

## Development Committee – 30 September 2015

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Minutes of the meeting of the Development Committee held on **30 September 2015** when there were present:-

Chairman: Cllr C G Seagers

Cllr C I Black	Cllr D Merrick
Cllr J C Burton	Cllr Mrs J A Mockford
Cllr Mrs L A Butcher	Cllr R A Oatham
Cllr R R Dray	Cllr Mrs C A Pavelin
Cllr Mrs H L A Glynn	Cllr Mrs C E Roe
Cllr K J Gordon	Cllr S P Smith
Cllr J Hayter	Cllr Mrs M H Spencer
Cllr B T Hazlewood	Cllr D J Sperring
Cllr N J Hookway	Cllr M J Steptoe
Cllr Mrs D Hoy	Cllr I H Ward
Cllr M Hoy	Cllr M J Webb
Cllr K H Hudson	Cllr Mrs C A Weston
Cllr G J Ioannou	Cllr Mrs B J Wilkins
Cllr Mrs J R Lumley	

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs M R Carter, T G Cutmore, Mrs A V Hale, J L Lawmon, M Maddocks, Mrs C M Mason, J R F Mason and Mrs J E McPherson.

### OFFICERS PRESENT

A Dave	- Chief Executive
S Scrutton	- Director
A Law	- Assistant Director, Legal Services
A Mowbray	- Assistant Director, Transformational Services
K Rodgers	- Team Leader (Area Team, South)
L Spicer	- Senior Communications Officer
E Thorogood	- Assistant Planner
S Worthington	- Committee Administrator

### PUBLIC SPEAKERS

Cllr D Mercer, Rayleigh Town Council  
Cllr A Matthews, Rawreth Parish Council  
M Lambert  
J Cripps

On a Motion moved by Cllr C G Seagers and seconded by Cllr K H Hudson it was:-

### Resolved

That Cllr I H Ward should act as Vice-Chairman for this meeting of the Committee.

### 193 MINUTES

It was noted that the Minutes of the meeting held on 17 September 2015 would be available for the next scheduled meeting of the Committee.

### 194 DECLARATIONS OF INTEREST

Cllrs J C Burton, R R Dray, Mrs J R Lumley, R A Oatham, Mrs C A Pavelin, Mrs C E Roe, Mrs M H Spencer and I H Ward each declared a non pecuniary interest in item 4 of the Agenda in respect of 15/00362/OUT - land north of London Road, Rayleigh by virtue of membership of Rayleigh Town Council.

Cllr S P Smith declared an other pecuniary interest in the same item by virtue of employment at Sweyne Park School, a financial beneficiary of the application, and left the Chamber during debate of that item.

### 195 15/00362/OUT – LAND NORTH OF LONDON ROAD AND SOUTH OF RAWRETH LANE AND WEST OF RAWRETH INDUSTRIAL ESTATE, RAWRETH LANE, RAYLEIGH

The Committee considered an outline planning application (with all matters reserved) for the erection of a residential development with associated open space, landscaping, parking, servicing, utilities, footpath and cycle links, drainage and infrastructure works and primary school provision of non residential floor space to part of the site, uses including any of the following: use class A1 (retail), A3 (food and drink), A4 (drinking establishments), C2 (residential institutions), D1a (health or medical centre) or D1b (crèche, day nursery or day centre).

On a requisition pursuant to Council Procedure Rule 17.4, a recorded vote was taken on a motion moved by Cllr C I Black and seconded by Cllr R A Oatham to refuse the application, as follows:-

For (12): Cllrs C I Black, J C Burton, J Hayter, N J Hookway, Mrs D Hoy, M Hoy, Mrs J R Lumley, R A Oatham, Mrs C A Pavelin, Mrs C E Roe, Mrs M H Spencer, D J Sperring

Against (15): Mrs L A Butcher, R R Dray, Mrs H L A Glynn, K J Gordon, B T Hazlewood, K H Hudson, G J Ioannou, D Merrick, Mrs J A Mockford, C G Seagers, M J Steptoe, I H Ward, M J Webb, Mrs C A Weston, Mrs B J Wilkins

The motion was declared lost.

A motion to approve the application, subject to the conditions set out in the officer's report, was moved by Cllr C G Seagers, seconded by Cllr Mrs H L A Glynn and amended by Cllr C I Black to include additional conditions relating to restricting the hours of HGV construction vehicles during school start and finish times and to arrive on site via a route from the west and sports pitch provision to not be used for storage during the construction period. In addition,

an informative to advise of the implementation of the considerate constructors' scheme and reference to mechanical wheel washing to be included in the relevant condition. The legal agreement to include provision for the control of rats on site.

On a requisition pursuant to Council Procedure Rule 17.4, a recorded vote was taken on a motion moved by Cllr C G Seagers, seconded by Cllr Mrs H L A Glynn and amended by Cllr C I Black to approve the application, as follows:-

For (15): Mrs L A Butcher, R R Dray, Mrs H L A Glynn, K J Gordon, B T Hazlewood, K H Hudson, G J Ioannou, D Merrick, Mrs J A Mockford, C G Seagers, M J Steptoe, I H Ward, M J Webb, Mrs C A Weston, Mrs B J Wilkins

Against (12): Cllrs C I Black, J C Burton, J Hayter, N J Hookway, Mrs D Hoy, M Hoy, Mrs J R Lumley, R A Oatham, Mrs C A Pavelin, Mrs C E Roe, Mrs M H Spencer, D J Sperring

The motion was declared carried and it was:-

### **Resolved**

That the application be approved, subject to the completion of a legal agreement under Section 106 of the Act for the heads of terms set out below and subject to the heads of conditions, as set out below, subject to any reasonable changes the Director shall deem fit:-

- 1) The option of transfer of the education land at the site to Essex County Council (ECC) and a pro rata financial contribution towards provision of a new primary school with early years and childcare provision on site or a proportionate financial contribution towards expansion of existing primary, early years and childcare provision. A financial contribution towards secondary provision. A total estimated education contribution of approximately £5.1 million. In the interests of clarity it should be noted that the total education contribution figure is estimated with the final figure to be calculated according to the precise housing mix to be provided and according to the agreed ECC formula for education contribution calculations.
- 2) A contribution of £250,000 (Two hundred and fifty thousand pounds) for highway infrastructure improvements at the Rawreth Lane/Hullbridge Road/Hambro Hill junction to a timetable to be agreed by Essex County Council.
- 3) Payment of a £5000 Travel Plan monitoring fee to ECC relating to the residential Travel Plan.
- 4) Provision and implementation of a Residential Travel Information Pack for every household.

- 5) Provision of an extended bus service linking the development with Rayleigh railway station. Bus service along the link road with the service to operate between 0700 and 2100 hours Monday to Friday with a minimum frequency of every 30 minutes and hourly on a Saturday and Sunday between 0900 and 1800 hours for a period of 5 years. Fallback requirement for financial contribution of £540,000 to ECC in the event that reasonable endeavours cannot secure provision of the service for use in the provision of a bus service.
- 6) Provision of 12 month season tickets for bus travel to all eligible occupiers of the development (maximum of 2 per household) once bus service is operational.
- 7) A minimum of 35 per cent affordable housing shall be provided in each phase (Reserved Matters application site area) to a mix of 80 per cent affordable rent and 20 per cent intermediate housing, subject to delivery triggers, appropriate location of units within the site, appropriate dwelling type/size, nomination rights and other relevant matters.
- 8) Youth facilities provision (subject to costs cap of £140,000) and financial contribution for maintenance to be offered for transfer to RDC. In the event that RDC declines the transfer, facilities to be maintained in perpetuity by a management company.
- 9) Land for provision of sports pitches to be offered for transfer to RDC with a commuted sum of £130,237 for on going maintenance (if to be transferred to RDC to be laid out by the developer to a specification to be agreed by the LPA and to include drainage, ancillary car parking, hedging/fencing and pedestrian link to the adjacent existing sports pitches). In the event RDC to not accept the transfer – a requirement to lay the land out as a kick about area for informal recreation and be incorporated into the open space maintenance scheme.
- 10) Allotment land to be offered for transfer (with the necessary infrastructure for a water supply to the boundary, fencing around the boundaries and vehicular access to the boundary which shall provide a route to connect to the adopted highway) to Rawreth Parish Council with a commuted sum for laying out. In the event that Rawreth Parish Council declines the land transfer the land would revert to public open green space and be incorporated into the open space maintenance scheme.
- 11) Monies of £200,000 set aside for contribution towards any flood mitigation scheme associated with flood alleviation of the Rawreth Brook in the Parish of Rawreth to be paid to RDC in the event that a scheme is finalised and approved/agreed by the EA. Monies to be made available as follows: 50 per cent prior to 10<sup>th</sup> occupation and 50 per cent prior to the 150<sup>th</sup> occupation unless a scheme is agreed for

implementation earlier in which case the monies can be called on at an earlier time.

- 12) Provision of a Sustainable Urban Drainage system in accordance with details agreed by the relevant planning condition. Maintenance of the system by a management company, statutory water undertaker or the County Council (should the County Council become an approved body) in perpetuity to be undertaken in accordance with a maintenance schedule to be submitted and agreed by the Local Planning Authority.
- 13) Marketing of health care site for provision of health care services for a period of 2 years following commencement of development at the site. Payment of a financial contribution of £164,581.82) for capital projects associated with delivery of primary health care services in the vicinity of the site in the event that the health care land at the site is not developed to provide a facility which incorporates primary publically available GP services within 4 years following commencement of development at the site.
- 14) A site of 0.38ha to the north-east corner to be marketed for various non residential uses such as for retail, crèche/nursery, health purposes, for a period of 2 years from occupation of the first dwelling at the site. Further applications/approvals would be required for any such uses.
- 15) Provision of public open green space in accordance with the requirements of the relevant planning conditions and maintenance of these areas and any play equipment within these areas by a management company.
- 16) Contribution not exceeding £3000 to be made available for rodent control in the event that a nuisance occurs to properties close to the site as a result of ground works.

### CONDITIONS

1. No development shall commence within any phase (Reserved Matters application site area) until plans and particulars showing precise details of the layout, scale, design and external appearance, access (save for access points to the site as shown on the approved Parameters Plan) and landscaping of the site, (herein after 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 residential reserved matters application for approval shall be made no later than the expiration of two years beginning with the date of this permission. 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 five years from the date of this planning permission.

3. The development to which this permission relates shall be commenced not later than the expiration of two years from the approval of the first reserved matter and the remainder of the development shall be begun not later than:-
  - (i) the expiration of five years from the date of the grant of Outline Planning permission, or
  - (ii) within two years of the approval of the reserved matters for the phase or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.
4. Prior to the commencement of development hereby approved, a phasing plan covering the entire site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each reserved matters application shall refer to a phase, phases, or part thereof identified in the phasing plan.
5. The development hereby approved shall be constructed in strict accordance with the approved plans; Red Line Plan (Reference 180605\_URB\_PP\_RL\_001), Land use and landscape plan (Reference 180605\_URB\_PP\_LUB\_011 Nov 2014), Access and Movement Plan - Indicative Only (Reference 180605\_URB\_PP\_AMP\_007), Proposed Link Road General Arrangement Plan (Reference 47065807-DES- 01 Rev P5), Building Heights Plan - Indicative Only (Reference 180605\_URB\_PP\_BH\_007 Aug 2014), Density Plan (Reference 180605\_URB\_PP\_DP\_008 Aug 2014), London Road Access (Reference MBSK140801B), Rawreth Lane Access (Reference MBSK140801A) and Rawreth Lane Industrial Estate Road Access (Reference MBSK140801C).
6. The residentially developable areas, as shown on the approved Parameters Plan, shall accommodate no more than 500 dwellings in total.
7. No development or preliminary ground works of any kind shall commence in 'Area D' as outlined and labelled on figure 6.7 of the Environmental Statement and figure 16 in the accompanying appendix C5, until a mitigation strategy detailing the excavation and preservation strategy that shall be undertaken has been submitted to and approved in writing by the Local Planning Authority. The works, as outlined in the mitigation strategy, as approved, must be completed prior to the commencement of any ground works, or development which may have been approved via any reserved matters applications, that would directly affect Area D.

Prior to commencement of any development or preliminary ground works in 'Area D', written confirmation that the archaeological field work has been completed in accordance with the approved mitigation strategy shall need to be issued by Essex County Council's Archaeological Officer and such confirmation be submitted to and agreed in writing by the Local Planning Authority.

Within 6 months of the completion of the field work agreed in the mitigation strategy, a post excavation assessment to include completed post excavation analysis, a full site archive and report ready for deposition at the local museum and a publication report shall be submitted to and agreed in writing by the Local Planning Authority.

8. Prior to the 50th occupation at the site, the following highway works along the London Road Corridor shall have been completed entirely at the developer's expense:-
  - a. Signalling and associated works of Down Hall Road/London Road Junction,
  - b. Improved road markings and associated works at the London Hill/Station Road priority junction,
  - c. Signal upgrade at Victoria Avenue/London Road junction to include, but not limited to, the provision of MOVA, associated enabling works and signal head upgrade.
9. Prior to the first occupation details shall be submitted to and agreed in writing by the Local Planning Authority for improvement of the existing public footpath number 23 up to its boundary with the St Nicholas Primary School. Once agreed, the works shall be completed, as agreed and prior to the 50th occupation.
10. Prior to the first occupation at the site, the priority junction with ghost right turn lane on Rawreth Lane shall be provided with a clear to ground visibility splay with dimensions of 4.5 metres by 180 metres to the east and west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times. As shown in principle on Mayer Brown drawing No. CP.Rayleigh-junction 2.1.
11. Prior to occupation of the 150th dwelling at the site or 5 years from the commencement of development, the priority junction with ghost right turn lane on London Road shall be provided with a clear to ground visibility splay with dimensions of 4.5 metres by 120 metres to the east and west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times. As shown in principle on Mayer Brown

drawing No. CP.Rayleigh-junction 2.1. The link road through the development shall be a minimum of 6.75m wide with associated footway/cycleway provision.

12. Details of proposed driveway/garage or drive/hardstanding gradients to serve residential properties at the site shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the relevant driveway/garage or drive/hardstanding which shall be provided in accordance with the details, as agreed.
13. Details showing the means to prevent the discharge of surface water from the development onto the highway within each phase shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the highway to which the works relate being operational and shall be retained at all times.
14. Prior to the first occupation at the site, a residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority to include details of how the plan would be monitored annually, with all measures reviewed to ensure targets are met. The Travel Plan shall be provided and implemented in accordance with the details agreed.
15. Prior to commencement of development (including any ground works) in each phase (Reserved Matters site) a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of:-
  - the parking and manoeuvring of all vehicles of site operatives and visitors,
  - including construction traffic;
  - areas within the site to be used for the purposes of loading/unloading/reception and storage of building and other materials;
  - storage of plant and materials used in constructing the development; and
  - mechanical wheel and underbody washing facilities.

Once agreed, the development within the phase to which the Construction Method Statement (Statement) relates shall commence and be carried out in accordance with the measures as agreed in the relevant Statement.

16. Prior to commencement of development of any non residential buildings at the site, details shall be submitted to and agreed in writing with the Local Planning Authority to demonstrate that the buildings would meet the BRE AAM very good rating unless it can be



demonstrated that this is not viable or practical (in which case details of viability/practicality shall be submitted to and agreed in writing with the Local Planning Authority). Once agreed, the buildings shall be built in accordance with the agreed details to achieve the BREAAAM very good rating and details submitted in writing to the Council to demonstrate that this rating has been achieved within 3 months of completion.

17. Prior to the importation of any material brought onto the site for use as subsoil, topsoil or backfill, a compliance certificate for that material proposed to be imported to the site shall be submitted to and agreed in writing by the Local Planning Authority. Material for use as subsoil, topsoil or backfill as agreed (and no other) may then be brought to the site.
18. In the event that contaminated material or asbestos 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 Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the following requirements and a report submitted to and approved in writing by the Local Planning Authority to include:-
  - (i) a survey of the extent, scale and nature of contamination
  - (ii) an assessment of the potential risks to:-
    - human health,
    - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    - adjoining land,
    - ground waters and surface waters,
    - ecological systems,
    - archaeological sites and ancient monuments;
  - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers'.

Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and

the natural and historical environment must be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works and must complete the remediation works in accordance with the scheme approved. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority.

19. Prior to occupation of any property hereby permitted the developer shall submit to the Local Planning Authority a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in the approved remediation scheme.
20. Prior to the occupation of the first dwelling within any phase (reserved matters application area) an updated BS4142 assessment of noise which acknowledges the required +3dB correction expected for character of noise(s) associated with the industrial estate and details mitigation in terms of:-
  - Layout and orientation of buildings
  - Glazing specifications
  - Acoustic bund/structureshall be submitted to and approved in writing by the Local Planning Authority for that phase. The mitigation measures as agreed shall be completed prior to the first occupation within the phase to which they relate.
21. Prior to the installation of any plant and equipment relating to any non residential use at the site, a BS4142 assessment of noise for the proposed plant and equipment shall be submitted to and agreed in writing by the Local Planning Authority including details of any mitigation. Any mitigation agreed shall be completed prior to the operational use of the plant and equipment and retained in perpetuity.
22. Prior to the provision of strategic open space (natural/semi natural green space and amenity green space as identified on the approved Parameters Plan) or localised open space and landscaping within the developable areas including in the local greens, details of the proposed

hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include (where applicable) details and plans (at an appropriate scale) of:-

- Schedule of species, size, density and spacing of all trees, shrubs and
- hedgerows to be planted to include native species of UK origin, including Field Maple, Dogwood, Hawthorn, Spindle, Crab Apple, Blackthorn, Hazel, Goat Willow and Elder;
- Substantial hedgerow corridors providing links across the site;
- Grassland areas and the use of grassland seed mixes in these;
- A full plan (to scale) that clearly shows the locations of new trees to be planted including planting method statement and after care plan;
- Existing trees to be retained;
- Provision of bird and bat boxes;
- Areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
- A long term maintenance schedule and specifications including timetable for monitoring and maintenance;
- Location and material details of paved or otherwise hard surfaced areas/paths within the public open space;
- Long term design objectives in respect of the public open space area;
- Existing and finished levels shown as contours with cross sections as required;
- Location of lighting including details of lighting to be installed which shall be low pressure sodium lighting at levels kept as low as possible (between 1 and 3 lux where possible), directed to where it is needed, away from hedgerows with lighting columns kept as short as possible (ideally 3 metres or less).
- Means of enclosure and other boundary treatment including materials to be used and location of these shown on a plan;
- Minor artefacts and structures (e.g. benches, bins, signs etc.);
- Surfacing to provide cycling, walking and bridleway routes.

The soft landscaping agreed within the residentially developable areas shall be planted/provided in its entirety during the first planting season (October to March inclusive) following commencement of the development within the phase (Reserved Matters application site area) to which the landscaping relates or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal. 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.

23. Prior to commencement of development within each phase (Reserved Matters application) a scheme for the protection of trees/hedgerows to be retained within or immediately adjacent to the site associated with that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
  - a. A plan that shows the accurate position, crown spread and root protection area in accordance with paragraph 5.2.2 of BS5837 of every retained tree on the site and on neighbouring or nearby ground to the site. The accurate positions of all trees to be removed shall also be indicated on the plan.
  - b. Details of each retained tree in a separate schedule in accordance with paragraph 4.2.6 of BS5837.
  - c. A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work. All tree works shall be carried out in accordance with BS3998, 1989, 'Recommendations for Tree Work'.
  - d. Details and positions of the Ground Protection Zones in accordance with section 9.3 of BS5837.
  - e. Details and positions of Tree Protection Barriers.
  - f. Details and positions of the Construction Exclusion Zones in accordance with section 9 of BS5837.
  - g. Details and positions of the underground service runs in accordance with section 1 1.7 of BS5837.

- h. Details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area of any retained tree, including those on neighbouring or nearby ground in accordance with paragraph 5.2.2 of BS5837.
- i. Details of any special engineering required to accommodate the protection of retained trees (e.g. in connection with foundations, bridging, water features, surfacing) in accordance with section 10 of BS5837.
- j. Details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction. Details of the working methods to be employed for the access and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc.) on site.
- k. Details of the working methods to be employed for site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
- l. Details of the method to be employed for the stationing, use and removal of site cabins within any root protection areas in accordance with paragraph 9.2.3 of BS5837.
- m. Details of tree protection measures for the hard landscaping phase in accordance with sections 13 and 14 of BS5837.
- n. The timing of the various phases of the works or development in the context of the tree protection measures.

Development shall proceed in accordance with the approved tree protection scheme with the agreed Tree Protection Barriers erected prior to commencement of development within the phase to which they relate and will remain in place, and undamaged for the duration of construction within that phase.

- 24. Prior to commencement of development (including any ground works) in each phase, an EPS (European Protected Species) mitigation strategy will be prepared, in consultation with the Local Planning Authority and Natural England, for the protection of great crested newts during construction which shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the terms of the EPS licence, unless variations are approved.
- 25. Existing hedgerows and trees indicated to remain on Drawing Number 3878- D-1 submitted as part of the Arboriculture Report shall remain

and not be felled or removed. Those sections of existing hedgerow and trees indicated to be felled/removed on this same plan 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.

26. Density shall accord with the approved Density Plan reference 180605\_URB\_PP\_DP\_008 Date Issued August 2014 unless variation of this is proposed in relation to any phase, in which case details shall be submitted to and approved in writing by the Local Planning Authority and these shall still demonstrate variation in density across the site.
27. All dwellings shall meet, as a minimum, the space standard as set out in Policy DM4 until such a time as a national space standard is formally adopted after which time all new dwellings shall meet, as a minimum, the national space standard as set out in the Annex to the Housing Standards Review Technical Consultation September 2014 (DCLG) or as amended when formally adopted. The relevant minimum requirements applicable at the date Reserved Matters applications are submitted shall be applied unless it is demonstrated that this would not be viable or deliverable in which case a report demonstrating the viability and/or deliverability case shall be submitted to and agreed in writing by the Local Planning Authority. Prior to or concurrent with each Reserved Matters application, details of compliance with the applicable standard for all dwellings within that area to which the Reserved Matters application relates, shall be submitted to and approved in writing by the Local Planning Authority. Dwellings shall be constructed to the agreed details.
28. At least 3 per cent of new dwellings within each phase (Reserved Matters application area) shall be built to wheelchair accessibility standards, as required by Policy H6 until such a time as the proposed access changes to the Approved Document M on access to and use of buildings volume 1 dwellings standards forming part of the Building Regulations come into force after which time at least 3 per cent of new dwellings within each phase (Reserved Matters application area) must be built to meet the optional standard M 4(3) set out in Approved Document M Building Regulations Category 3b (as consulted on by national Government in the Housing Standards Review Technical Consultation Approved Document M dated September 2014 (DCLG) or as amended when formally adopted). Prior to or concurrent with each Reserved Matters application, details of compliance with the above requirement for the area to which the Reserved Matters application relates, shall be submitted to and approved in writing by the Local Planning Authority. Dwellings shall be constructed to the agreed details.

29. All new dwellings shall achieve Code for Sustainable Homes Code Level 4 as a minimum in respect of water efficiency until such a time as Approved Document G on water efficient standards forming part of the Building Regulations (as consulted on by national Government in autumn 2014 or any subsequent further amendment or variation to the autumn 2014 consultation draft technical standard) comes into force after which all new dwellings shall achieve water efficiency equivalent to the proposed optional standard set out in the Approved Document G Building Regulation Building Regulations standard as a minimum, i.e., that new dwellings are designed so that their estimated average water consumption would be no more than 110 litres per person per day. Concurrent with each Reserved Matters application, details of compliance with the above requirement for all dwellings within the area to which the Reserved Matters application relates shall be submitted to and approved in writing by the Local Planning Authority. Dwellings shall be constructed to the agreed details.
30. All new dwellings shall achieve Code for Sustainable Homes Code Level 4 as a minimum in respect of energy efficiency. Prior to or concurrent with each Reserved Matters application, details of compliance with the above requirement for all dwellings within the area to which the Reserved Matters application relates, shall be submitted to and approved in writing by the Local Planning Authority. Dwellings shall be constructed to the agreed details.
31. Prior to the occupation of any dwelling within each phase (Reserved Matters application site) 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 a decentralised and renewable or low carbon sources unless this is not feasible or viable or unless provision of such would be at the expense of provision of a higher specification energy efficient building fabric (in relation to condition 29 above) in which case a report demonstrating the case and the amount (decentralised/low carbon/renewable energy) that would be provided shall be submitted to and agreed in writing by the Local Planning Authority. The measures, as agreed, shall be implemented prior to the occupation of the dwellings to which the measures relate.
32. A minimum area of 0.07 hectares for play space shall be provided at the site. In addition to the play space to be provided within the amenity green space, as identified on the approved Land Use Plan, (which for the avoidance of doubt may be of a size less than 0.07 ha, notwithstanding the area shown on the Parameters Plan providing that a total area for play of 0.07 ha is provided across the site as a whole) at least one further play space within the site shall be provided. Precise details of the two proposed play spaces, including the precise location and equipment proposed, shall be submitted to and agreed in writing by the Local Planning Authority prior to provision on site. At least one

of the two play spaces shall be provided as a local equipped area for play (LEAP) on an area of 0.04 ha. The equipped play spaces, as agreed, shall be provided prior to 50 per cent occupation of the dwellings within the phase (Reserved Matters application site area) of which they are a part.

33. The natural/semi natural green space/amenity green space (save for the allotments and sports pitches), as shown on the approved Parameters Plan, shall be provided in accordance with the hard and soft landscaping scheme that shall have previously been submitted to and approved in writing by the Local Planning Authority (in respect of condition No. 20) with all of the planting and other landscaping works within each Strategic Landscape Phase completed prior to the occupation of 50 per cent of the dwellings within the applicable residential phase, as identified on the Landscape Phasing Plan (Reference 180605\_PP\_LAPHA\_004 Jan2015) or any variation of this phasing plan as might subsequently be approved by the Local Planning Authority.
34. Details of a pedestrian crossing across the industrial estate road shall be submitted to and approved in writing by the Local Planning Authority. The crossing shall be linked to a suitable footpath/footway within the adjoining residentially developable area. The crossing shall be provided in accordance with the agreed details prior to the 50th occupation at the site.
35. Prior to the commencement of development within each phase (equating to a Reserved Matters application site area) a surface water drainage scheme for the phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme as agreed shall be implemented concurrently with the development within the phase to which it relates to ensure that each property is served by a properly functioning surface water drainage system prior to occupation and that the scheme is completed in its entirety prior to the occupation of the last dwelling within the phase to which the scheme relates. The scheme shall:-
  - Provide calculations to demonstrate that the proposed surface water management scheme has been adequately sized to accommodate the critical duration 1 in 100 year rainfall event, including allowances for climate change without causing nuisance or damage. The management strategy should consider both storage and conveyance of surface water.
  - Provide plans and drawings showing the locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate that the proposed drainage layout will perform as intended based on the topography



of the site and the location of the proposed surface water management features. In addition, full design details, including cross sections of any proposed infiltration or attenuation features, will be required.

- Provide sufficient information to demonstrate that people and property will be kept safe from flooding, with consideration given to overland flow routing where during an event exceeding the design event.
- Fully investigate the feasibility of infiltration SuDS as a preference and provide evidence to establish if the principles of any infiltration based surface water drainage strategy are achievable on site, based on the ground conditions, by providing infiltration or soakaway tests which adhere to BRE365 guidance in an appropriate number of locations across the site.
- Incorporate the SUDS “Management Train” and ensure all features are designed in accordance with CIRIA (C697) The SUDS Manual so ecological, water quality and aesthetic benefits can be achieved in addition to the flood risk management benefits. In addition, the maintenance requirements for the SUDS element of the proposed surface water drainage system should be formulated as per the recommendations within the CIRIA SUDS Manual (C697).
- Ensure that any surface water discharged to the receiving ditch or main river, Rawreth Brook, shall be no greater than the existing 1 in 1 year green field run off rate for the site with respect to Pond 1 as shown indicatively on the submitted plan Drawing Number 47065807-SW-01 Revision P3 which is found at Appendix 1 of the Revised Drainage Strategy (indicative) for all return period events and provide details of the device that shall be installed to achieve this.
- Ensure that any surface water discharged to the receiving ditch or main river, Rawreth Brook, shall be no greater than the existing 1 in 10 year green field run off rate for the site with respect to Ponds 2 and 3, as shown indicatively on the submitted plan Drawing Number 47065807-SW-01 Revision P3, which is found at Appendix 1 of the Revised Drainage Strategy (indicative) for all return period events and provide details of the device that shall be installed to achieve this. Save for 1 in 1 year return events where discharge shall be limited to the existing 1 in 1 year green field run off rate.
- Fully investigate the impacts of tide locking on the site and model a surcharge outfall scenario.
- Provide attenuation storage that will cater for the 1 in 100 year critical storm plus allowance for climate change based on a six hour duration event.

- Provide calculations of the piped network performance in the 1 in 30 year or 1 in 100 year rainfall events, including climate change.
- Modelling should be provided to demonstrate its functionality in the 1 in 100 year event inclusive of climate change.
- Re-model the drainage system once source control SuDS are incorporated to investigate whether run off from phases 2 and 3 could be reduced below the 1 in 10 year run off rate during a 1 in 100 plus climate change event and investigate whether additional areas outside of the development boundaries could be utilised for attenuation storage.
- Provide a Sustainable Urban Drainage System Management Plan which shall detail the proposed management and maintenance regime for the surface water drainage scheme for the lifetime of the proposed development. This shall include details of permeable paving and maintenance of these areas in perpetuity.
- Re-size the attenuation storage should impermeable areas be more than 60 per cent.
- Demonstrate that 10 per cent allowance has been included to allow for urban creep in the calculation of the attenuation storage volumes.
- Confirm that the receiving water course (Rawreth Brook) is in a condition to accept and pass on the flows from the discharge proposed.
- Confirmation of the opening up of any culverts and submission of an assessment demonstrating that the impact this will have has been fully investigated and modelled.

The surface water drainage system shall be maintained in accordance with the approved Sustainable Urban Drainage System Management Plan in perpetuity.

36. Finished ground floor levels of all dwellings and other non residential buildings at the site shall be set no lower than 13.11 metres above Ordnance Datum (AOD); 300mm above the 1 in 100 year event inclusive of climate change. Prior to commencement of development associated directly with the construction of dwellings within any phase, details including plans shall be submitted to demonstrate how compliance will be achieved with the above requirement. Prior to the occupation of each dwelling evidence shall be submitted to and agreed in writing by the Local Planning Authority to demonstrate that compliance has been achieved with this requirement.

37. 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 the approved scheme, (and in accordance with a programme for delivery previously approved by the LPA) and retained in the approved form.
38. Prior to the commencement of development hereby approved, a phasing plan covering the entire site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each Reserved Matters application shall refer to a phase, phases, or part thereof identified in the phasing plan.
39. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any up stands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.
40. Potential for a secondary vehicular access which would link (via third party land) to London Road shall be incorporated into the detailed layout of the residential area immediately adjacent and north and east of the Outdoor Sports Facilities land as identified on the approved Parameters Plan.
41. The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
42. Hours of construction/delivery vehicles to exclude school start and finish times and to require HGV movements from the west, the exact timings to be delegated to the Director, in consultation with the Ward Councillors, to determine.
43. Land allocated on site for sports pitch provision to not be used for storage during the construction period. (Director)

## Development Committee – 30 September 2015

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The meeting closed at 9.45 pm.

Chairman .....

Date .....

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