

<b>ITEM 4</b> <b>North of</b> <b>A129 East of</b> <b>A130, Old</b> <b>London</b> <b>Road,</b> <b>Rawreth,</b> <b>13/00727/FUL</b>	<p><b>Contents:</b></p> <ol style="list-style-type: none"><li><b>1. Further Neighbour Representations</b></li><li><b>2. Consultation from the Environment Agency</b></li><li><b>3. Revised Officer Recommendation</b></li></ol> <ol style="list-style-type: none"><li><b>1. Further Neighbour Representations</b><p>One letter has been received from the following address:-</p><p>Golden Cross Road: 70a.</p><p>And which makes the following comments withdrawing previous support made:-</p><p>Confirm that this letter was not sent by me and neither was the one from my husband. Sadly if been asked to support them I would have done but now am totally against their application for using my personal details fraudulently. Please can you therefore remove our support for this application forthwith. I shall be taking legal advice regarding this matter and have already contacted the agent for his explanation.</p></li><li><b>2. Consultation from the Environment Agency</b><p>Raise a holding objection on flood risk grounds.</p><p>Advise that the application site lies within Flood Zone 3a, the high risk zone, and requires a site specific Flood Risk Assessment.</p><p>In the absence of an FRA raise a holding objection until a satisfactory FRA has been submitted. The flood risk resulting from the proposal is unknown and therefore the absence of an FRA is sufficient reason in itself for refusing planning permission.</p></li><li><b>3. Revised Officer Recommendation</b><p>In view of the reply to consultation received from the Environment Agency, officers were to report a revised recommendation of REFUSAL on flooding grounds . However, the application has subsequently been <b>WITHDRAWN</b>.</p></li></ol>
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<b>ITEM 5</b> <b>Land</b> <b>between</b> <b>Main Road</b> <b>and Rectory</b> <b>Road and</b> <b>Clements</b> <b>Hall Way,</b> <b>Hawkwell</b> <b>13/00709/FUL</b>	<p><b>Contents:</b></p> <ol style="list-style-type: none"><li><b>1. Further Comments in Response to Consultation from the Environment Agency</b></li><li><b>2. Further Comments in Response to Consultation from Anglian Water</b></li><li><b>3. Update to officer Recommendation</b></li></ol> <p><b>1. Further Consultation from the Environment Agency</b></p> <p>We consider that sufficient information has been provided (assuming you find the following comments acceptable) to enable the amendment of condition 20 of the planning permission granted.</p> <p><u>Drainage Summary</u></p> <p>Surface water for the all events up to and including the 1 in 30 year storm shall be discharged to an existing Anglian Water sewer in Clements Hall Way at a rate of 46.5l/s. We understand that this rate has been accepted by Anglian Water, who has confirmed that there is sufficient capacity within its system for these flows. Please note that we have not seen evidence from Anglian Water to confirm that it is satisfied to accept these flows and that there is sufficient capacity within the system. We therefore recommend that you are satisfied that Anglian Water is able to accept these flows before condition 20 is amended.</p> <p>Flows generated on site for events between the 1 in 30 and 1 in 100 year events will be stored using underground cellular crate systems (468m<sup>3</sup>) and a detention basin (241m<sup>3</sup>) before discharging to the water course. The consultant has confirmed that there will be capacity for the remaining flows from the site within this water course with basic calculations. We consider this acceptable for permitting variation of the condition, but would expect further details to be submitted before this condition can be discharged in the future. We have provided a suggested amendment to the wording of the condition (point 2) to cover this matter with justification for this wording in the following paragraph.</p>
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In order for this condition to be discharged in the future, we would expect full and detailed drainage network drawings and calculations to be submitted to demonstrate that there is sufficient capacity within the network to carry flows across the site for all storms up to and including the 1 in 100 year storm, inclusive of climate change. If the system is shown to surcharge at any point then details of the depths of flooding and where on site this water shall be stored will need to be included. The assessment should pay attention to the rate at which surface water flows can enter the system and any storage requirements that may be needed on site for periods of intense rain fall where water may not enter the system at a fast enough rate to prevent flooding across the site.

Condition Amendment

We would recommend that the details of condition 20 remain as existing with the following amendments:-

2. Storage shall be provide on site to accommodate the 1 in 100 year storm, inclusive of climate change, and shall be designed to incorporate sustainable drainage techniques and consider flow routes/pathways across the site. Full calculations must be submitted to demonstrate that there is capacity within the system (both on site and within any receiving systems/water courses) for all events up to and including the 1 in 100 year storm, inclusive of climate change, without increasing flood risk elsewhere.
3. Prior to first habitation, details of who shall be responsible for the maintenance of the surface water scheme in perpetuity shall be agreed in writing with the Local Planning Authority. This agreement shall include details of all aspects of the scheme, including, but not limited to, swales, detention basins, oversized storage facilities (above and below ground), pipe networks, outfalls and watercourses where surface water will discharging to.

Reason

2. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
3. To ensure the system is maintained at its design capacity for the lifetime of the development.

## 2. Further Consultation from Anglian Water

Confirm that we have granted our 'conditional' technical approval (30/12/13) for the eventual adoption of the foul and surface water sewers on this BDW development site. This includes for a surface water connection to MH1651 on the 300mm dia' public surface water sewer in Clements Hall Way. The surface water discharge from this development is to be attenuated to a maximum 46.5-L/sec in all storm events up to a 1 in 100 year storm event with a 30% allowance for climate change.

For your information we are currently withholding our S106 consent for this surface water connection and our formal offer of a S104 Agreement for the adoption of the sewers on this development pending resolution of the following points:-

- Full Land Title Registration Documents required.
- Updated Planning Permission following the re-planning of the properties adjacent to Clements Hall Lane.
- Consent from National Grid to lay the adoptable surface water sewer through their easement following the diversion of a gas main on this site.

Anglian Water has no objection to the variation of condition 20 – Surface Water Drainage as per the application form (reference no. 13/00709/FUL). It is also believed that an application will be made under Section 104 for adoption of the sewers to Anglian Water.

## 3. Update to Officer Recommendation

The applicants have written agreeing to an extension of time for determination of this application until 4 April 2014.

Officers therefore recommend that Members resolve to **APPROVE planning permission**, subject to the application being incorporated into a legal agreement to the same effect as the existing legal agreements relating to application 12/00381/FUL and to those conditions set out in the report, including those amendments to condition 20 recommended by the Environment Agency. As such, the revised condition 20 would read as follows:-

	<p>Condition 20A</p> <p>The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by Richard Jackson Ltd Job No. 43929 and dated September 2013 and the following mitigation measures detailed in the FRA:-</p> <ol style="list-style-type: none"><li>1. Surface water run-off generated on site shall be restricted to a maximum of 59.9 l/s.</li><li>2. Storage shall be provided on site to accommodate the 1 in 100 year storm, inclusive of climate change, and shall be designed to incorporate sustainable drainage techniques and to consider flow routes/pathways across the site. Full calculations must be submitted to demonstrate that there is capacity within the system (both on site and within any receiving systems/water courses) for all events up to and including the 1 in 100 year storm, inclusive of climate change, without increasing flood risk elsewhere.</li><li>3. Prior to first habitation, details of who shall be responsible for the maintenance of the surface water scheme in perpetuity shall be agreed in writing with the Local Planning Authority. This agreement shall include details of all aspects of the scheme, including, but not limited to, swales, detention basins, over sized storage facilities (above and below ground), pipe networks, outfalls and water courses where surface water will be discharging to.</li><li>4. No dwellings shall be placed within flood zones two and three, as confirmed within the submitted FRA.</li><li>5. General ground levels within the flood plain shall not be raised as a result of this development.</li></ol> <p>The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may be subsequently agreed in writing by the Local Planning Authority.</p> <p>In event of a further extension of time being required and not agreed by the applicant, officers recommend the <b>FALL BACK RECOMMENDATION</b> that the Committee <b>DELEGATES TO THE HEAD OF PLANNING AND TRANSPORTATION TO REFUSE PERMISSION</b> for the reason set out at paragraph 6.4 in the report.</p>
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<p><b>ITEM 6</b>  <b>Land</b>  <b>between</b>  <b>Main Road</b>  <b>and Rectory</b>  <b>Road and</b>  <b>Clements</b>  <b>Hall Way,</b>  <b>Hawkwell</b>  <b>13/00719/FUL</b></p>	<p><b>Update to Officer Recommendation</b></p> <p>The applicants have written agreeing to an extension of time for determination of this application until 19 April 2014.</p> <p>Officers therefore recommend that Members resolve to <b>APPROVE planning permission</b>, subject to the application being incorporated into a legal agreement to the same effect as the existing legal agreements relating to application 12/00381/FUL and to those conditions set out in the report.</p> <p>In the event of a further extension of time being required and not agreed by the applicant, officers recommend the <b>FALL BACK RECOMMENDATION</b> that the Committee <b>DELEGATES TO THE HEAD OF PLANNING AND TRANSPORTATION TO REFUSE PERMISSION</b> for the reason set out at paragraph 6.4 of the report.</p>
<p><b>ITEM 7</b>  <b>7 South</b>  <b>Street,</b>  <b>Rochford.</b>  <b>14/00002/FUL</b></p>	<p><b>Rochford Parish Council</b></p> <p>Members noted that this is in fact an application from Rochford District Council, although this was not shown in the covering letter, or on the Weekly Parish List.</p> <p>Members felt this was inappropriate for the listed building.</p>
<p><b>ITEM 8</b>  <b>7 South</b>  <b>Street,</b>  <b>Rochford.</b>  <b>14/00025/LBC</b></p>	<p><b>Rochford Parish Council</b></p> <p>Members noted that this is in fact an application from Rochford District Council, although this was not shown in the covering letter, or on the Weekly Parish List.</p> <p>Members felt this was inappropriate for the listed building.</p>
<p><b>ITEM 9 (1)</b>  <b>Land North</b>  <b>of Ropers</b>  <b>Farm,</b>  <b>Mucking Hall</b>  <b>Road, Barling</b>  <b>Magna</b>  <b>13/00393/FUL</b></p>	<p><b>Contents:</b></p> <ol style="list-style-type: none"> <li><b>1. Further Neighbour Representations</b></li> <li><b>2. Further Response from the Council's Agricultural Consultant</b></li> </ol> <p><b>1. Further Neighbour Representations from the Following Addresses:-</b></p> <p>Coppins, Barrow Hall Road</p>

	<p>The comments raised fall within the summarised comments of objectors and included within the officer's report.</p> <p><b>2. Further Response from the Council's Agricultural Consultant</b></p> <p>He has considered the Agricultural Appraisal submitted on behalf of an objector to this application.</p> <p>He notes that the two differ on the spacial areas required for various classes of livestock, also on the likely number of pigs to be produced per sow each year (number and size of litters) and to be brought on and fattened in the building.</p> <p>In summary he produces a revised calculation but still concludes that a building of at least the size proposed is needed to house the livestock numbers under the system proposed, once the unit is up to full production by the end of the 3 year build-up period. And disagrees with his comment that the building is not reasonably required for the purposes of agriculture.</p> <p>Also notes that this appraisal tries to show that the holding would not provide a full-time viable agricultural business. On the basis of a study of the information provided and my comments at the time, he agrees that insufficient evidence was submitted to demonstrate viability.</p>
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