommendations within Section 2.2 During Works and Section 2.3 Post Development of the Smart Ecology Barn Owl Mitigation plan reference 2019- 019 dated 04/04/2019 shall be fully adhered to at the relevant stages of the development hereby approved, with particular regard to the timings of development and the roost/nest box provided is to be retained after the development in completed.
6. Prior to the commencement of any ground works, a scheme for dealing with surface water drainage from the development by means of a sustainable drainage system (SUDs), with appropriate filtration to prevent pollutants entering the pond from the proposed vehicular parking area hereby approved, must be submitted to and approved in writing by the Local Planning Authority. This must include details of the ongoing management and maintenance of the scheme. The appropriate design standard for the drainage system must be the 1 in 100-year event plus an allowance for the predicted increase in rain fall due to climate change. The approved drainage scheme must be implemented before the first beneficial use of the building at the site for the purpose of a holiday let. It must be maintained and managed in accordance with the agreed details in perpetuity.
7. Prior to the commencement of the development a scheme of foul drainage for the development approved must be submitted to and approved in writing by the Local Planning Authority and such drainage works will be carried out concurrently with the development hereby approved, or as may be agreed in writing by the Local Planning Authority.
8. Prior to the commencement of the development hereby approved details of the proposed flood resilient and flood resistant measures to be incorporated into the development along with an emergency flood plan for the completed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
9. Prior to the first occupation of the development hereby approved, the mitigation/compensation measures detailed in the submitted ecological survey conducted by Arbtech and dated 25/02/2019, in particular those which have been specifically identified by the Local Planning Authority within the officer report shall be fully implemented and retained for the lifetime of the development.
10. Prior to their first use on site, details or samples of all external materials, including walls, roof, fascia, rainwater goods, rooflights, doors, windows,

paving, boundary treatment, access way and parking area to be used in the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details existing development and the character of the surrounding area.

11. The owners of the holiday lets hereby approved shall ensure that visitors receive Environment Agency Flood Warnings and will evacuate the property on receipt of the warnings. Details of an emergency flood plan shall be submitted to and agreed in writing with the Local Planning Authority and shall be implemented on site and maintained in perpetuity.
12. Prior to the first occupation of the development hereby approved full details of the hard and soft landscaping which shall form part of the development must be submitted to and approved in writing by the Local Planning Authority. The details should include any retention of hedgerow on the site and 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.
 - car parking layouts and other vehicular access and circulation areas.
 - minor artifacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc which must be limited to the Courtyard area.

The approved plan 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, hedge or other 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.

13. The use of the building as a holiday let as hereby approved shall not commence until the access way, parking and turning areas, as shown on the submitted plans, have been laid out and surfaced in a material to be submitted to and agreed in writing by the Local Planning Authority. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

14. The individual holiday units hereby permitted shall:

- a) be occupied for holiday purposes only.
- b) not be occupied as a person's sole or main place of residence.
- c) not at any time be occupied by any individual or group of persons for a period of more than 28 days in any calendar year.

The owners/operators of the holiday lets shall maintain an up-to-date register of the names of all occupiers of each individual holiday let on the site and of their main home addresses and shall make this information available at all reasonable times when requested to do so by the Local Planning Authority.

15. No motorised or organised outdoor activities, including but not limited to motor bikes, quad bikes, paintballing, rifle or clay pigeon shooting or archery shall be undertaken within the site at any time.

16. Prior to the first occupation of the development hereby approved, details of the proposed refuse and recycling storage and collection and cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The proposed development shall be carried out in accordance with the approved details.

17. Prior to first use of the building as a holiday let as hereby approved, details shall have been submitted to and approved in writing by the Local Planning Authority to re-position the gate to the access track to the site in order to avoid vehicles accessing the site idling to the front of neighbouring dwellings which front the access track. The gate shall have been re-positioned or removed as agreed prior to the first beneficial use of the building hereby approved and maintained in the agreed form in perpetuity. No other gates shall be erected across the access track. (DP)

251 23/00742/FUL – 43 BROOK ROAD, RAYLEIGH

The Committee considered a planning application that had been referred to the Committee by Members from the Weekly List.

Cllr Mrs L Shaw moved a Motion, seconded by Cllr I H Ward, to defer this application for a planning site visit to take place and this was approved on a show of hands.

(7 Members voted in favour of the Motion, 2 against and 0 abstained)

Resolved

That the application be deferred until after a planning site visit had taken place.

(DP)

252 28/00862/FUL - 28 CHESTNUT CLOSE, HOCKLEY

The Committee considered an application for the construction of a flat roofed rear extension with roof lights and the creation of an additional side entrance.

Cllr R P Constable moved a motion, seconded by Cllr Mrs L Shaw, to approve the application, subject to the conditions set out on pages 7.1 – 7.2 of the report. This was agreed unanimously.

Resolved

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

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 plans: Drawing No. 1 of 4 – Floor Plan Existing and Proposed, Drawing No. 2 of 4 – Existing Elevations, Drawing No. 2 of 4 – Proposed Elevations, Drawing No. 4 of 4 – Roof Plan Existing and Proposed (dated October 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 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.
4. The proposed new window serving the ground floor bathroom shall be obscure-glazed and shall be of a design not capable of being opened below a height of 1.7 metres above finished floor level. Thereafter, the said window shall be retained and maintained in the approved form. (DP)

253 23/00448/FUL – WORKSHOP AT GLAZEBROOK FARM, CANEWDON ROAD, ASHINGDON

The Committee considered an application to sever land and erect 3 x detached, 6-bed dwellings with associated access, car parking, bin and cycle storage, involving demolition of existing storage buildings.

Resolved

That the application be refused for the following reasons:-

1. Due to the absence of an Arboricultural Impact Assessment, it has not been possible to assess what constraints the trees pose on the proposal and the

potential impact that the proposed dwelling may have on the retained tree stock. Therefore, insufficient information has been submitted to support the development, contrary to Policy DM25 of the Council's Development Management Plan and relevant parts of the National Planning Policy Framework which seek to ensure that development appropriately mitigates impacts on biodiversity.

2. The application site lies adjacent to shrub, tree and other ground vegetation that could form habitat which would be suitable for protected species. There are several buildings on the site which are in a poor state of repair that could also be suitable habitats for protected species. Furthermore, the site also adjoins open undeveloped and wooded land. No ecological survey has been submitted with the application to establish the presence or absence of protected species at the site or to determine appropriate mitigation should it be required. It can therefore not be determined whether the proposal would result in harm to protected species. Insufficient ecological information has been submitted to support the development, contrary to Policy DM27 of the Council's Development Management Plan and relevant parts of the National Planning Policy Framework which seek to ensure that development appropriately mitigates impacts on biodiversity.
3. The application is a full application for new residential dwellings which are a sensitive end use and could be affected by any ground contamination present on the site. No Phase I desk study and walkover survey has been submitted with the application and the applicant has therefore failed to demonstrate that the site is not constrained by contamination. Accordingly, the proposal is contrary to Policy ENV11 of the Councils Core Strategy Development Plan Document and the National Planning Policy Framework including, but not limited to Chapter 15 "Conserving and Enhancing the Natural Environment" paragraph 174 parts e) and d).
4. The proposed development would result in inappropriate development in the Metropolitan Green Belt. The scale and mass of the proposed dwellings would have a greater impact on the openness of the Green Belt than the existing built form. The development is not considered to meet the criteria and exceptions outlined in the Council's Development Management Plan and the National Planning Policy Framework. There are no considerations of sufficient weight that would clearly outweigh the harm to the Green Belt and very special circumstances do not exist. The proposed development would therefore fail to comply with local policy and the National Planning Policy Framework and if allowed would cause an incremental loss of openness detrimental to the character of the metropolitan Green Belt. (DP)

The meeting closed at 8.31 pm.

Chairman

Date

UNCONFIRMED

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