

Development Committee – 23 November 2023

Minutes of the meeting of the Development Committee held on **23 November 2023** when there were present:-

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

Cllr Mrs E L Brewer	Cllr Mrs L Shaw
Cllr R P Constable	Cllr I H Ward
Cllr D S Efde	Cllr S A Wilson
Cllr R C D Linden	

APOLOGIES FOR ABSENCE

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

SUBSTITUTE MEMBERS

Cllr J E Newport	- for Cllr CM Stanley
Cllr M Hoy	- for Cllr T D Knight
Cllr A L Williams	- for Cllr G W Myers

NON-MEMBERS ATTENDING

Cllr R Lambourne
Cllr R Milne
Cllr S E Wootton

OFFICERS PRESENT

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

ALSO PRESENT

T Newcombe - Birketts

PUBLIC SPEAKERS

M Lomax	- for item 6
G French	- for item 6
R Green	- for item 7
D Balding	- for item 7

233 MINUTES

The Minutes of the meeting held on 28 September 2023 were approved as a correct record and signed by the Chairman.

234 DECLARATIONS OF INTEREST

Cllr I A Ward declared a non registrable interest in item 7 of the agenda relating to 22/00006/FUL – Grove Wood Primary School, Grove Road, Rayleigh by virtue of having formerly been the Portfolio Holder for Strategic Planning and of membership of Rayleigh Town Council and left the meeting during debate of that item.

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

Cllr M Hoy declared a non registrable interest in item 7 of the agenda by virtue of being a member of the Climate Emergency Committee and leading on a policy relating to plastic and 3G pitches.

Cllr Mrs V A Wilson declared a non registrable interest in item 7 of the agenda by virtue of having spoken at a previous meeting about this application and left the meeting during the debate off that item.

Cllr A L Williams declared a non registrable interest in agenda item 8 by virtue of membership of Rochford Parish Council.

Cllr A H Eves moved a Motion seconded by Cllr Mr S A Wilson that Cllr D S Efde be appointed Vice-Chairman for item 7 of the agenda and this was unanimously agreed.

Resolved

That Cllr D S Efde be appointed Vice-Chairman for item 7 of the agenda.

235 22/00006/FUL – GROVE WOOD PRIMARY SCHOOL, GROVE ROAD, RAYLEIGH

The Committee considered the application for the construction of an artificial grass pitch with enclosing boundary fencing and formation of a bund (from removed topsoil).

Cllr J E Newport moved a Motion, seconded by Cllr D S Efde, that an amendment be made to condition 9 as follows:- No works shall take place until a Maintenance Plan detailing the maintenance arrangements, including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed in writing by the Local Planning Authority. Maintenance logs for the development shall be

kept and made available, upon request, for inspection by the Local Planning Authority. This was approved on a show of hands.

(9 Members voted in favour, 0 against and 1 abstained)

Cllr A H Eves moved a Motion, seconded by Cllr R P Constable, that the application be approved, subject to the conditions set out in pages 7.2 to 7.5. of the report The Motion was lost on a show of hands.

(4 Members voted in favour, 5 against, and 1 abstained)

(Note: Cllrs M Hoy and S A Wilson asked that it be recorded in the Minutes that they had voted against the Motion.

Cllr M Hoy moved a Motion, seconded by Cllr S A Wilson, that the application be refused on the grounds that the 3m fence constituted inappropriate development in the Green Belt contrary to Paragraph 149 of the National Planning Policy Framework (NPPF) The proposal, by way of the use of plastic, recycled rubber particles (recycled tyres) and silicate, would with wear and tear result in particulates entering the environment contrary to Paragraph 92 of the NPPF which seeks to provide a safe and accessible green infrastructure. This was approved on a show of hands.

(5 Members voted in favour, 3 against, and 1 abstained)

Resolved

That the application be refused for the following reasons:-

1. The 3m fence would be considered to represent inappropriate development in the Green Belt contrary to Paragraph 149 of the National Planning Policy Framework (NPPF). No very special circumstances are considered to exist that outweigh the harm to the Green Belt identified.
2. The proposal, by way of the use of plastic, recycled rubber particles (recycled tyres) and silicate, would with wear and tear result in particulates entering the environment contrary to Paragraph 92 of the NPPF which seeks to provide a safe and accessible green infrastructure. (DP)

The meeting was adjourned for 5 minutes.

236 23/00407/FUL – LAND EAST OF ALL SAINTS CHURCH AND NORTH OF ARUNDEL ROAD, FAMBRIDGE ROAD, ASHINGDON.

The Committee considered the application for the construction of a solar photovoltaic farm and associated ancillary infrastructure including the installation of ground level equipment, emergency lighting and single storey building to house a transformer all within a substation compound; additional single storey building (control and metering room); the installation of customer substation and transformer equipment units, including the formation of earth bunds; installation of fencing, including mounted security cameras, the formation of new access tracks, altered vehicular access and landscaping.

Cllr R P Constable moved a Motion, seconded by Cllr Mrs L Shaw, that an amendment be made to condition 1 to only allow the standard 3 years for commencement of development rather than the 5 years recommended in the addendum to the report. This was approved on a show of hands and condition 1 is therefore worded as originally set out in the Committee report to allow the standard timeframe of 3 years for commencement of development.

(5 Members voted in favour of the Motion, 4 against and 2 abstained)

Cllr Mrs Shaw also requested that condition 16 be amended to specifically refer to the Black Poplar tree being retained. It was agreed that this condition be amended to refer to the submitted arboricultural report which identifies trees to be retained noting that these, including the Black Poplar, shall be retained.

Note: A Motion without notice was moved by Cllr A H Eves and seconded by Cllr Mrs L Shaw to extend the meeting by 30 minutes to complete the remaining business and this was agreed on a show of hands.

(7 Members voted in favour, 5 against and 0 abstained)

Cllr A H Eves moved a Motion, seconded by Cllr A L Williams, to approve the application subject to the conditions set out on pages 6.1 to 6.11 of the report and this was agreed unanimously.

Resolved

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

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

- (2) The development hereby permitted shall be carried out in accordance with the approved plans unless otherwise agreed in writing by the local planning authority: DZ-01 REV 13; PLE-01 REV 22; SP-01 REV 13; PL-03 REV 02; SD-30 REV 01; SD-07 REV 02; SD-06 REV 01; SD-05 REV 01; SD-04 REV 02; SD-02 REV 04; SD-01 REV 02; PL-02 REV 01; PL-01 REV 02; PL-04 Rev 01; PH-01 REV 07.
- (3) Prior to their installation, full details of the final location, design, and materials to be used for the: (a) panel arrays, (b) CCTV cameras and (c) fencing and gates, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details and thereafter permanently maintained in the agreed form unless otherwise agreed in writing with the Local Planning Authority.
- (4) Prior to their installation, full details of the final design and materials to be used for the: (a) transformers, (b) inverters, (c) substation, (d) control room and (e) any other auxiliary buildings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details and thereafter permanently maintained in the agreed form unless otherwise agreed in writing with the Local Planning Authority.
- (5) Within 1 month of the date of first export of electricity to the National Grid, confirmation shall be given in writing to the local planning authority of the date of first export. The planning permission hereby granted shall be limited to a period of 40 years commencing from the date electricity generated by the solar panels is first exported to the National Grid. At the end of this 40-year period, the development shall be removed, and the land restored to its previous agricultural use in accordance with details that shall have been previously submitted to and approved in writing by the Local Planning Authority.

- (6) No later than six months prior to the expiry of the planning permission, or within twelve months of the cessation of electricity generation by this solar PV park, whichever is the sooner, a detailed scheme of works for the removal of the development (excluding the approved landscaping and biodiversity works) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The scheme of works shall include the following: (a) a programme of works; (b) a method statement for the decommissioning and dismantling of all equipment and surfacing on site; (c) details of any items to be retained on site; (d) a method statement for restoring the land to agriculture; (e) timescale for the decommissioning, removal and reinstatement of the land; (f) a method statement for the disposal/recycling of redundant equipment/structures; (g) a construction environmental management plan. The scheme of works shall be undertaken and completed in accordance with the approved details and timescales. The operator shall notify the Local Planning Authority in writing within five working days following the cessation of electricity generation.
- (7) Prior to the commencement of each phase of development (Construction and Decommissioning), a Soil Management Plan shall be submitted to and approved in writing by the local planning authority. The plan shall include, but not be limited to details pertaining to careful soil management during each phase, including consideration of the appropriate time of year for soil handling, planting beneath the panels and return to the former land quality (at a minimum) as indicated in the Agricultural Quality of Land South of Farnbridge survey dated 22 August 2023. The Management Plan shall adhere to the guidance set out in the following documents (or any subsequent replacement versions):
- Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (September 2009); and;
 - The British Society of Soil Science Working with Soil Guidance Note on Benefiting from Soil Management in Development and Construction.

The Soil Management Plan as so approved shall be implemented, and adhered to, for each phase of the development.

- (8) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the local planning authority.
- (9) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological

investigation as detailed in the approved WSI (in respect of condition 8 above).

- (10) Prior to the commencement of development, a landscaping scheme containing details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently the works shall be carried out in full and as approved prior to the first exportation to the National Grid, or in the first available planting season following such exportation and permanently retained and maintained in accordance with the agreed management scheme for the lifetime of the development.

The details to be submitted shall include:-

- (a) Hard surfacing (excluding to access tracks – covered by condition 25),
- (b) Existing trees and hedges to be retained and removed;
- (c) Planting plans including specifications of species, sizes, planting centres, number and percentage mix;
- (d) Details of the proposed re-planting of hedgerows (where removal is proposed to facilitate safe vehicular access to the site) once the use of these accesses have ceased for use by construction traffic;
- (e) Management scheme.

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.

- (11) Prior to commencement of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.

- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over the lifetime of the solar farm).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.
- i) Timetable for implementation.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details to the timetable as agreed.

- (12) No development shall commence at the site hereby approved until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:-
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts (visual/noise and pollution) during construction (may be provided as a set of method statements) including a development buffer zone.
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- h) Use and details of protective fences, exclusion barriers and warning signs including security fencing which would retain a gap from the ground rather than being installed tight to the ground.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

- (13) Six weeks prior to the commencement of the development, a pre-construction badger survey completed by a competent ecologist shall be submitted to the local planning authority. No development shall commence until the survey and its findings have been agreed in writing by the local planning authority. Any recommendations and mitigation measures identified by the survey shall be strictly adhered to/undertaken prior to/during the construction of the development as agreed.
- (14) Prior to the installation of any of the boundary treatments, details of the location and number of mammal gates to be installed within the fencing shall be submitted to and agreed by the local planning authority. The mammal gates as agreed shall be implemented alongside the installation of the boundary treatments and maintained for the lifetime of the development.
- (15) No development shall commence of the development hereby approved until a Farmland Bird Mitigation Strategy is submitted to and approved in writing by the local planning authority. If the Approved Farmland Bird Mitigation Strategy concludes that farmland bird mitigation is to be provided on land outside of the application site (including within land edge in blue on drawing no. LCS082-SP-01 REV 13) then no development shall commence unless and until a legal agreement has been completed and approved in writing by the local planning authority securing that mitigation. The content of the mitigation strategy shall include:-
 - a) Purpose and conservation objectives for the proposed compensation measure.

- b) Detailed methodology for the compensation measures.
- c) Locations of the compensation measures by appropriate maps and/or plans.
- d) Persons responsible for implementing the compensation measure.

The Approved Farmland Bird Mitigation Strategy shall be implemented in accordance with that agreed in writing with the local planning authority (unless agreed otherwise in writing) and maintained for the lifetime of the development.

- (16) No development shall take place until an Arboricultural Method Statement and Tree and Hedge Protection Plan has been submitted to and approved in writing by the local planning authority. Thereafter, the development shall only be carried out in accordance with the submitted Arboricultural Method Statement and Tree and Hedge Protection Plan, unless otherwise agreed in writing by the local planning authority. The details to be submitted shall include: (a) Details of trees and hedges to be retained and removed which shall only allow for removal of existing hedgerow sections/trees as per the Tree Retention and Removal Plans contained within the Arboricultural Impact Assessment dated August 2022 prepared by Barton Hyett Associates; the Black Poplar tree and others indicated to be retained on the aforementioned plans shall be so; (b) Details of tree surgery work to retained trees; (c) Specification for tree protection including layout and type of tree protection for construction including changes that may occur during development; (d) Location and installation of services, utilities and drainage; (e) Details of construction within the root protection area of retained trees; (f) Details of site access, temporary parking, welfare facilities, loading and unloading, storage of equipment, materials, fuels and waste; (g) Boundary treatments within the root protection areas; (h) Arboricultural supervision and inspection, including timings, reporting of inspections and supervision; (i) Protection measures to internal hedgerows; (j) Arboricultural supervision and inspection, including timings, reporting of inspections and supervision and (k) Areas where directional cabling will be used where cables are to be laid beneath existing hedgerows.
- (17) The development hereby permitted shall be carried out in accordance with the flood risk mitigation measures as set out on pages 21 to 25 of the document “Flood Risk Assessment” prepared by PFA consulting and dated March 2023, save for the mitigation relating to the solar panels which shall be constructed in accordance with drawing nos. PL-02 REV 01 and PH-01 REV 07 and not protected by the construction of bunds.

- (18) No development shall commence until further drainage details have been submitted to and agreed in writing by the local planning authority. These drainage details shall include: • The provision of detailed engineering drawings of each component of the drainage scheme; • The provision of a final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features; • A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to operation in accordance with the agreed details and maintained as such for the lifetime of the development.

- (19) No development shall commence until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented as approved.

- (20) Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall be 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. The maintenance of the surface water drainage system shall be carried out in accordance with the maintenance plan agreed, unless otherwise agreed in writing by the local planning authority. 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. These must be available for inspection upon a request by the Local Planning Authority.

- (21) No development shall commence until an emergency plan for flood events during the construction period has been submitted and agreed in writing by the local planning authority. The construction of the development shall be carried out in accordance with the agreed emergency plan.

- (22) No development shall commence until a Construction Traffic Management Plan has been submitted to and agreed in writing by the local planning authority. The Construction Traffic Management Plan shall provide for:-

- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development.
 - iv. Wheel and underbody washing facilities.
 - v. Routing of vehicles (restricting HGV movement through Ashingdon Road between hours of 8.20am to 9am and 3pm to 3.45pm Monday to Friday)
 - vi. Construction hours.
 - vii. Delivery hours (restricting these between 8.20am to 9am and 3pm to 3.45pm Monday to Friday)
 - viii. Details for the control and management of dust during the construction phase.
- (23) No development shall commence until the areas within the site identified for the purpose of loading/unloading/reception and storage of materials and manoeuvring associated with the proposal have been provided clear of the highway and retained at all times during the construction process for that sole purpose.
- (24) Notwithstanding the details shown in drawing no. SD-06 REV 01, no unbound material shall be used in the surface treatment of the vehicular access / egress within 20 metres of the highway boundary. Otherwise, all access tracks shall be constructed in accordance with the details in drawing no. SD-06 REV 01 unless otherwise agreed by the Local Planning Authority.
- (25) Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be always retained.
- (26) Prior to commencement of the proposed development, the construction access junctions from Fambridge Road shall be provided as shown in principle on drawing no. 410558-MMD-XX-BA13-DR-C-0002 prepared by Mott Macdonald with associated clear to ground visibility. (E1) from Canewdon Road shall be modified as shown in principle on Mott Macdonald drawing no. 410558-MMD-XX-BA13-DR-C-0005 to provide access only to the development proposal with associated clear to ground visibility and (E2) from Lark Hill Road shall be provided as shown in principle on Mott Macdonald drawing no. 410558-MMD-XX-BA13-DR-C-0006 with exit only from the development proposal with associated clear to ground visibility always retained free of any obstruction thereafter.

- (27) Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 20 metres from the back edge of the carriageway.
- (28) No external lighting, including lighting required for construction and decommissioning, shall be installed at the site until such time as a lighting strategy for biodiversity has been submitted to and approved in writing by the local planning authority. All external lighting shall be installed in accordance with the details agreed in the strategy and shall be maintained thereafter in accordance with the agreed details, subject to any such variation that may be agreed with the Local Planning Authority. No additional external lighting shall be installed without prior written consent from the local planning authority. The emergency lighting hereby approved shall not be switched on at any time except in emergency situations at the site.
- (29) Prior to first connection to the National Grid the acoustic louvers to transformer units and acoustic attenuation to the DNO substation shall have been provided in accordance with details on drawing no. PL-03 Rev 02 and shall be retained for the lifetime of the development.
- (30) Within 3 months of first connection to the National Grid, a post-implementation acoustic survey report to demonstrate the acoustic performance for each relevant location (as contained in the Noise Impact Assessment submitted with the application) shall have been submitted to and agreed in writing by the Local Planning Authority. The report shall include details of further mitigation in the event that results demonstrate failure to meet noise levels as set out in the Noise Impact Assessment submitted with the application. Any mitigation shall be carried out in accordance with a timetable as agreed. (DP)

237 23/00248/REM – CHERRY ORCHARD BRICKWORKS

The Committee considered an application for approval of details (reserved matters) relating to layout, landscaping, scale, appearance and access (internal) for the development of 32No. over 55s retirement apartments, 22No. over 55s dwelling houses, 9No. over 55s bungalows, 30No. assisted living apartments, 34No. sheltered apartments, 93-Bed Care Home Units, a GP surgery (105m²), convenience store (200m²) and commercial units (700m²) pursuant to outline planning consent reference 17/00877/OUT.

Cllr A H Eves moved a Motion, seconded by Cllr I H Ward, to approve the application, subject to the conditions set out on pages 8.1 to 8.12 of the report and pages 7 and 8 of the addendum to the report. This was approved on a show of hands.

(6 Members voted in favour, 4 against and 1 abstained)

Resolved

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

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this approval.

(2) The developed hereby approved shall be constructed in accordance with the following approved plans:-

001 REV P2 – Location Plan

002 REV P2 – Existing Site Plan

200 REV P12 – Proposed site Plan

202 REV P6 – Proposed Parking Plan

207 REV P1 – Levels Plan

260 REV P4 – Care Home Proposed Basement Plan

261 REV P3 – Care Home Proposed Ground Floor Plan

262 REV P2 – Care Home Proposed First Floor Plan

263 REV P2 – Care Home Proposed Second Floor Plan

264 REV P3 – Care Home Proposed Third Floor Plan

265 REV P3 – Care Home Proposed Roof Plan

266 REV P3 – Care Home Proposed Elevations 1 of 4

267 REV P3 - Care Home Proposed Elevations 2 of 4

268 REV P2 – Care home Proposed Elevations 3 of 4

269 REV P3 – Care Home Proposed Elevations 4 of 4

290 – Care Home Proposed Sub-station

291 REV P2 – Care Home Proposed Bin Store

210 REV P1 – Band Stand Plan and Elevations

233.1 REV P2 – Proposed Elevations Block 1

233.2 REV P3 – Proposed Elevations Block 2

- 233.3 REV P3 – Proposed Elevation Block 3
- 233.4 REV P3 – Proposed Elevations Block 4
- 233.5 REV P3 – Proposed Elevations Block 5
- 234.1 REV P2 – Proposed Ground Floor Plan Block 1
- 234.2 REV P2 – Proposed First Floor Plan Block 1
- 234.3 REV P2 – Proposed Second and Third Floor Plan Block 1
- 234.4 REV P1 – Proposed Roof Plan Block 1
- 234.B REV P3 – Proposed Basement Plan
- 235.1 REV P3 – Proposed Ground Floor Plan Block 2
- 235.2 REV P2 – Proposed First Floor Plan Block 2
- 235.3 REV P2 – Proposed Second and Third Plan Block 2
- 235.4 REV P1 – Proposed Roof Plan Block 2
- 236.1 REV P3 – Proposed Ground Floor Plan Block 3
- 236.2 REV P2 – Proposed First Floor Plan Block 3
- 236.3 REV P2 – Proposed Second and Third Floor Plan Block 3
- 236.4 REV P1 – Proposed roof Plan
- 237.1 REV P4 – Proposed Ground Floor Plan Block 4
- 237.2 REV P2 – Proposed First Floor Plan
- 237.3 REV P2 – Proposed Second and Third Floor Plan Block 4
- 237.4 REV P1 – Proposed Roof Plan Block 4
- 238.1 REV P2 – Proposed Ground Floor Plan Block 5
- 238.2 REV P2 – Proposed First Floor Plan Block 5
- 238.3 REV P2 – Proposed Second and Third Floor Plan Block 5
- 238.4 REV P2 – Proposed Roof Floor Plan Block 5
- 238.5 REV P1 – Proposed Roof Plan Block 5
- 239.1 REV P1 – Proposed Front Link Elevation

239.2 REV P1 – Proposed Side Link Elevation

239 REV P1 – Proposed Rear Link Elevation

270 REV P2 – Housing Proposed Floor Plans and Elevations

271 REV P3 – End Housing Proposed Floor Plans and Elevations

272 REV P2 – Detached Bungalow Proposed Floor Plans and Elevations

273 REV P2 – Terraced Bungalows Proposed Floor Plans and Elevations

274 REV P1 – End Housing Proposed Floor Plans and Elevations

275.A REV P1 – Housing Proposed Alternative Floor Plans and Elevations

275 REV P1 – Housing Proposed Floor Plans and Elevations

276 REV P1 – Bin and Cycle Store Bungalows

- (3) Prior to the first use of the external materials to be used for the finish of the mixed use blocks and the care home, a detailed materials schedule which clearly depicts the external materials proposed to be used in the development and the exact location of each material, shall be submitted to and agreed in writing by the local planning authority. The materials schedule for the care home shall detail additional materials to the courtyard facing elevations (depicted in drawing no. 268 REV P2 and 269 REV P3). The development shall be carried out in accordance with the agreed details and maintained in perpetuity.
- (4) Notwithstanding the external materials indicated on drawing no. 233.5 REV P3, the roof access structures shall be finished in a thermos-glass material, details of which shall be submitted to and agreed in writing with the Local Planning Authority, (unless otherwise agreed in writing) and maintained as such in perpetuity.
- (5) The external materials of the dwellings and bungalows depicted in drawing nos. 270 REV P2; 271 REV P3; 272 REV P3; 273 REV P2; 274 REV P1; 275.A REV P1; 275 REV P1; 276 REV P1, shall be constructed of the materials and finishes as detailed in those drawings and the materials schedule labelled 650 REV P2 and dated October 2023, unless otherwise agreed in writing by the local planning authority.
- (6) Prior to the first use of the external materials to be used in the finish of the substation and bin stores depicted in drawing nos. 290; 291 REV P2; 276 REV P1, details of the external materials to be used on these buildings shall be submitted to and agreed in writing by the local planning authority. The external materials shall include green roofs to each of the buildings.

Such materials agreed, shall be those used in the finish of the substation and bin stores hereby permitted and be retained in the agreed form.

- (7) The communal lounges depicted in drawing nos. 234.1 REV P2; 234.2 REV P2; 235.1 REV P3; 235.2 REV P2; 236.1 REV P3; 237.1 REV P4 shall be used for the sole purpose as a communal lounge and shall not be used for another purpose at any time.
- (8) Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Classes A, D and E (as amended), no extension shall be erected to any dwelling hereby approved or outbuilding constructed which would reduce the size of the approved parking spaces (or otherwise impede the ability of vehicles to park on the parking spaces) as shown on the approved layout plan Drawing Number 202 REV P6. The car parking spaces as shown on this aforementioned plan shall be maintained in their approved form in perpetuity.
- (9) Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Classes A, D and E (as amended), no extension shall be erected to any dwelling hereby approved or outbuilding constructed within the garden areas to plots 2, 20, 21, 22, 23, 24, 25, 26 and 27 as shown on the approved layout plan Drawing Number 202 REV P6. The garden areas to these plots as shown on this aforementioned plan shall be maintained in their approved form in perpetuity.
- (10) Prior to first occupation of the two-storey dwellings depicted in drawing nos. 270 REV P2, 271 REV P3, 275.A REV P1 and 275 REV P1, obscure glazed high level (1.8m) privacy screening shall be installed to the side boundaries of all balconies. Thereafter the screening shall be maintained in perpetuity.
- (11) Prior to first occupation of the units numbered S12, S13, S14, S15, S16, S17, S29, S30, S31, S32, S33, S34, A13, A14, A15, A16, A17, A18, R4, R5, R6, R7, R8, R9, R27, R28, R29, R30, R31 and R32, the windows marked as 'OBS' on drawing nos. 234.2 REV P2; 234.3 REV P2; 235.2 REV P2; 235.3 REV P2; 236.2 REV P2; 236.3 REV P2; 237.2 REV P2; 237.3 REV P2; 238.2 REV P2; 238.3 REV P2 shall be glazed in obscure glass and shall be of a design not capable of opening below a height of 1.7m from the finished floor level and maintained as such in perpetuity.
- (12) Prior to the construction of any phase of the development hereby approved, a noise assessment including details of any mitigation identified as necessary, shall be submitted to the local planning authority and agreed in writing. The development shall be carried out in complete

accordance with any recommendations and mitigation detailed within the agreed noise assessment. The agreed mitigation shall be installed prior to first occupation of the development and maintained in perpetuity.

(13) Notwithstanding the parameters of the Town and Country Planning (Use Classes) Order 1987 (as amended), the commercial units depicted in the drawings hereby approved shall operate as follows:

- Block 1 – convenience food store and GP surgery
- Block 2 - within use classes E(a) and F1(b, c and d)
- Block 3 – within use classes E(a) and F1(b, c and d)
- Block 4 – within use classes E(a), E(b), E(e) and F1(b, c and d)

and shall not at any time be used for any other purpose.

(14) Prior to the first use of commercial space for use class E(b), a ventilation and extraction report shall be submitted to and agreed in writing by the local planning authority. The use of the commercial space for E(b), shall be carried out in accordance with any mitigation as may be agreed and maintained for the lifetime of that use.

(15) Prior to first use of the commercial units depicted in drawing nos. 234.1 REV P2; 235.1 REV P3; 236.1 REV P3; 237.1 REV P4, the hours of operation for each use shall be submitted to and agreed in writing by the local planning authority. Each commercial use shall be carried out in accordance with the operation hours agreed thereafter unless otherwise agreed in writing by the local planning authority.

(16) Prior to first occupation, plans and particulars showing precise details of the soft landscaping, boundary treatment and utilities which shall form part of the development hereby permitted, shall be submitted to and agreed in writing by the Local Planning Authority. Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority shall be in accordance with the landscaping principles established in drawing nos. 200 REV P12 and 2741-LLA-ZZ-GF-DR-L-0001-P03 and shall include details of:

- schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
- planting methods of the trees to be planted, including the use of structural soil cell systems as necessary;
- existing trees to be retained;
- areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
- means of enclosure and other boundary treatments;

- minor artifacts and structures (including street furniture);
- existing and proposed functional services above and below ground level (eg. drainage, power and communication cables, pipelines, together with positions of lines, supports, manholes etc);

The soft landscaping, boundary treatment and utilities 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 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.

- (17) Prior to first occupation of the development hereby permitted, a landscape management plan which details the maintenance and management of the soft landscaping agreed by condition 16, (including the management of green roofs, hedgerows with restricted heights and amenity spaces) and the hard landscaping agreed by condition 20, shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the landscape management plan agreed in perpetuity.
- (18) The hedgerows located along the rear and side boundaries of the dwellings hereby permitted (plots 1 to 22 depicted on drawing no. 200 REV P12) and the southern and eastern boundaries of the care home hereby permitted (depicted on drawing no. 200 REV P12) shall be maintained at a height no greater than 1 metre in perpetuity.
- (19) Prior to first occupation of the development hereby permitted, a lighting strategy, including all lighting within public and private spaces and taking into consideration any requirements of condition 34, shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in complete accordance with the lighting strategy agreed and maintained in perpetuity.
- (20) Prior to the laying of any hard-surfaces, the finish of all hard-surfaced areas including the demarcation of parking spaces for each use and the edge detailing which separates different hard-surface materials, shall be submitted to and agreed in writing by the local planning authority. The hard-surfaced areas shall be constructed in accordance with the details agreed prior to first occupation of the site and maintained in perpetuity.
- (21) Prior to first use of the footpaths within the site, signage to indicate the footpath and cycle paths through the site shall be submitted to and agreed

in writing by the local planning authority. The agreed signage shall be installed prior to first use of the footpaths/cycle paths and maintained in perpetuity.

- (22) Prior to first occupation of the development hereby permitted, a waste collection and presentation strategy shall be submitted to and agreed in writing by the local planning authority. The waste collection and presentation of the development shall be carried out in accordance with the agreed strategy in perpetuity.
- (23) The waste storage facilities for the mixed use blocks (depicted in drawing nos. 234.1 REV P2; 235.1 REV P3; 236.1 REV P3; 277.1 REV P4 and 238.1 REV P2), the care home (depicted in drawing nos. 260 REV P4 and 291 REV P2) and the bungalows (depicted in drawing nos. 276 REV P1) shall be provided prior to first occupation and maintained in perpetuity.
- (24) Prior to first use of each commercial unit (including the GP surgery and convenience store), a management plan for the loading/unloading bays shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the management plan agreed.
- (25) Prior to their installation, details of 8 cycle parking spaces to serve the approved assisted living and sheltered apartments shall be submitted to and agreed in writing by the local planning authority. The cycle spaces shall be provided in accordance with the agreed details prior to first occupation of the assisted living or sheltered apartments.
- (26) Prior to their installation, details of cycle parking spaces to serve the commercial units shall be submitted to and agreed in writing by the local planning authority in accordance with the Parking Standards SPD. The cycle spaces shall be provided in accordance with the agreed details prior to first use of the commercial units.
- (27) Prior to their installation, details of cycle parking spaces to serve the care home shall be submitted to and agreed in writing by the local planning authority in accordance with the Parking Standards SPD. The cycle spaces shall be provided in accordance with the agreed details prior to first occupation of the care home.
- (28) The cycle parking and mobility scooter facilities as shown on drawing nos. 276 REV P1; 270 REV P2; 271 REV P3; 275.A REV P2; 275 REV P1; 234.1 REV P2; 235.1 REV P3; 236.1 REV P3; 277.1 REV P4; 238.1 REV P2 (including provision for one further cycle within the cycle

store serving the bungalows) shall be provided prior to first occupation of the development and maintained thereafter.

- (29) Prior to installation of the parking spaces serving the care home, a plan showing the siting of 3 powered two wheeler spaces to serve the care home shall be submitted to and agreed in writing with the Local Planning Authority. Once agreed these shall be implemented on site and retained in perpetuity.
- (30) Prior to development, the areas within the site identified for the purpose of loading/unloading/reception and storage of materials and manoeuvring associated with the proposal shall be provided clear of the highway and retained at all times during the construction process for that sole purpose.
- (31) The proposed development shall not be occupied until such time as the vehicle parking area indicated on drawing nos. 202 REV P6 and 234.B REV P3, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning areas shall be maintained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.
- (32) Prior to commencement of the development hereby permitted, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

- (33) Prior to first occupation of the development hereby permitted, a wildlife sensitive lighting design scheme shall be submitted to and approved in writing by the local planning authority. The strategy shall have regard for those details required by condition 19 and shall:
- a) identify those areas/features on site that are particularly sensitive bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

- (34) Prior to construction of the development hereby permitted, a third party instrument flight procedure assessment shall be submitted to and agreed in writing by the local planning authority. The development shall be constructed in complete accordance with those details agreed and maintained in the agreed form thereafter.
- (35) The guest rooms depicted in drawing nos. 235.1 REV P3 and 236.1 REV P3 shall be used for this sole purpose and shall not at any time be used as a permanent residential unit.

REASON: To ensure the development accords with the parameters of the outline consent.

- (36) Prior to works commencing to construct the development hereby approved, existing and proposed land level plans including existing and proposed sections shall be submitted to and agreed in writing with the Local Planning Authority. Once agreed, these plans shall be adhered to.

REASON: To ensure that acceptable land levels are provided at the site in the interests of visual amenity and ensuring acceptable relationships with neighbouring properties in accordance with policy DM1 of the Development Management Plan 2014. (DP)

238 23/00261/FUL – WATERSIDE FARM, EAST END PAGLESHAM

This application was deferred to the next meeting of the Committee due to meeting time constraints.

The meeting closed at 10.20 pm.

Chairman

Date

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