

## Development Committee – 26 October 2021

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Minutes of the meeting of the Development Committee held on **26 October 2021** when there were present:-

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

Cllr Mrs L A Butcher  
Cllr I A Foster  
Cllr J L Lawmon  
Cllr Mrs C M Mason  
Cllr D Merrick  
Cllr Mrs L Shaw

Cllr P J Shaw  
Cllr S P Smith  
Cllr C M Stanley  
Cllr Mrs C A Weston  
Cllr A L Williams

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs D S Efde, A H Eves and L J Newport.

### SUBSTITUTE MEMBERS

Cllr D J Sperring	- for Cllr D S Efde
Cllr M Hoy	- for Cllr A H Eves
Cllr Mrs C M Mason	- for Cllr L J Newport

### NON-MEMBERS ATTENDING

Cllr Mrs E P Gadsdon  
Cllr J E Newport  
Cllr Mrs C E Roe  
Cllr S E Wootton

### OFFICERS PRESENT

M Hotten	- Assistant Director, Place and Environment
M Stranks	- Team Leader (Area Team North)
S Worthington	- Principal Democratic and Corporate Services Officer
K Fowler	- Senior Planner
C Irwin	- Solicitor
W Szyszka	- Democratic Services Officer

### PUBLIC SPEAKERS

A Troup	- for Item 7(1)
T Rainbird	- for Item 8

### 168 MINUTES

The Minutes of the meeting held on 23 September 2021 were approved as a correct record and signed by the Chairman.

### 169 DECLARATIONS OF INTEREST

Cllrs J E Newport and M Hoy each declared a non-pecuniary interest in Item 7(1) of the agenda relating to application 21/00522/FUL – Land North of National Grid, London Road, Rawreth by virtue of being acquainted with the landowner.

### 170 21/0068/FUL – SITE OF BULLWOOD HALL, BULLWOOD LANE, HOCKLEY

The Committee considered an application for the variation of condition no. 5 (obscure glazed windows) of approved application reference 17/00965/FUL to enable plots 1, 11, 14, 19, 20, 21, 31, 34, 36 and 43 to use clear glazing to some first floor windows.

#### Resolved

That, subject to a decision the heading of which is consistent with the safeguard required by condition 5, the application be approved, subject to being written into and bound by the obligations to the legal agreement dated 17 December 2018 to which application 17/00964/FUL relates and to the following conditions:-

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of the original permission granted planning permission on 17 December 2018.
- (2) The development hereby permitted shall not be carried out other than in accordance with the approved plans listed in the Drawing Register and Issue Sheet dated 29 March 2018 and the plans referenced Plot Analysis Plot(s) 1, 19, 20, 21, 34, 36 and 43 and Layout Plan reference 001K other than those details shown as such relate to Plots 11, 14 and 31 (which are not wholly acceptable).
- (3) Notwithstanding the details of the submitted Drawing Reference: Plot Analysis Plot 11, 14 and 31 and where also cross referenced by the Layout Plan reference 001K the east flank front aspect 1<sup>st</sup> floor window serving Plot 11 and the west front aspect 1<sup>st</sup> floor window serving Plot 14 and the north aspect 1<sup>st</sup> floor window serving plot 31 as highlighted in orange on the submitted plans shall be glazed in obscure glass and configured to a window design not capable of being opened below a height of 1.7m above finished floor level. These windows shall be modified to comply with this condition within 2 months of the date of grant of consent. The windows shall be retained as such thereafter for the duration of the development.
- (4) No further side windows other than those shown to the approved designs of the dwellings hereby approved shall be provided.

- (5) The applicant or any successor in the title must maintain yearly logs of maintenance for the surface water drainage scheme which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon request by the Local Planning Authority.
- (6) No unbound material shall be used in the surface treatment of the vehicular access and parking areas within 6 metres of the highway boundary.
- (7) Prior to the occupation of the proposed residential development, the developer shall provide a Residential Travel Information Pack for every household for sustainable transport, to include six one day travel vouchers for bus travel approved by Essex County Council.
- (8) The existing outer wooded fence shall be retained to provide a buffer between the development boundary and the extent of the adjoining ancient woodland. The buffer shall be retained as semi natural habitat.
- (9) The development shall be implemented in accordance with the details of the submitted Construction Management Plan dated 17 November 2018 Reference: SJT/18422-03\_CTMP in particular the controlled management of the flow of construction traffic entering and leaving the site.
- (10) Construction delivery vehicles shall not access or exit the site between the hours of 0800 and 0930 and 1430 – 1530 hours Monday to Friday during local school term days. (ADPE)

(This was unanimously approved.)

### **171 APPLICATION REFFERED FROM THE WEEKLY LIST – 21/00522/FUL – LAND NORTH OF NATIONAL GRID, LONDON ROAD, RAWRETH**

The Committee considered a planning application referred from the Weekly List for a containerised battery storage facility and associated infrastructure including access track and boundary treatment and to alter the existing vehicular access onto the A129.

#### **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:

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384\_IE\_01  
20139se-01  
DR1  
DR2  
1001 REV P4  
GP\_DNO\_01  
GP\_BYD\_BAT\_01  
GP\_CK\_03  
GP\_MVB-02  
GP\_PF\_02  
GP\_SF\_01  
436\_BP\_01  
436\_CS\_01  
SL237\_500  
GP\_CC\_01  
GP\_EG\_01  
436\_PP\_02\_REV A  
436\_BP\_01\_REV A

- (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.
- (4) The development shall be undertaken in accordance with a landscaping scheme to be approved by the local planning authority before commencement of development. The development shall be implemented in accordance with such details as may be agreed. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the completion of the development. Any trees or shrubs or other elements of landscaping dying within five years of planting, shall be replaced by the developers or their successors in title.
- (5) The development shall be implemented in accordance with the recommendations identified in section 4.3 pages 29 – 34 to the Ecology Report by Cherryfield Ecology (updated 17 March 2021) submitted in support of the application.
- (6) No works shall take place within an area subject to any agreed compulsory purchase without the prior agreement in writing of the Local Planning Authority in consultation with Essex County Council.
- (7) The new vehicular access on the A129 shall be provided with the visibility splays as shown on planning drawing JTP 00418 - DR2 Rev A. The access shall be provided with an appropriate vehicular crossing of the highway verge.
- (8) The inward opening gates shall be provided a minimum of 18

metres from the back edge of the carriageway as shown on planning drawing JTP 00418 DR1 Rev A.

- (9) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- (10) The public's rights and ease of passage over bridleway No. 59 Rawreth shall be maintained free and unobstructed at all times.
- (11) The Construction Traffic Management Plan shall be implemented and adhered to throughout the construction period.
- (12) 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:
  - Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
  - Limiting discharge rates to 1:1 Greenfield runoff rates 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.
  - Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event. In case the half drain down time is longer than 24 hours then demonstrate that features are able to accommodate a 1 in 10 year storm events within 24 hours of a 1 in 30 year event plus climate change.
  - Final modelling and calculations for all areas of the drainage system.
  - The appropriate level of treatment for all runoff 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, 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 and in accordance with the approved details.

- (13) No works shall take place 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.
- (14) 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, 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 submitted to and agreed by the Local Planning Authority and implemented as agreed.
- (15) 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.
- (16) The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by RPS Group reference HLEF79824 and dated 16<sup>th</sup> April 2021. The mitigation measures which include:
  - Maintaining the ground level of the access road and constructing it from permeable gravel with a geo-textile membrane
  - Access shall only be granted to the site during a time when no flood warnings or alerts are present within a near location
  - The EA's Flood Warning for England website should be checked before any site visit to confirm any potential flood warnings or alerts in the area

shall be fully implemented prior to occupation.

- (17) Prior to commencement of the development hereby approved, the developer shall provide evidence that they have entered into the District Licensing Scheme in respect of Great Crested Newts or provide details of other mitigation to be submitted to and agreed in writing with the local planning authority. Any mitigation either through the scheme or as agreed shall be carried out in accordance with these details.
- (18) Any hedgerows that are to be removed from the site shall be removed outside of the bird breeding period (March to August). If this cannot be avoided then nest checks would need to be carried out by an ecologist.
- (19) Prior to the first operation of the development hereby approved the applicants shall submit to the Local Planning Authority details for the

external lighting of the application site. The development shall be implemented in accordance with such details as may be agreed. Scheme of lighting shall be submitted, agreed in writing as implemented as agreed. Lighting will then be maintained in the approved form for the duration of the development. (ADPE)

(12 Members voted in favour, 0 Members voted against, 1 Member abstained.)

### **172 20/01196/FUL – MICHELIN FARM, ARTERIAL ROAD, RAYLEIGH**

The Committee considered an application for 1 No. building for use within classes B2 (General Industrial) and B8 (Storage and Distribution) with access and servicing, car parking, landscaping and new boundary fencing (including section of 5-metre high acoustic fence), gate house building, drainage features and associated highway works.

#### **Resolved**

That planning permission be refused for the following reason:-

The proposed development would involve a departure from the adopted Development Plan as a result of proposing alternative development on a site allocated for gypsy and traveller accommodation under Policy FT1 of the Allocations Plan. There is still an identified need for the site allocated for gypsy and traveller accommodation and it is considered that there is still a reasonable prospect of an application coming forward for the allocated use. The application, as a departure to the adopted Development Plan, could not be justified. (ADPE)

(9 Members voted for, 0 Members voted against, and 4 Members abstained.)

The meeting closed at 8.53 pm.

Chairman .....

Date .....

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