

Development Committee – 18 October 2018

Minutes of the meeting of the Development Committee held on **18 October 2018** when there were present:-

Chairman: Cllr S P Smith
Vice-Chairman: Cllr Mrs L Shaw

Cllr C C Cannell
Cllr J D Griffin
Cllr N J Hookway
Cllr G J Ioannou
Cllr P J Shaw

Cllr M J Steptoe
Cllr Mrs C A Weston
Cllr A L Williams
Cllr S A Wilson

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs D Hoy and R Milne.

SUBSTITUTE MEMBERS

Cllr M J Lucas-Gill - for Cllr R Milne

NON MEMBERS ATTENDING

Cllrs Mrs J R Gooding and C M Stanley.

OFFICERS PRESENT

C Buckley - Team Leader (Area Team South)
K Rodgers - Team Leader (Area Team South)
R Hurst - Senior Solicitor
K Ellis - Senior Planner
A Evans - Senior Planner
S Worthington - Democratic Services Officer

PUBLIC SPEAKERS

Cllr Mrs M Cohen - for item 8(1)
N Diment - for item 6
K Jennings - for item 8(2)

188 MINUTES

The Minutes of the meeting held on 20 September 2018 were approved as a correct record and signed by the Chairman.

189 DECLARATIONS OF INTEREST

Cllr M J Steptoe declared a non-pecuniary interest in item 6 of the agenda relating to 18/00584/REM and by virtue of being County Councillor for Rochford South and Ward Member for Roche South. He also declared a non-pecuniary interest in item 7 of the agenda relating to 18/00750/FUL for the

same reasons and also by virtue of membership of the London Southend Airport Consultative Committee. He also declared a non-pecuniary interest in item 8(1) of the agenda relating to 17/001136/OUT by virtue of being County Councillor for Rochford South and a Member of Barling Magna Parish Council.

Cllrs G J Ioannou and Mrs L Shaw each declared a non-pecuniary interest in items 8(2) and 8(3) of the agenda relating to 18/00701/FUL and 18/00606/FUL by virtue of being Ward Members for Roche North. Cllrs M J Lucas-Gill and A L Williams each declared a non-pecuniary interest in items 6 and 7 of the agenda by virtue of being Ward Members for Roche South and in respect of item 7 by virtue of membership of the London Southend Airport Consultative Committee.

190 18/00584/REM – LAND EAST OF RUGBY CLUB, AVIATION WAY, ROCHFORD

The Committee considered a Reserved Matters application following outline permission reference 15/00781/OUT to consider details in connection with a proposed employment unit for B1/B2 (business/general industrial) use including details of access, layout, appearance, scale and landscaping.

During debate Members concurred that details of the controlled gated access onto Aviation Way should be in consultation with Ward Members. Officers confirmed this was controlled via a condition attached to the previous Reserved Matters application reference 18/00411/REM and such consultation would take place as part of discharge of that condition.

Resolved

That Reserved Matters approval be granted, subject to the following heads of conditions:-

- (1) Time Limits Full – Standard
- (2) A landscaping condition specifying further details in relation to species type, planting mix, planting density and time of implementation of planting and ongoing management.
- (3) A condition relating to archaeological investigation and post excavation assessment:-
 1. No development or preliminary ground works can commence on those areas containing archaeological deposits until the satisfactory completion of field work, as detailed in a mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisers.
 2. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the

completion of field work, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

- (4) Parking – increased powered two wheeler space quantity.
- (5) Materials to be agreed.
- (6) Extraction to be agreed.
- (7) Prior to first use of the vehicular accesses, visibility splays measuring 2.4m x 43m to each side of the accesses shall be provided and be permanently retained thereafter.
- (8) Design and materials for the out buildings – to be agreed. (ADP&RS)

191 18/00750/FUL – NEW AIRPORT TERMINAL BUILDING, SOUTHEND AIRPORT

The Committee considered an application to vary condition 2 (approved plan numbers) relating to planning permission reference 17/00996/FUL for extension to the terminal buildings and discharge conditions 3 (canopy), 4 (external materials), 5 (archaeology), 6 (BREEAM), 8 (recessed roof area) and 14 (dust management plan) imposed on planning application 17/00996/FUL.

Resolved

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

- (1) The development hereby permitted shall be begun before the expiration of three years from 3 January 2018 (date of original permission for 17/00996/FUL).
- (2) The development hereby approved shall be carried out in accordance with the approved plans as follows:-

17064-00 100-003 Rev 00, 17064-00-200-001 Rev 01, 17064-00-200-002 Rev 01, 17064-00-200-007 Rev 00, 17064-00-300-010 Rev 00, RPS-P3-SI-DR-A-003 P01, RPS-P3-GF-DR-A-007 P02, RPS-P3-XX-DR-A-017 P01, RPS-P3-02-DR-A-010 P01, RPS-P3-GF-DR-A-009 P01, RPS-P3-GF-DR-A-008 P01, RPS-P3-02-DR-A-012 P01, RPS-P3-02-DR-A-011 P01, RPS-P3-XX-DR-A-014 P01, 17064-00-200-014 Rev 00, RPS-P3-XX-DR-A-016 P01, RPS-P3-XX-DR-A-015 P01, RPS-P3-XX-DR-A-018 P01, RPS-P3-XX-DR-A-021 P01, RPS-P3-XX-DR-A-019 P01.

- (3) The external facing materials to be used in the construction of the development hereby permitted shall be those materials as detailed on the submitted plans (see condition 2 above). Where alternative materials are to be used, no development shall commence before details of those alternative external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority.
- (4) The development shall be constructed in accordance with the approved details in the BREEAM pre-assessment submitted in conjunction with this application. Within 3 months of completion of the development hereby approved, or otherwise agreed in writing by the Local Planning Authority, a BREEAM assessment of the development shall have been submitted to and agreed by the Local Planning Authority.
- (5) Prior to completion of the development hereby approved, details of how the development will secure at least 10 per cent of its energy from a decentralised and renewable or low-carbon source, unless details are provided to demonstrate that this is not feasible or not viable, shall be submitted to and approved in writing by the Local Planning Authority. The details as agreed shall be implemented prior to first beneficial use of the development hereby approved.
- (6) Prior to first beneficial use of the extensions hereby approved, details of hard and soft landscaping including the bund shall be submitted to and agreed in writing by the Local Planning Authority. Hard and soft landscaping shall be completed as agreed prior to first beneficial use of the extensions unless an alternative timetable is previously agreed in writing by the Local Planning Authority.
- (7) Prior to commencement of the development hereby approved details of how the development will use rain water harvesting and water recycling unless details are provided to demonstrate that this is not feasible or not viable, shall be submitted to and approved in writing by the Local Planning Authority. The details as agreed shall be implemented prior to first beneficial use of the development hereby approved.
- (8) No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

The scheme should include but not be limited to:-

- Limiting discharge rates to 1 in 1 year green field rate unless this is demonstrated not to be feasible, in which case a minimum of 50% betterment of the existing brown field rate, for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate

change.

- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Details of capacity within the existing drainage network if this is to be utilised.
- Final modelling and calculations for all areas of the drainage system, including run off rate and storage provision.
- The appropriate level of treatment for all run off leaving the site, in line with the CIRIA SuDS Manual C753.
- Permission from the relevant water authority to connect to the existing surface water sewer.
- Detailed engineering drawings of each component of the drainage scheme.
- 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 occupation.

- (9) 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. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.
- (10) 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.
- (11) The approved Dust Management Plan dated 1 August 2018 shall be implemented as agreed and adhered to throughout the construction of the development hereby approved.
- (12) No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority.

No development shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.
(ADP&RS)

192 17/001136/OUT – ROSEDENE NURSERIES, BARROW HALL ROAD, BARLING MAGNA

The Committee considered an outline application to demolish existing dwellings and buildings and to construct twenty four 3-bed houses.

During debate Members expressed concerns relating to the narrow width of the road in this location, the lack of footpaths, the need to relocate a telegraph pole in the vicinity of the site, the poor location of the bus stop, particularly given the need for children to travel some distance to primary and secondary schools. Members therefore concurred that the reasons for refusal should also include reasons relating to the site being situated in an unsustainable location, lacking appropriate footpaths and an accessible bus stop. In addition, there was a general consensus that the highway concerns should be included as an informative to the decision notice.

Resolved

That the application be refused for the following reasons:-

1. The application site lies within the Metropolitan Green Belt as identified in the Rochford District Council Local Development Framework Allocations Plan. The National Planning Policy Framework (NPPF) 2018 sets out the general presumption against inappropriate development within the Green Belt.

The proposed development does not qualify as one of the exceptions and is thus considered to represent inappropriate development within the Green Belt; only a small part of the site qualifies as Previously Developed Land. No very special circumstances exist that clearly outweigh the harm to the Green Belt, by definition and significant impact on openness would result. The proposed development would not represent sustainable development being located within a rural area not part of an existing residential settlement and without suitable footways to enable pedestrians to safely access bus stops and would have an adverse impact on the undeveloped and rural character of the locality and would undermine the purpose of safeguarding the countryside from encroachment. The proposal would fall contrary to the adopted Development Plan including Policy GB1 of the Core Strategy as well as to Part 13 of the NPPF.

2. The application has not demonstrated that surface water can be effectively managed in the form of a surface water drainage strategy. The flood risks resulting from the proposed development are therefore

unknown; it has not been demonstrated that the development would not increase flood risk elsewhere. The proposed development is considered to conflict with Policy DM28 of the Development Management Plan and Policy ENV4 of the Core Strategy and Paragraphs 163 and 165 of the NPPF.

3. The application has not demonstrated that it has taken into account the potential impacts of the development on protected species by means of a preliminary ecological assessment to determine the presence or absence of protected species which would inform further survey work or mitigation. The Local Planning Authority cannot accurately assess the impact of the proposal on protected species contrary to Section 15 of the NPPF and Policy DM27 of the Development Management Plan.
4. The application has not demonstrated that it has taken into account the potential impacts of the development on existing hedges including early mature trees at the site. Policy DM25 looks to seek to conserve existing trees and hedgerow. Without the necessary information to assess the impact on existing trees and hedgerows, the Council is not in a position to be able to fully assess the application in accordance with the National Planning Policy Framework. The application would therefore fall contrary to Policy DM25 and DM26 of the Development Management Plan.

Informatives

1. Although access to the site is not for determination at this outline application stage, there is concern that safe vehicular and pedestrian access to the site could not be achieved, particularly given the location of the site, partly directly on the junction of two roads, at least one of which is very narrow in places and given the existing siting of a telegraph pole at the site boundary. The proposed development would result in a considerable increase in the number of people resident at and visiting the site with appropriate vehicular and pedestrian access key to safety. No allowance has been given to the need to install a footway along the full length of the site frontage. The existing bus stop is inconveniently located, particularly given the lack of existing pedestrian footways to it from the site. (ADP&RS)

193 18/00701/FUL – BRAMBLEHURST FARM, HYDE WOOD LANE, CANEWDON

The Committee considered an application for the replacement of an existing mobile home with a permanent dwelling.

Mindful of officers' recommendation to refuse the application, Members nevertheless considered that the application should be approved as very special circumstances relating to the health of the applicant and the considerable length of time the mobile home had been occupied by the

applicant had been demonstrated that mitigated against any harm to the Green Belt.

Resolved

That the application be approved, subject to the following heads of conditions:

- (1) Time Limits Full – Standard
- (2) That the development be built in accordance with approved conditions.
- (3) Two car parking spaces to be provided.
- (4) Materials and finishes to be submitted to and agreed by the local planning authority.
- (5) Permitted development rights to be removed in respect of extensions and out buildings.
- (6) The existing mobile home to be removed from the site within 3 months from the first occupation of the new dwelling house. (ADP&RS)

194 18/00606/FUL – SCALDHURST FARM, LARK HILL ROAD, CANEWDON

The Committee considered an application to remove condition 5 on planning application ROC/304/84 (no alterations or extensions without the prior approval of the local planning authority).

Mindful of officers' recommendation to refuse the application, Members nonetheless considered that the application should be approved on the grounds that the current dwelling was a replacement for the original farm house located on the site, which did not have any restrictions placed upon it with regard to permitted development rights for extensions and given that the replacement dwelling was no larger than the original farm house on this site.

Resolved

That the application be approved. (ADP&RS)

The meeting closed at 9.30 pm.

Chairman

Date

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