

Development Committee – 21 March 2013

Minutes of the meeting of the Development Committee held on **21 March 2013** when there were present:-

Chairman: Cllr S P Smith
Vice-Chairman: Cllr P A Capon

Cllr J P Cottis	Cllr J R F Mason
Cllr T G Cutmore	Cllr Mrs J E McPherson
Cllr Mrs H L A Glynn	Cllr D Merrick
Cllr K J Gordon	Cllr Mrs J A Mockford
Cllr J E Grey	Cllr T E Mountain
Cllr Mrs A V Hale	Cllr R A Oatham
Cllr B T Hazlewood	Cllr Mrs C E Roe
Cllr Mrs D Hoy	Cllr C G Seagers
Cllr M Hoy	Cllr D J Sperring
Cllr Mrs G A Lucas-Gill	Cllr M J Steptoe
Cllr C J Lumley	Cllr I H Ward
Cllr M Maddocks	Cllr Mrs C A Weston
Cllr Mrs C M Mason	Cllr Mrs B J Wilkins

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs P Aves, C I Black, M R Carter, Mrs T J Capon, J D Griffin, K H Hudson, Mrs J R Lumley and Mrs M J Webster

OFFICERS PRESENT

J Whitlock	- Planning Manager
M Stranks	- Team Leader (Area Team North)
A Law	- Solicitor
S Worthington	- Committee Administrator

PUBLIC SPEAKERS

Mr A Welch - for item 5

52 13/00035/FUL – LAND BETWEEN MAIN ROAD AND RECTORY ROAD AND CLEMENTS HALL WAY, HAWKWELL

The Committee considered an application to vary condition no. 4 to application no. 12/00381/FUL for a development of 176 dwellings approved on 17 December 2012, to replace the existing condition 4, which states:-

‘Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any order revoking or re-enacting that order, with or without modification) all first floor side windows shall be glazed in obscure glass and shall be of a design not capable of being opened below a height of 1.7m above first floor finished floor level and no alteration is to be made to that arrangement thereafter. The exception shall be windows to the outward

facing elevations of dwellings not facing the elevations of neighbouring housing to plots 1, 10, 12, 14, 16, 17, 23, 29, 30, 36, 43, 46, 47, 52, 54, 60, 61, 62, 73, 75, 77, 81, 102, 103, 104, 107, 111, 112, 117, 121, 128, 153, 155, 159, 160, 161, 165, 168, 172 and 175, which can be clear glazed,' with a proposed condition 4 and a further condition 4a, as detailed below:-

Proposed condition 4

'Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A, of the Town and Country Planning (General Permitted Development) Order 1995 (including any order revoking or re-enacting that order, with or without modification) all first floor windows facing back gardens and adjoining dwellings at plots 8, 10, 12, 19, 25, 37, 53, 57, 59, 65, 70, 110, 111, 114, 115 and 166, shall be glazed in obscure glass and shall be of a design not capable of being opened below a height of 1.7m above first floor finished floor level and no alteration is to be made to that arrangement thereafter, unless otherwise agreed in writing by the Local Planning Authority. On the attached plan these are shaded in red.'

Proposed condition 4A

'Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any order revoking or re-enacting that order, with or without modification) all first floor side windows to plots 25, 66, 67, 68, 69, 75, 89, 90, 100, 105 and 174 shall be glazed in obscure glass and shall be of a design not capable of being opened below a height of 1.7m above first floor finished floor level and no alteration is to be made to that arrangement thereafter, unless otherwise agreed in writing by the Local Planning Authority. On the attached plan these are shaded in blue.'

Resolved

That the application be delegated to the Head of Planning and Transportation to determine, as a refusal in its current form for the reason set out below, or for approval, should the applicant amend the application with condition 4R, as set out below.

Reason for Refusal

The proposed conditions 4 and 4A would, if allowed, increase the number of clear glazed side facing windows to dwellings within the layout in close proximity to opposing windows and sitting out areas to dwellings neighbouring the site and also between dwellings within the layout of the development. If allowed, the proposed conditions 4 and 4A would give rise to increased overlooking between occupiers of the dwellings proposed, those existing neighbouring dwellings and those dwellings within the development layout to the detriment of the privacy occupiers of those dwellings ought reasonably expect to enjoy and contrary to part (viii) to Policy HP6 to the saved Rochford District Replacement Local plan (2006).

Condition 4R

Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (including any order revoking or re-enacting that order, with or without modification) all first floor side windows shall be glazed in obscure glass and shall be of a design not capable of being opened below a height of 1.7m above first floor finished floor level and no alteration is to be made to that arrangement thereafter. The exception shall be windows to the outward facing elevations of dwellings not facing the elevations of neighbouring housing to plots 1, 10, 12, 13, 14, 16, 17, 23, 29, 30, 36, 43, 44, 46, 47, 52, 54, 60, 61, 62, 73, 75, 77, 78, 81, 86, 89, 91, 94, 98, 99, 102, 103, 104, 106, 107, 111, 112, 117, 121, 128, 129, 132, 136, 150, 153, 155, 159, 160, 161, 163, 165, 168, 169, 172, 173, 175 and 176, which can be clear glazed. (HPT)

53 12/00751/FUL – LONDON SOUTHEND AIRPORT, ROCHFORD

The Committee considered an application for an extension to the passenger terminal building at London Southend Airport.

Resolved

That, following expiry of a press advert, the application be referred to the Secretary of State for Communities and Local Government advising that Members are minded to approve the application, subject to the following heads of 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 be those materials detailed within the Design and Access Statement date stamped 3 January 2013. 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. Any materials that may be agreed in writing by the Local Planning Authority shall be those used in the development hereby permitted.
- (3) An archaeological programme of works shall continue to be implemented at the site in accordance with the written scheme of investigation prepared by Essex County Council and dated October 2012 and agreed by discharge of planning condition 4 of application reference 12/00103/FULL.
- (4) Prior to commencement of the development hereby approved details of how the proposal, when considered together with the terminal extension granted planning permission under reference

12/00103/FULL, will achieve at least 10 per cent of its energy from de-centralised and renewable or low carbon sources, shall be submitted to and agreed in writing with the local Planning Authority (unless this is shown to be not feasible or viable). Measures shall be installed as agreed and confirmation in writing that the installations are operating shall be submitted to the Local Planning Authority upon completion of the terminal extension hereby approved.

- (5) Hard and soft landscaping shall be implemented in accordance with the plan (drawing no. KN017264_PL203 Rev A) and details agreed by discharge of planning condition 6 attached to application reference 12/00103/FUL (excluding the hard standing areas where the extension hereby approved would now be located). This 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.
- (6) Upon completion of the terminal extension hereby approved, written confirmation that the extension has been assessed under the BREEAM criteria and achieved at least a 'very good' rating shall be submitted to the Local Planning Authority. (HPT)

54 13/00020/FUL – 32 THORPE ROAD, HAWKWELL

The Committee considered an application to sub-divide a plot and construct a three-bedroomed bungalow to the rear of the site.

Resolved

That the application be approved, subject to the following conditions and informative:-

- (1) SC4B Time Limits Full – Standard
- (2) SC14 Materials to be Used (Externally)
- (3) Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class B and/or Class C of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) no roof alterations, including but not limited to dormers, hip to gable enlargements, roof lights or any other form of opening shall be inserted, or otherwise erected, within the roof area (including roof void) of the bungalow hereby permitted.

(4) No development shall commence 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, which 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;
- Existing trees to be retained/relocated;
- Areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
- Paved or otherwise hard surfaced areas;
- Means of enclosure and other boundary treatments

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 or relocation, 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.

(5) No development shall commence until tree protection fencing has been constructed 1m outside the crown spreads of the four trees on the northern boundary. The fencing will be in accordance with figure 3 of BS5837:2012. Trees in relation to design, demolition and construction using Heras type fencing with rubber/concrete feet, joined using a minimum of two anti-tamper couplers in addition to stabiliser struts secured using ground pins or mounted on a block tray.

(6) Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a proposal for the use of permeable paving within the site or a method by which surface water is directed to a porous area within the site. The approved scheme shall be carried out in its entirety prior to the driveway becoming operational and shall be retained at all times.

(7) Prior to commencement of the development hereby approved, plans and details shall be submitted to and agreed in writing by the Local

Planning Authority demonstrating assessment of the development against the Lifetime Homes Standard criteria. Once agreed, the development shall be built in accordance with these details.

- (8) Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (including any Order revoking or re-enacting that Order, with or without modification) no doors or other means of enclosing the car port shall be installed to the front elevation of the car port.
- (9) On the northern and southern boundaries to the private drive, there shall be no fence or wall erected or vegetation planted greater than 600mm in height within a 1.5m distance of the footpath.
- (10) Prior to occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3m and shall be provide with an appropriate dropped kerb vehicular crossing of the footway/highway verge.
- (11) Prior to the commencement of works on site the applicant shall indicate in writing to the Local Planning Authority an area within the curtilage of the site for the reception and storage of building materials and for the parking of plant and equipment used in the construction of the development and clear of the highway. The development shall be implemented in accordance with such details as may be agreed by the Local Planning Authority.

Informative

The applicant is to ensure that during the construction of the development no obstruction is caused to the highway, including the footway. (HPT)

The meeting closed at 8.30 pm.

Chairman

Date

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