

**ITEM 6 – 22/00175/FUL – FIELDS TO THE NORTH OF A127
SOUTHEND ARTERIAL ROAD, WEST OF RAYLEIGH
SUBSTATION, SOUTH OF RAILWAY LINE AND WEST OF
A1245: EASTINGS (X)578826; NORTHINGS (Y) 190710**

1. Clarification Relating to ‘Community Benefits’

The applicant has (since the publication and circulation of the officer’s report) provided further information in relation to the community benefits which are referred to within the applicant’s planning submission. Although financial contributions are not required in connection with this application to make the development acceptable in planning policy terms, the applicant states the following:-

‘With regard to the community benefit fund, we made it clear in the briefing note that these monies are essentially a donation and should not be weighed in the planning balance. This is not a mistake; the monies are intended to go to Rayleigh Town Council. This is the approach that we take on all our schemes; monies are given to Town or Parish Councils to ensure that the funds are spent in the areas closest to the proposed development. You are correct in suggesting that any method of distributing the funds will lie separately from the District Council’.

‘We have issued correspondence to Rayleigh Town Council on this matter, along with requests to speak with Members, but have not had much meaningful response from them. Regardless of this, we are committed to providing this funding to the Town Council. This is something that we do on all our developments and akin to what we have done on other schemes; we will firm up the community benefit fund following the grant of any future planning permission. Doing so before is slightly fruitless, in the risk that planning permission is not granted. As noted above, this is something that we provide on all our developments and is a very standard approach to development in the industry, albeit the amount we give at £400 (index linked) per MW is industry leading’.

2. Briefing Note to Members

It is noted that the applicant has issued a ‘Briefing Note’ to all Members on Monday, 19 June which summarises the application and the case for the development.

Officer Comment: The information submitted has no bearing upon the considerations or the recommendations made within the officer’s report.

**ITEM 7 – 22/01106/FUL - LAND NORTH OF SMITHERS
CHASE, SUTTON ROAD, ROCHFORD**

**1. Submission of Outline Construction Management Plan (CMP) and Dust
Suppression and Noise Reduction Report**

In order to reduce the quantity of planning conditions that require details to be submitted and agreed the agent has provided the above mentioned reports in an attempt to change conditions 9 and 22 of the officer's report (pages 7.4 and 7.8) to compliance conditions.

Officers identified some inaccuracies within the CMP and Dust Suppression and Noise Reduction Report submitted and advised the agent. Amended reports have not yet been submitted. With inaccuracies in the reports submitted and the need to consult with an Environmental Health Officer it is not considered that conditions 9 and 22 could be amended to compliance conditions. These conditions should remain as stated within the officer's report.

2. Submission of Planting Schedule and Landscaping Plan

The agent has provided a planting schedule and landscaping plan to seek to change conditions 11 and 17 of the officer's report (pages 7.4 and 7.6) to compliance conditions. These details are considered acceptable and the conditions are recommended to be amended accordingly.

3. Submission of Archaeological Trenching Site Plan

The agent has submitted an archaeological trenching site plan which has been super imposed over the layout plan for the current application. The agent considers that this demonstrates that sufficient trenching has already taken place in the area of the current application and that this overrides the need for the archaeological condition no. 6 within the officer's report (page 7.3).

4. ECC Archaeology Response

ECC Archaeology has provided the following response to the additional trenching plan provided:-

They show that the area concerned has had just one and a half trenches excavated and I would like one more trench done to the west. It may need a condition for that.

Therefore it is still considered that an archaeological condition is necessary here. This can be re-worded though on the basis of the response received to reflect that it is only a small area to the west where further investigation is considered necessary for this application.

5. Correspondence with Agent

The agent has queried the wording of condition 3 within the officer's report as this would require the twelve buildings, car park, access road, earth bund and boundary treatment to be removed after 3 years. The agent makes reference to the fact that the 17/00436/FUL permission has already approved the access and a car park (albeit proposed for amendment with this application) and has controls over boundary treatment through a condition on this previous application. It is considered that this condition should be amended to reflect this.

6. Recommendation

The recommendation remains one of approval but with the following recommended amendments to conditions 2, 3, 6, 11 and 17:-

Condition 2

The development hereby permitted shall not be carried out other than in accordance with the approved plans listed below:-

- 2059-00-DR-0310 Rev P03 (Temporary Cabin Accommodation Plan)
- 2059-00-DR-0311 Rev P03 (Temporary Cabin Accommodation Elevations)
- 2059-00-DR-0312 Rev P06 (Temporary Cabin Accommodation Car Park Plan)
- 2059-00-DR-0320 Rev P04 (Part Discharge of Condition 27 – Training Ground Car Park Layout)
- 1230-4-301 Rev P2 (Landscape Boundaries and Fence Types – Temporary Cabin)
- 1230-4-404 Rev P1 (Typical Detail – 3m Timber Fence)
- 1230-4-405 Rev P1 (3m Timber Fence – Section)
- 2059-00-DR-0300 Rev P03 (Training Ground Temporary Cabin Accommodation Site Location Plan)
- 1230-4-403 Rev P1 (Typical Detail – Weld Mesh Gate)
- 2668-HTS-TT-00-DR-C-8495 Rev T1 (Temporary Training Facility External Works Plan)
- 2059-00-DR-0301 Rev P01 (Archaeological Investigation Overlay)
- 2668-HTS-TT-00-DR-C-8495 Rev T1 (Temporary Training Facility External Works Plan)

- 1230-4-210 Rev P2 (Soft and hard landscape works – Temporary Training Centre)

REASON: For the avoidance of doubt and to ensure that the development is completed in accordance with the details considered as part of the approved application.

Condition 3

This permission shall be limited to a period expiring three years from the date of this permission at which time the twelve buildings and earth bund hereby approved shall be removed from the site and the land restored to its former condition on or before the expiry date, unless a 'renewal' of this permission has been sought and obtained.

REASON: Permitted to be applied under section 72 of the Town and Country Planning Act 1990 (as amended), in this case to enable the effect of the development on the Green Belt, highway and locality to be re-appraised bearing in mind the development represents a 'meanwhile use' prior to the longer term training centre building centre being constructed.

Condition 6

Prior to first use of the development hereby approved, a programme of archaeological trial trenching shall be secured within the area highlighted yellow on the attached plan (drawing no. 2059-00-DR-0301 Rev P01) and undertaken in accordance with a Written Scheme of Investigation, which has been submitted by the applicant and approved by the Local Planning Authority. Following the completion of this initial phase of archaeological work, a summary report will be prepared and a mitigation strategy detailing the approach to further archaeological excavation and/or preservation in situ through re-design of the development shall be submitted to the Local Planning Authority.

No development or preliminary ground work can commence on the area highlighted yellow until the satisfactory completion of archaeological field work, as detailed in the mitigation strategy, which has been signed off by the Local Planning Authority.

Following completion of the archaeological field work, the applicant will submit to the Local Planning Authority a post excavation assessment (within six months of the completion date, unless otherwise agreed in advance with the Planning Authority), which 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.

REASON: In the interests of preserving any archaeological deposits present at the site.

Condition 11

The earth bund to the western edge of the site shown on drawing no. 2059-00-DR-0310 Rev P03 shall be constructed prior to the siting of the temporary buildings in accordance with the landscaping details shown on drawing no. 1230-4-210 Rev P2 and described in the planting schedule dated June 2023 by Macgregor Smith Landscape Architects.

REASON: To ensure that the bund provides immediate protection to the appearance of the buildings in the interests of visual amenity and the Green Belt.

Condition 17

The scheme of soft landscaping as shown on drawing nos. 2668-HTS-TT-00-DR-C-8495 Rev T1 and 1230-4-210 Rev P2 (for the artificial grass) shall be implemented in full in the first planting season following the completion of the development or in any such other 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.

REASON: In the interests of visual and residential amenity and the openness of the Green Belt in accordance with policies CP1 and GB1 of the Core Strategy 2011 and policies DM1, DM16, DM25 and DM26 of the Development Management Plan 2014.