

Development Committee – 21 January 2016

Minutes of the meeting of the Development Committee held on **21 January 2016** when there were present:-

Chairman: Cllr C G Seagers
Vice-Chairman: Cllr M R Carter

Cllr C I Black	Cllr J R F Mason
Cllr T G Cutmore	Cllr D Merrick
Cllr Mrs H L A Glynn	Cllr S P Smith
Cllr J Hayter	Cllr M J Steptoe
Cllr Mrs C M Mason	Cllr I H Ward

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr G J Ioannou.

NON-MEMBERS ATTENDING

Cllrs M Maddocks and Mrs B J Wilkins.

OFFICERS PRESENT

A Law	- Assistant Director, Legal Services
C Lyons	- Assistant Director, Planning Services
K Rodgers	- Team Leader (Area Team South)
C Buckley	- Senior Planner
L Spicer	- Senior Communications Officer
S Worthington	- Committee Administrator

PUBLIC SPEAKERS

Mr G Crocket	- for item 6
Mr T Dodkins	- for item 6

7 MINUTES

The Minutes of the meeting held on 10 December 2015 were approved as a correct record and signed by the Chairman.

8 DECLARATIONS OF INTEREST

Cllr I H Ward declared a non pecuniary interest in item 7, relating to a planning application for 28-30 London Hill, Rayleigh by virtue of membership of Rayleigh Town Council.

9 15/00599/FUL – POND CHASE NURSERY, FOLLY LANE, HOCKLEY

The Committee considered an application for the erection of 70 dwellings, together with improvements to existing access, pedestrian access, car parking, landscaping, open space and related works.

It was noted that Members requested that officers review the location of the affordable housing within the scheme to ensure, as far as practicable, improved 'pepper potting' throughout the development as a whole.

Resolved

That planning permission be approved, subject to the provisions of a legal agreement under section 106 covering the heads of terms, as outlined below, and the following heads of conditions:-

PLANNING OBLIGATIONS

The developer has agreed to enter into a section 106 legal agreement in order to secure compliance with the requirements of CLT1 of the Core Strategy and other contributions required directly in connection with the proposed development in order that the development be acceptable in planning terms. The heads of the legal agreement with contribution figures are:-

1. Affordable Housing Contribution - The development will include 35% Affordable Housing in total comprising 80% affordable rented and 20% intermediate tenure: variation of this provision will only be considered through a full viability and/or needs statement and will be referred back to the Development Committee.
2. Education - £206,924 towards primary education capacity deficit.
3. Healthcare - £23,040 mitigation towards GP capacity deficit.
4. The following to be maintained by management company:-
 - a. Open space and play space
 - b. Sustainable urban drainage systems
 - c. Other soft landscaped edges within the development that would be outside of the control of individual homeowners
 - d. Home zone roadway (not adopted by ECC Highways)
 - e. Parking courts

PLANNING CONDITIONS

General

- (1) Time Limit.
- (2) Works to be undertaken in accordance with the approved plans.

Layout and Design

- (3) Materials to be agreed.
- (4) Soft and hard landscaping to be agreed.
- (5) Boundary treatment to be undertaken in accordance with plans.
- (6) Roads to take weight of refuse vehicles.
- (7) Re-design of on-street visitor parking spaces to be agreed.
- (8) Improved transitional points between road types to be agreed.

Residential Amenity

- (9) OBS windows.
- (10) Window insertion restrictions.
- (11) Balcony screen to be provided.

Highways and Parking

- (12) Visibility splays to be provided.
- (13) Means to prevent discharge of surface water onto highway to be agreed.
- (14) Estate roads and footways to be agreed, including use of traffic calming measures.
- (15) Footpaths 2m wide, lighting and drainage of footpaths to be agreed.
- (16) Any tree planting in highway to be agreed.
- (17) No unbound material.
- (18) Parking spaces should measure 2.9m x 5.5m, single garages 7m x 3m
- (19) Cycle parking to be secure, convenient, covered and provided prior to occupation and retained.
- (20) Improvements to an existing bus stop in Alderman's Hill.
- (21) Residential travel information packs for sustainable transport to be provided.

- (22) Travel plan to be agreed.
- (23) Footway alterations to be agreed around the area for play and south-eastern side of square.
- (24) Construction Method Statement to be agreed.
- (25) No doors to be installed to any of the car ports across the development.
- (26) Demarcation of visitor parking spaces.

Ecology and Arboricultural

- (27) Need for an updated tree survey and plan due to; requirements for outdoor sport/youth facility and allotments in area where TPOs are present, lack of no-dig areas shown on the plans and need for further detail considered necessary to be agreed.
- (28) Tree protection required.
- (29) No works within Root Protection Areas.
- (30) Need for an updated phase 2 ecological assessment due to; requirements for outdoor sport/youth facility and allotments in area of nature conservation and further survey work relating to badgers to be agreed.
- (31) Ecological mitigation/enhancement to be undertaken in accordance with phase 2 report (including updated survey)

Land Contamination and Light Pollution

- (32) Model contaminated land conditions (except for phase 1 assessment requirement).
- (33) Lighting strategy to be agreed showing minimum lighting required.
- (34) Dust management scheme during site preparation and construction phases to be agreed.

Technical Housing Standards and Renewable Energy

- (35) Technical Housing Standards to be adhered to.
- (36) Water efficiency measures to be agreed.
- (37) Energy Performance measures to be agreed.

- (38) Three dwellings to be built to full wheelchair accessibility standards as per plans.
- (39) Details of 10% renewable energy to be agreed.

Flooding

- (40) Detailed surface water drainage scheme to be agreed.
- (41) Scheme to minimise off site flooding caused by surface water run off during construction works to be agreed.
- (42) Maintenance plan for surface water drainage scheme to be agreed.
- (43) Yearly logs of maintenance to be submitted.

Open Space

- (44) Area of play to be provided as shown on plans.
- (45) Open space area to be agreed measuring 5040m² and separate to the surface/foul water drainage scheme.
- (46) Allotment space to be agreed measuring 2520m² and to be made available for use 12 months after completion of the development Details of those to control and maintain to be agreed.
- (47) Outdoor sport/youth facility to be agreed measuring 2520m².
- (48) Provision of public art within open space to be agreed. (ADPS)

(Note: Cllrs C I Black, J Hayter, Mrs C M Mason and J R F Mason wished it to be recorded that they had voted against the above decision).

10 15/00641/FUL – 28 - 30 LONDON HILL, RAYLEIGH

The Committee considered an application to demolish an existing bungalow and construct three detached five-bedroomed houses and form two new vehicular crossovers.

Resolved

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

- (1) SC4B Time Limits Full – Standard

- (2) Prior to first use of any external materials to construct the dwellings hereby approved, details of all external facing (including windows and doors) and roofing materials to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. Such materials as may be agreed in writing by the Local Planning Authority shall be those used in the development hereby permitted.

Prior to commencement justification: Given the location of the development as an infill plot amongst existing properties on a slope, bordering the Rayleigh Conservation Area and in close proximity to residential neighbours, the sourcing of high quality materials is fundamental to the success of the development and must be considered prior to works occurring. Although some details have been provided it is considered that further detail, including samples, should be provided due to the site's location.

- (3) Prior to occupation of the dwellings hereby approved plans and particulars showing precise details of the hard and soft landscaping shall have been submitted to and agreed in writing by the Local Planning Authority. This shall include details of: -
- schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted
 - 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

Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority 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.

Prior to commencement justification: Given the location of the development as an infill plot amongst existing properties on a slope, bordering the Rayleigh Conservation Area and in close proximity to residential neighbours the acceptability of landscaping is fundamental to the success of the development and must be considered prior to works occurring.

- (4) Prior to works commencing, site section drawings showing the proposed levels across the site and any intended retaining walls in relation to neighbouring properties shall be submitted to and agreed in writing with the Local Planning Authority. Once agreed, such levels shall be implemented on site.

Prior to commencement justification: Given the location of the development as an infill plot amongst existing properties on a slope in close proximity to residential neighbours within the Conservation Area of Rayleigh it is important that acceptable land levels are implemented and such levels must be considered prior to works occurring.

- (5) The dwellings at plots 1 and 3 shall be internally altered to ensure that they comply with the national space standard as set out in the DCLG Technical Housing Standards - nationally described space standard March 2015.
- (6) Part G (water efficiency) of the Building Regulations (2010) (as amended) shall be met for each of the dwellings on the site and be permanently retained thereafter.
- (7) Code Level 4 of the Code for Sustainable Homes in respect of energy performance shall be met for each dwelling hereby approved.
- (8) Prior to first occupation of the development the vehicular accesses shall be constructed as shown on drawing no. 448.200.04 date stamped 20 November 2015, at right angles to the highway boundary and to the existing carriageway. The width of each access at its junction with the highway shall not be less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.
- (9) Prior to first use of the dwellings hereby approved, one parking space measuring 5.5m x 2.9m each shall be provided to the site frontage of each dwelling and shall be retained and used solely for the parking of vehicles. The garages shall be provided in accordance with the approved plans and shall be retained and used solely for the parking of vehicles in perpetuity.
- (10) Any garages provided with their vehicular doors facing the highway shall be sited a minimum of 6 metres from the highway boundary.
- (11) No unbound material shall be used in the surface treatment of the vehicular accesses within 6 metres of the highway boundary.
- (12) Prior to occupation of the dwellings hereby approved, plans and particulars showing precise details of instant impact trees to the site frontage shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, such trees shall be implemented on site 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 trees 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.

- (13) Prior to commencement of the development, areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials shall be provided clear of the highway.

Prior to commencement justification: Given the location of the development on a slope on a well used classified road it is considered important for highway safety reasoning to ensure that appropriate areas are provided on-site prior to works commencing.

- (14) Prior to first occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport to include six one day travel vouchers for use with the relevant local public transport operator. One pack per dwelling.

- (15) Prior to works commencing, a further survey shall be undertaken to investigate for the presence of underground tunnels used by badgers at the site and the results of such survey shall be submitted to and agreed in writing with the Local Planning Authority including any required mitigation which shall be undertaken to a timeframe agreed by the LPA

Prior to commencement justification: Given the results of the ecological report, it is necessary to ensure that no new tunnels have been formed at the site for this protected species prior to commencement of the development as there is the potential for a delay between the time the survey was undertaken and works commencing on site.

- (16) Ecological mitigation identified within the protected species survey prepared by John Dobson dated September 2015 and identified within the required additional survey under condition 15 (once agreed) shall be implemented on site.

- (17) Prior to works commencing, details of surface water drainage arrangements for the site shall be submitted to and agreed in writing with the Local Planning Authority including details to ensure no discharge of surface water onto the highway. Once agreed, such arrangements shall be implemented on site.

Prior to commencement justification: Given the location of the development as an infill plot amongst existing properties on a slope on a well used road and in close proximity to residential neighbours the acceptability of drainage arrangements is fundamental to the success of the development and must be considered prior to works occurring.

- (18) Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (including any Order revoking or re-enacting that Order, with or without modification) the windows marked OBS on the approved drawings no. 448.202.01 and 448.207.00 date stamped 20 November 2015, shall be glazed in obscure glass and shall be of a design not capable of being opened below a height of 1.7m above finished floor level. Thereafter, the said windows shall be retained and maintained in the approved form.
- (19) Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (including any Order revoking or re-enacting that Order, with or without modification) no enlargement of or the provision of additional windows, door or other means of opening shall be inserted on the side elevation (west) of plot 1 and the side elevation (east) of plot 3.
- (20) Prior to first use of the balconies hereby approved, a 1.7m obscure screen/fence measured from finished floor level shall be installed to the side elevations of each balcony.
- (21) Prior to works commencing, a revised tree protection plan shall be submitted to and agreed in writing by the Local Planning Authority showing retention and protection of trees T10 and T11. Once agreed, the development shall be undertaken in accordance with the revised tree protection plan and method statement.

Prior to commencement justification: Given the importance of soft landscaping and tree retention on the site due to the site's location within the Conservation Area and its current soft landscaped condition, it is important to ensure that prior to works commencing, the developers identify the two additional trees which could be retained and protected during the course of development.

- (22) No development or preliminary ground works of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Prior to commencement justification: Given the location of the development, as identified by ECC as being adjacent to the historic core of Rayleigh where medieval and post medieval archaeological deposits may survive, it is important to ensure that prior to works commencing any possible deposits are explored. (ADPS)

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The meeting closed at 9.35 pm.

Chairman

Date

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