

## Development Committee – 25 March 2021

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Minutes of the meeting of the Development Committee held on **25 March 2021** when there were present:-

Chairman: Cllr S P Smith  
Vice-Chairman: Cllr P J Shaw

Cllr Mrs L A Butcher  
Cllr D S Efde  
Cllr A H Eves  
Cllr N J Hookway  
Cllr D Merrick

Cllr Mrs L Shaw  
Cllr C M Stanley  
Cllr A L Williams  
Cllr S A Wilson

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs G J Ioannou and C A Weston.

### **SUBSTITUTE MEMBERS**

Cllr M G Wilkinson - for Cllr G J Ioannou  
Cllr M J Steptoe - for Cllr Mrs C A Weston

### **NON-MEMBERS ATTENDING**

Cllrs J R Gooding, M Hoy, Mrs C E Roe, I H Ward and S E Wootton.

### **OFFICERS PRESENT**

M Hotten	- Assistant Director, Place and Environment
Y Dunn	- Planning Manager
C Buckley	- Team Leader (Area Team South)
M Stranks	- Team Leader (Area Team North)
S Worthington	- Principal Democratic & Corporate Services Officer
C Irwin	- Solicitor
L Morris	- Democratic Services Officer
K Smith	- Democratic Services Officer

### **PUBLIC SPEAKERS**

J Dagg	- for item 12(1)
K Jennings	- for item 8
J Wilkinson	- for item 12(1)

## **51 MINUTES**

The Minutes of the meeting held on 25 February 2021 were approved as a correct record and would be signed by the Chairman in due course.

## **52 DECLARATIONS OF INTEREST**

All Members declared a non-pecuniary interest in items 9 and 10 of the Agenda relating to 38-40 West Street, Rochford by virtue of being acquainted with the

applicant. Cllr M J Steptoe also declared a non-pecuniary interest in the same items by virtue of being acquainted with directors of the business and by virtue of membership of Essex County Council. Cllr A L Williams declared a non-pecuniary interest in the same items by virtue of chairmanship of Rochford Parish Council.

Cllr P J Shaw declared a non-pecuniary interest in item 8 of the Agenda relating to Little Stambridge Hall Farm, Little Stambridge Hall Lane, Stambridge by virtue of chairmanship of Stambridge Parish Council and Cllr Mrs L Shaw declared a non-pecuniary interest in the same item by virtue of being acquainted with the applicant.

**53 20/00043/OUT – LAND NORTH OF LONDON ROAD AND WEST OF RAWRETH INDUSTRIAL ESTATE, RAWRETH LANE, RAYLEIGH**

The above application had been removed from the Agenda at the request of the applicant.

**54 20/00043/OUT – 106 LOWER ROAD, HULLBRIDGE**

The Committee considered an application to demolish a garage and workshops and construct a development of 12 No. flats.

A Motion moved by Cllr C M Stanley and seconded by Cllr S A Wilson relating to the inclusion of an additional condition that the development should not exceed two storeys was agreed. (9 voted in favour of the Motion, 3 voted against and 0 abstained).

A further Motion moved by Cllr C M Stanley and seconded by Cllr S A Wilson that amenity space should be situated directly behind the proposed building was lost. (6 voted in favour 6 against and 0 abstained (Chairman's casting vote)).

**Resolved**

that planning permission be approved, subject to the completion of a legal agreement under Section 106 of the Act for the heads of terms set out below:

- (a) The provision of Affordable Housing (2 in number Shared Ownership units) with a clause attached that in the event of failure to secure a Housing Provider Partnership within 12 months of the properties becoming available for occupation (which would need to be clearly demonstrated) that a financial sum of £156,188.00 would become payable to Rochford District Council for affordable housing provision.

and subject to the conditions as set out below:

### **Submission of Reserved Matters and Approval**

- (1) No development shall commence until plans and particulars showing precise details of the layout, scale, design and external appearance, access and landscaping of the site, (herein after called the "Reserved Matters"), has been submitted to and approved in writing by the Local Planning Authority. All development at the site shall be carried out in accordance with the Reserved Matters details approved.

### **Time Limit**

- (2) In the case of the Reserved Matters an application for approval shall be made no later than the expiration of two years beginning with the date of this permission. Application for the approval of the remaining "Reserved Matters" referred to in Condition 1 above shall be made to the Local Planning Authority before the expiration of five years from the date of this planning permission.

### **Commencement Time Limit**

- (3) The development to which this permission relates shall be commenced not later than the expiration of two years from the approval of the first reserved matter and the remainder of the development shall be begun not later than:-
  - (i) the expiration of five years from the date of the grant of Outline Planning permission, or
  - (ii) within two years of the approval of the reserved matters for the phase or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

### **Prevention of Discharge of Surface Water onto the Highway**

- (4) Prior to the submission of an application for Reserved Matters approval 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 accordance with the approved details prior to the first occupation of the development.

### **Submission of Surface Water Drainage Details**

- (5) No works except demolition 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 shall include but not be limited to:

- Limiting discharge rates to 0.9l/s for all storm events up to and including the 1 in 100-year rate plus 40% allowance for climate change. All relevant permissions to discharge from the site into any outfall shall be demonstrated.
- 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.
- If a hybrid approach is utilised, appropriate distancing from buildings and roads to the point of infiltration should be provided. In addition, ground water levels should be provided to ensure there is a minimum distance of 1 metre from the base of the feature and the highest annual ground water level.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 year plus 40% climate change critical 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 Simple Index Approach in chapter 26 of 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, Finished Floor Level 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 as may be approved.

### **Submission of Details to Minimise Construction Flooding**

- (6) No works shall take place until a scheme to minimise the risk of off site flooding caused by surface water run off and ground water during construction works and to prevent pollution has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the details the subject of written approval.

### **Submission of Surface Water Drainage Maintenance Plan**

- (7) 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 shall be provided.

### **Construction Management Plan/Construction Method Statement**

- (8) No development shall take place 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
- IV. wheel and underbody washing facilities
- V. the control of dust, noise, and vibrations

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

### **Restriction of HGV Movements**

- (9) Heavy Goods Vehicle (HGV) movements to and or from the site shall not take place in a westerly or eastwardly direction along Lower Road between 0800 and 0915 and 1445 and 1630 Monday to Friday, save in the event of emergency or where roads have been closed to vehicles and so alternative diversion routes may be permitted to be used for the period of the closure or emergency

### **Removal of Further Development Rights**

- (10) Following first implementation no extensions, additions, porches or alterations of any kind including the insertion of any window openings or the creation of balconies may be implemented within the development hereby permitted, nor ancillary buildings erected anywhere within the respective curtilage(s) of the properties without the prior permission in writing of the Local Planning Authority.

### **Provision of Off Street Loading and Storage Areas**

- (11) From the first day of the commencement of the development and for the duration of all construction works thereafter until the completion of the development the areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including demolition and construction traffic shall be provided clear of Lower Road.

### **Sustainability**

- (12) Prior to the occupation of any dwelling, details shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how at least 10 per cent of the energy source serving the development would be derived from a decentralised and renewable or low-carbon sources unless it is demonstrated that this attainment is not achievable on site by way of clear evidence, in which case a report demonstrating the case and the amount (decentralised/low carbon/renewable energy) that would be provided shall be submitted to and agreed in writing by the Local Planning Authority.

### **Contamination Mitigation**

- (13) Prior to the occupation of the development, remediation of the site as per recommendations set out in the Remediation Method Statement (Document Reference: 20-027/RMS) (October 2020), shall be carried out and a detailed remediation verification report to that effect submitted to the local planning authority for its written approval.
- (14) Prior to the importation of any material brought onto the site for use as sub soil, top soil or backfill, a compliance certificate for that material proposed to be imported to the site shall be submitted to and agreed in writing by the Local Planning Authority.

### **Travel Information Pack**

- (15) Prior to first occupation of the proposed development, the developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the developer to each dwelling free of charge.

### **Details of Lighting Scheme**

- (16) Prior to first installation, details of an external lighting scheme shall be submitted to the Local Planning Authority for its written approval. Such details shall include details of all external lighting and illumination within the development site, including details of the height and position of all lighting columns, together with details of luminosity. The lighting shall be installed in accordance with the details as approved.
- (17) Notwithstanding the application particulars the development hereby approved shall not exceed two storeys in height. (ADPE)

REASON: In view of the site prominence at a high level in the street scene whereby development of three storeys or more would detract from the strong two storey and single storey character of the site surroundings.

(12 Members voted in favour of the application, 0 against and 0 abstained.)

### **55 20/01103/FUL – LITTLE STAMBRIDGE HALL FARM, LITTLE STAMBRIDGE HALL LANE, STAMBRIDGE**

The Committee considered an application for the demolition of existing commercial units and erection of 3 purpose built commercial units with ancillary parking and landscaping.

#### **Resolved**

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

#### **Commencement**

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

#### **Approved Plans**

- (2) The development shall be undertaken in strict accordance with the details of the approved plans referenced: Proposed Elevation, Floor and Roof Plans (Blocks A, B and C), Proposed Site Layout Plan including details showing the wider site plan, and revised Landscaping Plan reference 2212-100 Rev 03.

#### **Submission of External Finishes**

- (3) Prior to their first use on site, samples of the materials to be used on the external finishes must be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and permanently maintained as such in perpetuity.

#### **Submission of External Lighting Details**

- (4) Prior to first installation, details of an external lighting scheme shall be submitted to the Local Planning Authority for its written approval. Such details shall include details of all external lighting and illumination within the development site, including details of the height and position of all lighting columns, together with details of luminosity. The lighting shall be installed in accordance with the details as may be approved.

#### **Implementation of Landscaping Scheme**

- (5) The landscaping scheme as shown by plan reference 2212-100 Rev 03 shall be undertaken in full during the first planting season following the

first occupation of the development hereby permitted. 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 an agreed location, in the first available planting season following removal. A suitable method statement in accordance with BS 5837 for the demolition phase and then the development phase shall be submitted to and approved by the local planning authority.

### **Submission of Surface Water Drainage Details and Implementation**

- (6) No works except demolition 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:
- Rainwater harvesting needs to be incorporated into the final design. This system should be added to the onsite maintenance plan.
  - Limiting discharge rates to 2.2l/s for all storm events up to and including the 1 in 100-year rate plus 40% allowance for climate change.
  - Final modelling and calculations for all areas of the drainage system.
  - 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.
- (7) 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.

### **Attainment of BREEAM Standards**

- (8) The development hereby approved unless justified otherwise shall meet a BREEAM rating of 'Very Good'.

### **Controlling Minor Works**

- (9) Prior to the installation of any external extraction equipment to the buildings hereby approved details shall have been submitted to and agreed in writing by the Local Planning Authority; any equipment shall be installed in accordance with the details agreed.



### Construction Management Plan

- (10) No development shall take place 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
  - IV. wheel and underbody washing facilities
  - V. the control of dust, noise, and vibrations

### Provision of Parking Spaces

- (11) All vehicular parking spaces as shown on the proposed site layout plan shall be provided in their totality prior to the first occupation of the development. Each parking space shall provide a minimum bay dimension of 2.9 metres x 5.5 metres.

### Potential Contamination

- (12) Prior to the importation of any material brought onto the site for use as subsoil, topsoil or backfill, a compliance certificate for that material proposed to be imported to the site shall be submitted to and agreed in writing by the Local Planning Authority.
- (13) In the event that contaminated material or asbestos is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the following requirements and a report submitted to and approved in writing by the Local Planning Authority to include: -
- (i) a survey of the extent, scale, and nature of contamination
  - (ii) an assessment of the potential risks to:-
    - o human health,
    - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    - o adjoining land,
    - o ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works and the developer shall complete the remediation works in accordance with the scheme approved. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

Prior to occupation of any property hereby permitted the developer shall submit to the Local Planning Authority a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in the approved remediation scheme.

### **Highways and Rights of Way**

- (14) The public's rights and ease of passage over footpath number 21 in Stambridge shall be maintained free and unobstructed at all times.
- (15) Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

### **Cycle Space Provision**

- (16) Notwithstanding the details of the proposed site layout plan, prior to the first occupation of the development, a covered cycle store shall be provided capable of accommodating 8 cycle spaces, the details of which (Location and Design) shall be submitted to the Local Planning Authority for its written approval.
- (17) The development hereby permitted shall be limited to those uses that fall within use classes E(g)(iii) (industrial processes) and B8 (storage and

distribution of the Town and Country Planning (Use Classes) Order 1987 (as amended).

### Informative

Given the absence of a public footpath to Little Hall Lane and the likely increase in commercial traffic as a result of this development, the applicant is asked to explore the possibility and provide a series of safe havens for pedestrians along Little Hall Lane in the interests of pedestrian safety. (ADPE)

(13 Members voted in favour of the application, 0 against and 0 abstained.)

### **56 21/00162/FUL – 38-40 WEST STREET, ROCHFORD**

The Committee considered an application for a new shop front access ramp and hand rail.

### **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 the date of this permission.
- (2) The external facing materials to be used in the construction of the development hereby permitted, shall match (i.e. be of an identical appearance to) those of the corresponding areas of the existing building unless alternative materials are proposed in which case details shall be submitted to and agreed in writing by the Local Planning Authority prior to their use.
- (3) The development hereby permitted shall be carried out in complete accordance with the following approved plans: PO/BH/RCHFRD/003 REV E; 2988/01 REV A; Proposed Elevations. (ADPE)

(11 Members voted in favour of the Motion, 1 against and 1 abstained.)

### **57 20/01060/ADV – 38-40 WEST STREET, ROCHFORD**

The Committee considered an application for new externally illuminated fascia signage and non-illuminated fascia and hanging signage.

### **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 the date of this permission.

- (2) The external facing materials to be used in the construction of the development hereby permitted, shall match (i.e. be of an identical appearance to) those of the corresponding areas of the existing building unless alternative materials are proposed in which case details shall be submitted to and agreed in writing by the Local Planning Authority prior to their use.
- (3) The development hereby permitted shall be carried out in complete accordance with the following approved plans: PO/BH/RCHFRD/003 REV E; 2988/01 REV A; 2988/02; Proposed Elevations. (ADPE)

(13 Members voted in favour of the Motion, 0 against and 0 abstained.)

### **58 20/01170/FUL – 15 HAINAULT AVENUE, ROCHFORD**

The Committee considered an application for a single storey side extension.

#### **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 the date of this permission.
- (2) The external facing materials to be used in the construction of the development hereby permitted shall match (i.e. be of an identical appearance to) those of the corresponding areas of the existing building unless alternative materials are proposed in which case details shall be submitted to and agreed in writing by the Local Planning Authority prior to their use.
- (3) The development hereby permitted shall be carried out in complete accordance with the following approved plans: 1015/01; 1015/02; Location Plan. (ADPE)

(13 Members voted in favour of the Motion, 0 against and 0 abstained.)

### **59 ITEMS REFERRED FROM THE WEEKLY LIST**

#### **21/0078/FUL – HILLVIEW HOUSE, 7 HILLSIDE ROAD, EASTWOOD**

The Committee considered an application that had been referred from the Weekly List to remove planning condition no. 9 of planning consent reference 15/00046/FUL (demolish existing bungalow and replace with 1 No. four-bed and 1 No. five-bed two storey dwellings) to allow for re-positioned boundary fence to western site boundary.

#### **Resolved**

That the application be refused for the following reason:-

The material change of use of land referred to as the wooded margin to residential garden and the 1.8m close bordered timber fence is harmful to visual amenity, particularly given the location on a corner plot. The unauthorised fence is a conspicuous feature significantly reducing the open character of Rayleigh Avenue and Hillside Road. The fence significantly reduces the existing open, soft landscaped green character which would significantly detract from the overall character and appearance of the area and would have an adverse impact upon the street scene. The proposed development would be contrary to policy CP1 of the Core Strategy and policies DM1 and DM3 of the Development Management Plan and relevant parts of the National Planning Policy Framework relating to achieving good design.

As such, condition 9 to the permission for two dwellings granted on 7 May 2015 under application reference 15/00046/FUL should be retained and a new inner fence line placing the group of trees outside the curtilage of the house to plot 1 provided. (ADPE)

(12 Members voted in favour of the Motion, 1 against and 0 abstained.)

The meeting closed at 9.32 pm.

Chairman .....

Date .....

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