

## Development Committee – 21 November 2019

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Minutes of the meeting of the Development Committee held on **21 November 2019** when there were present:-

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

Cllr C C Cannell  
Cllr D S Efde  
Cllr A H Eves  
Cllr M J Lucas-Gill  
Cllr D Merrick  
Cllr P J Shaw

Cllr C M Stanley  
Cllr Mrs C A Weston  
Cllr A L Williams  
Cllr S A Wilson  
Cllr S E Wootton

### NON-MEMBERS ATTENDING

Cllrs G J Ioannou, Mrs C M Mason, Mrs J E McPherson, R Milne and M J Steptoe.

### OFFICERS PRESENT

M Hotten	- Assistant Director, Place & Environment
K Rodgers	- Team Leader (Development Team South)
K Ellis	- Senior Planner
C Irwin	- Solicitor
S Worthington	- Democratic Services Officer

### PUBLIC SPEAKERS

R Barber	- for item 9
W Barker	- for item 6
G Baron	- for item 8
J Browning	- for item 10(2)
R Forde	- for item 7
M Holmes	- for item 8
P Masters	- for item 7
F Vincent	- for item 10(1)
T Wade	- for item 6

### 209 MINUTES

The Minutes of the meeting held on 17 October 2019 were approved as a correct record and signed by the Chairman.

### 210 DECLARATIONS OF INTEREST

Cllr Mrs C A Weston declared a non-pecuniary interest in item 10(2) – 18/00482/FUL – 22 Main Road, Hockley by virtue of her daughter living close to the site. Cllr Mrs C M Mason declared a non-pecuniary interest in item 6 – 19/00318/FUL – 34 Mount Crescent, Hockley by virtue of being acquainted with the applicant.

Cllr R Milne declared a non-pecuniary interest in item 9 – 18/00954/FUL – 24 Sirdar Road, Rayleigh and item 10(1) – 19/00734/FUL – Land opposite 1 to 10 Disraeli Road, Rayleigh by virtue of membership of Rayleigh Town Council.

### **211 19/00318/FUL – LAND ADJACENT TO 34 MOUNT CRESCENT, HOCKLEY**

The Committee considered an application to sub-divide the plot and construct a bungalow.

#### **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 complete accordance with the following approved plans:  
  
Drawing Nos. 790 Rev. A, 813 Rev. A.
- (3) Prior to the construction of the external walls of the development hereby approved details of all 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. Such materials as may be agreed in writing by the Local Planning Authority shall be those used in the development hereby permitted.
- (4) The vehicular access as shown on planning drawing 790 Rev A. shall be constructed at right angles to the highway boundary and to the existing carriageway and shall be provided with appropriate dropped kerb vehicular crossing of the highway verge and footway. The vehicular access shall be completed prior to occupation of the proposed development and retained in perpetuity.
- (5) Two on site vehicular parking spaces, each with a minimum dimension of 2.9m by 5.5m, shall be retained at the site in perpetuity at No. 34 Mount Crescent.
- (6) Two on site parking spaces, with a minimum dimension of 2.9m by 5.5m, shall be retained at the application site in perpetuity and available for use solely for the purposes of vehicle parking.
- (7) There shall be no discharge of surface water from the development onto the highway.
- (8) No unbound material shall be used in the surface treatment of the car parking areas.

- (9) Part G (water efficiency) of the Building Regulations (2010) shall be met for the dwelling hereby approved and be permanently retained thereafter.
- (10) The development shall not be occupied before plans and particulars showing precise details of the hard and soft landscaping which shall form part of the development hereby permitted have been 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 show the retention of existing trees, shrubs and hedgerows on the site and include details of:-
- schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted including at least two trees (to compensate for the loss of trees arising from the development);
  - existing trees to be retained;
  - areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
  - paved or otherwise hard surfaced areas;
  - existing and finished levels shown as contours with cross-sections if appropriate;
  - means of enclosure and other boundary treatments;
  - car parking layouts and other vehicular access and circulation areas;
  - minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc; and
  - existing and proposed functional services above and below ground level (e.g. drainage, power and communication cables, pipelines, together with positions of lines, supports, manholes etc)

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.

- (11) Details of the boundary treatment to site hereby approved for a new dwelling shall be submitted to and agreed in writing by the local planning authority and shall have been implemented in accordance with the details as agreed prior to first occupation of the dwelling hereby approved.

REASON: In the interests of visual amenity and highway and pedestrian safety. (ADP&E)

### **212 19/00360/FUL – WATERSIDE FARM, THE CHASE, PAGLESHAM**

The Committee considered an application to convert existing rural barns to form 2 No. holiday lets, with associated landscaping.

#### **Resolved**

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Plans: 2842/01, 2842/02 Rev C.
- (3) Prior to commencement of the development or preliminary ground works a programme of archaeological work in accordance with a written scheme of investigation shall be submitted to and approved by the Local Planning Authority. The development shall then be carried out in accordance with the agreed programme.
- (4) Prior to commencement of the development hereby approved all of the pre-commencement recommendations contained within section 2.1 of the submitted Smart Ecology Barn Owl Mitigation plan reference 2019-019 dated 04/04/2019 must be fully implemented. In particular, no development is to commence if after the mitigation measures are implemented barn owls are found to be nesting within the building until the young barn owls have fledged and the nest is no longer in use.
- (5) The recommendations within section 2.2 During Works and section 2.3 Post Development of the Smart Ecology Barn Owl Mitigation plan reference 2019-019 dated 04/04/2019 must be fully adhered to at the relevant stages of the development hereby approved, with particular regard to the timings of development and the roost/nest box provided is to be retained after the development is completed.
- (6) Prior to the commencement of any ground works, a scheme for dealing with surface water drainage from the development by means of a sustainable drainage system (SUDs), with appropriate filtration to prevent pollutants entering the pond from the proposed vehicular parking area hereby approved, must be submitted to and approved in writing by the Local Planning Authority. This must include details of the ongoing management and maintenance of the scheme. The

appropriate design standard for the drainage system must be the 1 in 100-year event plus an allowance for the predicted increase in rain fall due to climate change. The approved drainage scheme must be implemented before the first beneficial use of the building at the site for the purpose of a holiday let. It must be maintained and managed in accordance with the agreed details in perpetuity

- (7) Prior to the commencement of the development a scheme of foul drainage for the development approved must be submitted to and approved in writing by the Local Planning Authority and such drainage works will be carried out concurrently with the development hereby approved, or as may be agreed in writing by the Local Planning Authority.
- (8) Prior to the commencement of the development hereby approved details of the proposed flood resilient and flood resistant measures to be incorporated into the development along with an emergency flood plan for the completed development must be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- (9) Prior to the use at the site first commencing as hereby approved, the mitigation/compensation measures detailed in the submitted ecological survey conducted by Arbtech and dated 25/02/2019, in particular those which have been specifically identified by the Local Planning Authority within the officer report, shall be fully implemented and retained for the lifetime of the development.
- (10) Prior to their first use on site, details or samples of all external materials, including walls, roof, fascia, rain water goods, roof lights, doors, windows, paving, boundary treatment, access way and parking area to be used in the proposed development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.
- (11) Prior to the first use of the buildings as holiday lets as hereby approved full details of the hard and soft landscaping which shall form part of the development must be submitted to and approved in writing by the Local Planning Authority. The details should include any retention of hedgerow on the site and details of:
  - schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
  - existing trees to be retained;
  - areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
  - paved or otherwise hard surfaced areas;

- existing and finished levels shown as contours with cross-sections if appropriate;
- means of enclosure and other boundary treatments;
- car parking layouts and other vehicular access and circulation areas;
- minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc which must be limited to the courtyard area.

The approved plan shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub, hedge or other plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.

- (12) The use of the building as a holiday let as hereby approved shall not commence until the access way, parking and turning areas, as shown on the submitted plans, have been laid out and surfaced in a material to be submitted to and agreed in writing by the Local Planning Authority. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.
- (13) The individual holiday units hereby permitted shall:
- a. be occupied for holiday purposes only under use class C1 only;
  - b. not be occupied as a person's sole or main place of residence;
  - c. not at any time be occupied by any individual or group of persons for a period of more than 28 days in any calendar year.

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

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

- (15) Prior to the first use of the building as a holiday let as hereby approved, details of the proposed refuse and recycling storage and collection and cycle storage shall be submitted to and approved in writing by the Local Planning Authority and provided in accordance with the agreed details. The proposed development shall be carried out in accordance with the approved details.
- (16) Prior to first use of the building as a holiday let as hereby approved, details shall have been submitted to and approved in writing by the Local Planning Authority to re-position the gate to the access track to the site in order to avoid vehicles accessing the site idling to the front of neighbouring dwellings which front the access track. The gate shall have been re-positioned or removed as agreed prior to the first beneficial use of the building hereby approved and maintained in the agreed form in perpetuity. No other gates shall be erected across the access track.

REASON: In the interests of residential amenity to mitigate against vehicular emissions being emitted directly outside a neighbour's bedroom window and against the possibility of noise nuisance at any time of day or night from vehicles outside the neighbour's bedroom window. (ADP&E)

### **213 18/01115/FUL – LAND REAR OF 3 TO 45 ALEXANDRA ROAD, GREAT WAKERING**

The Committee considered an application that was deferred at the Committee meeting held on 17 October 2019 for re-development of the site involving the demolition of No. 39A Alexandra Road to form a vehicular access to a proposed residential development consisting of 25 dwellings (1 x 1-bed maisonette, 11 x 2-bed houses and 13 x 3-bed houses), parking and landscaping.

#### **Resolved**

That planning permission be approved, subject to the following heads of terms of a Section 106 legal agreement and conditions:

#### Section 106 Heads of Terms

- Delivery on-site of 9 No. affordable dwellings at a split of 80 per cent affordable rent and 20 per cent shared ownership.
- Financial contribution towards secondary education transport provision to be calculated in accordance with Essex County Council's standard formula as referred to in the consultation response letter.
- Financial contribution of £3057.50 to mitigate the impact of the proposed development on the European Protected

Species at the district's coastline.

### 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 complete accordance with the following approved plans: 000, 200 rev P03, 201 rev P03, 202 rev P03, 203 rev P03, 204 rev P03, 205 rev P02, 206, 210 rev P01, 211 rev P01, 212 rev P01, 213 rev P01, 214 rev P01, 215 rev P01, 216 rev P01, 217, 218 rev P01, 219 rev P01, 220 rev P01, 221 rev P01, 222 rev P02, 223 rev P01, 224 rev P01, OS 1801-19.1, OS 1801-19.2, EDS-07-3102.15 SHEET 1 OF 3 REV C, EDS 07- 3102.15 SHEET 20 OF 3 REV A, EDS 07-3102.15 SHEET 3 OF 3 REV A.
- (3) No development shall take place until details including samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.
- (4) 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 for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
  - Demonstrate that the half drain times are less than 24 hours for all storage features following a 1 in 100 year plus 40% climate change storm event.
  - Final modelling and calculations for all areas of the drainage system.
  - The appropriate level of treatment for all run off leaving the site, in line with the CIRIA SuDS Manual C753.
  - 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.
- Provide pipe invert levels in order to show the viability of the flow of water within the pipe network
- Information on floor levels to confirm how exceedance flows will be routed and managed on site.
- 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.

- (5) 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.
- (6) The applicant or any successor in title shall maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan (as referred to in condition 5 above). These must be available for inspection upon request by the local planning authority.
- (7) Prior to construction, a scheme for on site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the local planning authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.
- (8) No development or preliminary ground works of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.
- (9) Prior to commencement of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be

provided before the access is first used by vehicular traffic and retained free of any obstruction at all times. Shown in principle on Richard Jackson engineering consultants drawing No. 49412/pp/002. The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway with an appropriate dropped kerb vehicular crossing of the footway.

- (10) No unbound material shall be used in the surface treatment of any vehicular access within 6 metres of the highway boundary.
- (11) No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement 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; and
  - iv. wheel and underbody washing facilities
  - v. minimisation of dust.
- (12) The parking provision shall be provided in accordance with approved plan No. 200 rev P03 and retained thereafter.
- (13) There shall be no discharge of surface water onto the highway.
- (14) Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- (15) Before preparation of any ground works and foundations on site for the development hereby approved, full details of hard landscape works for the development, which shall include details of all fencing, walling and other boundary treatments, steps, retaining walls and surface finishes shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented following the substantial completion of the development or occupation of the first dwelling, whichever is the sooner, and thereafter retained.
- (16) The development hereby permitted shall be carried out in full

accordance with the Specification for Soft Landscape Works and 5 Year Management Plan prepared by OpenSpaces Landscape Architects dated May 2019 unless otherwise agreed in writing with Rochford District Council. All planting, seeding and/or turfing comprised in the approved details of soft landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation..

- (17) Prior to development, an arboricultural method statement for the installation of the no dig shall be submitted to and approved in writing by the local planning authority. An arboricultural supervisor will remain on site at all times during the installation to ensure limited impact upon third party trees.
- (18) Prior to occupation of the development, details of the car ports and their green roofs shall be submitted to and approved in writing by the local planning authority.
- (19) Prior to the commencement of the development, excluding ground clearance works, details of how the development will secure at least 10 per cent of its energy from decentralised and renewable or low carbon sources (unless this is demonstrated to be 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 (to which the agreed provision relates) hereby approved.
- (20) Part G (water efficiency) of the Building Regulations (2010) shall be met for the dwellings hereby approved and be permanently retained thereafter.
- (21) The hours permitted for the construction/operation and any demolition processes on site (including any deliveries or transfer of materials to and from the site) shall be limited to:

Monday - Friday:

0800 -1900

Saturday

0800 - 1300

Sunday and Bank Holidays

No works that are audible at the site boundary. (ADP&E)

### **214 18/00954/FUL – 24 SIRDAR ROAD, RAYLEIGH**

The Committee considered an application for the removal of condition 3 on planning application 16/01029/COU for the change of use from workshop to D2 (Gym).

#### **Resolved**

That planning permission be approved, subject to the following heads of conditions including variation of condition 3:

- (1) Time limit
- (2) Cycle parking
- (3) Use for fitness training for no more than 30 people at one time
- (4) No amplified speech or music broadcast externally
- (5) Doors and windows to be kept shut when music and amplified speech is broadcast internally
- (6) No internally generated music to be audible at the premises boundary. (ADP&E)

### **215 19/00734/FUL – LAND OPPOSITE 1 TO 10 DISRAELI ROAD, RAYLEIGH**

(Note: Cllr C M Stanley declared a non-pecuniary interest in this item by virtue of being acquainted with the applicant.)

The Committee considered an application to erect a stable block and lay out hardstanding.

Members expressed concern about the receipt of conflicting reports from County Highways in respect of this application and asked that this be raised with the County Council.

#### **Resolved**

That the application be approved, subject to the applicant entering into a section 106 agreement such that the building should be used as a stable block and for no other purpose, and that if at any stage in the future this is no longer used as a stable or if the land edged red on the application submission is no longer available for the grazing of horses occupying the stable hereby approved, the stable building must be removed from the site in its entirety, including footings, and 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 complete accordance with the following approved plans: 3540-4 rev A 1 of 2, 3540-4 rev A 2 of 2.
- (3) The external surfaces of the development hereby approved shall be constructed of materials and finish as detailed in the application, unless otherwise agreed in writing by the local planning authority. (ADP&E)

### **216 18/00482/FUL – 22 MAIN ROAD, HOCKLEY**

The Committee considered an application for the conversion of a commercial building to form 11 No. 2-bedroom apartments. Mindful of officer's recommendation to approve the application, Members nevertheless considered that the application should be refused on the grounds that the lack of any commercial element within the application resulted in it not being compliant with Council policy and specifically the Hockley Area Action Plan.

#### **Resolved**

That the application be refused for the following reasons:-

The application site is currently designated as Secondary Shopping Frontage by the Council's Hockley Area Action Plan. The development of the site for solely residential use would result in a loss of commercial units, which would have a negative impact on the viability and vitality of Hockley town centre. The proposed development would not therefore be compliant with the policy requirements of the Hockley Area Action Plan. (ADP&E)

The meeting closed at 10.15 pm.

Chairman .....

Date .....

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