

Development Committee – 22 November 2012

Minutes of the meeting of the Development Committee held on 22 November 2012 when there were present:-

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

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

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs J E Grey, J D Griffin, C J Lumley, Mrs J R Lumley, Mrs J E McPherson, Mrs C E Roe and P F A Webster.

OFFICERS PRESENT

S Scrutton	- Head of Planning and Transportation
J Whitlock	- Planning Manager
M Stranks	- Team Leader (Area Team North)
K Rodgers	- Team Leader (Area Team South)
A Law	- Solicitor
S Worthington	- Committee Administrator

PUBLIC SPEAKERS

G King - for item 9(1)

236 MINUTES

The Minutes of the meeting held on 25 October 2012 were approved as a correct record and signed by the Chairman.

237 DECLARATIONS OF INTEREST

Cllr Mrs C A Weston declared a pecuniary interest in item 4 of the Agenda by virtue of being the applicant, and left the Chamber during debate of that item.

Cllrs P A Capon and M Hoy each declared an 'other pecuniary interest' in item

5 of the Agenda by virtue of membership of the Rochford Housing Association Board, and left the Chamber during debate of that item.

238 12/00524/FUL – 101 GREENSWARD LANE, HOCKLEY

The Committee considered an application to extend the first floor accommodation by forming side-facing dormers, form a single storey side extension on the flank, form a single storey extension to rear and form a pitched roof to the existing garage projection.

Resolved

That the application be approved, subject to the following heads of conditions:-

- (1) SC4B Time Limits Full – Standard
- (2) SC15 – Materials to Match
- (3) SC23 PD Restricted – Obscure Glazing (HPT)

239 12/00564/FUL – 32 THORPE ROAD, HAWKWELL

(Note: Cllrs K J Gordon and Mrs G A Lucas-Gill each declared a non pecuniary interest in this item by virtue of being acquainted with the architect).

The Committee considered an application to demolish an existing dwelling and garage and construct 1no. detached four-bedroomed house, 1no. detached three-bedroomed bungalow with detached cart lodge style covered parking and to create a new vehicular access off Thorpe Road.

Resolved

That planning permission be granted, 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) No development shall commence before details of all 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. Such materials as may be agreed in writing by the Local Planning Authority shall be those used in the development hereby permitted.
- (3) 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) the window(s) marked OBS on the approved drawing(s) no. 12-125-002 date stamped 25 September

2012, 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. Thereafter, the said windows shall be retained and maintained in the approved form.

- (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) no window, door or other means of opening shall be inserted above first floor level on the side (north) elevation of the house hereby permitted, in addition to those shown on the approved drawing no. 12-125-002 date stamped 25 September 2012.
- (5) 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.
- (6) 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; and
 - 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.

- (7) No development shall commence until tree protection fencing has been constructed 1m outside the crown spreads of all trees and around the identified sites for tree relocation (if trees are to be relocated post-construction) allowing a minimum of 1.5m radius from each proposed tree centre, to be inspected and agreed by the Local Planning Authority's Arboricultural officer. 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.
- (8) Prior to the occupation of any of the dwellings hereby approved a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on the northern boundary to the driveway to the house hereby approved. Such visibility splay shall be implemented and retained free of any obstruction in perpetuity. On the southern boundary to the driveway to the house hereby approved and the northern and southern boundaries to the private road, there shall be no fence or wall erected or vegetation planted greater than 600mm in height within a 1.5m distance of the footpath.
- (9) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- (10) Prior to the commencement of works on site the applicant shall submit details to be agreed in writing by the Local Planning Authority identifying an area within the curtilage of the site for the loading/unloading and the reception and storage of building materials and the manoeuvring/parking of all vehicles, including construction traffic clear of the highway. Once agreed, such details shall be implemented on site and retained during the entire length of the construction process.
- (11) 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 access and driveway becoming operational and shall be retained at all times.
- (12) Prior to occupation of the development the existing vehicular crossing shall be permanently closed incorporating the reinstatement to full height of the highway footway kerbing and the new vehicular accesses

shall be provided with appropriate dropped kerb vehicular crossings of the footway in line with each access.

- (13) 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.
- (14) 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 cart lodge shall be installed to the front elevation of the cart lodge.
- (15) The area shown cross hatched on drawing no. 12/125-004 Rev B date stamped 25 September 2012 shall be used for vehicle manoeuvring and shall be permanently retained free from obstruction. (HPT)

240 12/00496/FUL – 27-29 EASTWOOD ROAD, RAYLEIGH

The Committee considered an application for a proposed new premises frontage consisting of new glazing, frame, entrance doors and bi-fold doors, retractable awning and 4no. exterior lights.

Resolved

- (1) SC4B – Time Limits Full – Standard.
- (2) Materials to be used in the exterior finish and the colour scheme of the development hereby approved (save for the fabric awning) shall be those as stated on the approved plans date stamped 22 Oct 2012 unless an alternative colour scheme and/or materials are submitted to and approved in writing by the Local Planning Authority in which case the scheme as approved shall be implemented. Details of the material for the fabric awning including material sample (where deemed necessary by the Local Planning Authority prior to the fabric awning being installed. The fabric awning shall then be provided in accordance with the material details, as approved and retained thereafter in this form. (HPT)

241 12/00203/OUT – POND CHASE NURSERY, FOLLY LANE, HOCKLEY

(Note: Cllr J P Cottis declared a non pecuniary interest in the application by virtue of being acquainted with the applicant.)

The Committee considered an outline application for a development comprising of up to 50 dwelling units, including improvements to an existing vehicular access, new pedestrian access, provision for a public open space

and play area and provision of an area preserved for ecology; all matters reserved, apart from access.

Resolved

That, subject to notifying the Secretary of State for Communities and Local Government, the application be approved, subject to the completion of a legal agreement under Section 106 of the Act for the heads of terms and to the heads of conditions as set out below, and subject to any reasonable changes the Head of Planning and Transportation shall deem fit:-

SECTION 106 HEADS OF TERMS

- (1) Financial contribution towards early years and childcare provision calculated in accordance with the standard formula used by Essex County Council, which related to dwelling mix and index linked, the estimation for which is at present £45,058. Subject to timings for payments and other stipulations as required by Essex County Council.
- (2) Financial contribution towards the Primary Care Trust or successor body, for capital projects to allow for the alteration, adaptation or construction of facilities for the provision of primary care, calculated in accordance with the standard formula used by the Primary Care Trust as reference in their consultation response, which relates to dwelling mix, the estimation for which is at present £22,622. Subject to timings for payments and other stipulations to be agreed by the Head of Planning and Transportation.
- (3) A minimum of 35 per cent affordable housing shall be provided to a mix of 80 per cent affordable rent and 20 per cent intermediate housing, subject to delivery triggers, appropriate location of units within the site, appropriate dwelling type/size, nomination rights and other relevant matters, as specified by the Strategic Housing Department at Rochford District Council.
- (4) Provision of public open space in accordance with the requirements of the relevant conditions detailing public open space provision and the on going maintenance of these areas and any play equipment within these areas by a management company.
- (5) A commuted sum shall be paid for any tree planting proposed within the highway to cover the cost of future maintenance, as required by Essex County Council and in accordance with time frames for payments as stipulated by ECC.
- (6) Provision and maintenance, in perpetuity, of a Sustainable Urban Drainage System for the site in accordance with the details, as agreed by the relevant planning condition.

CONDITIONS

Time Limits and Reserved Matters

- (1) Plans and particulars showing precise details of the layout, scale, design and external appearance, access (save for access points to the site) and landscaping of the site, (herein after called the “Reserved Matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. All development at the site shall be carried out in accordance with the Reserved Matters’ details approved.
- (2) Application for approval of all “Reserved Matters” referred to in Condition 1 above shall be made to the Local Planning Authority before the expiration of three years from the date of this planning permission. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Site Characteristics

- (3) Notwithstanding the proposal description for up to 50 dwellings, 50 dwellings shall be provided within the residentially developable area, subject to alteration in accordance with condition 5.
- (4) A minimum of 540 square metres of public open space shall be provided within the residentially developable area of the site.
- (5) Notwithstanding the extent of the residentially developable area as shown on the Parameters Plan date stamped 28 May 2012, this area shall extend only up to the line indicated between points A and B shown hatched on the approved plan.
- (6) Notwithstanding the extent and location of public open space, as shown on the Parameters Plan date stamped 28 May 2012, a minimum of 0.4ha of public open space shall be provided to the north of the line between A and B shown hatched on this plan abutting and running the full extent of the northern boundary of the residentially developable area in accordance with details and an amended plan, which shall have been previously submitted to and agreed in writing by the Local Planning Authority.
- (7) A minimum of one local area for play (LAP) shall be provided within the site in accordance with details that shall have been previously submitted to and agreed by the Local Planning Authority, which shall include:-
 - The size, type and location within the site of the proposed equipment.

- Details of surface material, enclosure and landscaping.
- A maintenance programme to ensure the safe upkeep of the installed equipment.
- Time frame for delivery of the equipment, surfacing, enclosure treatment and landscaping.

Landscaping

(8) Prior to the submission of Reserved Matters or in conjunction with such application, a landscaping scheme for the required 0.4ha of public open space, as required by condition 6, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and plans (at an appropriate scale) of:-

- Schedule of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
- A full plan (to scale) that clearly shows the locations of new trees to be planted including planting method statement and after care plan;
- Existing trees to be retained;
- A long-term maintenance schedule and specifications, including timetable for monitoring and maintenance;
- Location and material details of paved or otherwise hard surfaced areas/paths within the public open space;
- Long-term design objectives in respect of the public open space area;
- Existing and finished levels shown as contours with cross-sections as required;
- Location of lighting including details of lighting to be installed;
- Means of enclosure and other boundary treatment including materials to be used and location of these shown on a plan;
- Minor artefacts and structures (e.g., benches, bins, signs, etc.)

The soft and hard landscaping agreed as part of the landscaping scheme for the 0.4ha public open space area shall be planted/provided 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.

- (9) Landscaping details submitted as part of the Reserved Matters for the residentially developable area of the site shall include:-
- Schedule of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
 - A full plan (to scale) that clearly shows the locations of new trees to be planted including planting method statement, tree pit details (as necessary) and after care plan;
 - Existing trees/hedges to be retained;
 - A long-term maintenance schedule and specifications, including timetable for monitoring and maintenance;
 - Location and material details of paved or otherwise hard surfaced area/paths within the public open space;
 - Existing and finished levels shown as contours with cross-sections, as required;
 - Location of lighting including details of lighting to be installed;
 - Means of enclosure and other boundary treatments including materials to be used and location of these shown on a plan;
 - Minor artefacts and structures (e.g., benches, bins, signs, etc.)

The soft and hard landscaping agreed as part of the landscaping shall be planted/provided 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.

Highways

- (10) Prior to occupation of the development, the road junction shall have been re-modelled with appropriate kerb radii and road markings in accordance with details and plans submitted to and agreed with the Local Planning Authority. The junction shall be maintained with a clear to ground visibility splay with dimensions of 2.4 metres by 90m to the east and Fountain Lane junction to the west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.
- (11) Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be identified clear of the highway, submitted and approved in writing by the Local Planning Authority.
- (12) 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 approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- (13) Prior to commencement of the proposed development details of a wheel cleaning facility within the site and adjacent to the egress onto the highways shall be submitted to and approved in writing by the Local Planning Authority. The wheel cleaning facility, as agreed, shall be provided at the commencement of the development and maintained during the period of construction.
- (14) Prior to commencement of development, details of the state roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority. The carriageways of the proposed roads within the site shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any up stands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.

- (15) All independent paths to be a minimum of 2 metres wide, with details of lighting and drainage to be submitted to and approved in writing by the Local Planning Authority before implementation of paths. Lighting and drainage shall be provided in accordance with details as agreed.
- (16) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- (17) All parking shall confirm to the EPOA Parking Standards Design and Good Practice September 2009. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres. All single garages should have a minimum internal measurement of 7m x 3m.
- (18) Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a residential travel information pack for sustainable transport, approved by Essex County Council, to include 6 (six) All Essex Scratch Card tickets.

Surface Water Drainage

- (19) Prior to or in conjunction with the submission of any Reserved Matters application a scheme for provision of a sustainable urban drainage system at the site shall be submitted to and agreed by the Local Planning Authority. The scheme as agreed shall be implemented in conjunction with the development and shall be completed prior to occupation of any dwellings on the site unless an alternative timeframe for implementation is agreed by the LPA. The scheme shall include the following:-
 - Evidence that surface water shall be discharged from the site at the green field run off rate;
 - A plan showing trees existing and or proposed within proximity of any SUD's features and assessment of impact on existing / proposed trees.
 - Cross-sections of SUD's features;
 - Details of water levels in SUD's features anticipated at different flooding events;
 - Details of planting in SUD's features, including species, density and spacing shown on a scaled plan;
 - Permeable surface materials for driveways and other hard surfaced areas;
 - Evidence that the 1 in 100 year storm, inclusive of climate change, can be conveyed and stored on site, without increasing flood risk at the site or surrounding area, and;

- Details of who shall be responsible for the maintenance of the scheme in perpetuity upon completion of the development.

Ecology

- (20) Prior to the submission of Reserved Matters or in conjunction with a full survey of the site, including detailed inspections of buildings and mature trees, emergence and activity surveys and roost visitation surveys to identify the extent of bat activity and roost locations and types present on or adjacent to the site shall be undertaken by a suitably qualified person. The results of this survey work in the form of a report, which shall include recommendations for any necessary mitigation to ensure that no harm would result from the proposed development to bats, bats foraging habitat or roosts and proposed enhancement to habitat including consideration and identification of appropriate external lighting and proposals for the maintenance and enhancement of bat foraging habitat (mature trees and hedges) within the site shall be submitted to and agreed in writing by the Local Planning Authority. Necessary mitigation and enhancement measures as agreed shall be carried out in accordance with a timeframe to be submitted to and agreed by the LPA.
- (21) Prior to the submission of Reserved Matters, or in conjunction with, a report detailing the results of a reptile survey of the site shall be submitted to and agreed by the Local Planning Authority. This shall include details of any mitigation necessary, which shall be carried out as agreed.
- (22) Prior to the submission of Reserved Matters a report shall be submitted to and agreed in writing by the Local Planning authority, which details the results of an up-to-date full site badger survey to include details of proposed mitigation measures for protection of badgers during construction and development. The details as agreed shall be implemented in accordance with a timeframe that shall have been agreed with the Local Planning Authority.

Sustainability

- (23) An assessment to demonstrate what principles of Secured by Design have been incorporated into the design and layout shall be submitted as part of the Reserved Matters application.
- (24) Prior to the submission of or in conjunction with the submission of Reserved Matters, specific details including plans to demonstrate the extent of compliance of all of the dwellings on the site with the Lifetime Homes Standard as set out in 'Meeting Part M and Designing Lifetime Homes' published by the Joseph Rowntree Foundation 1999 and how at least 3 per cent of dwellings within the development would achieve compliance with full wheelchair accessibility standards identifying specific plot numbers of dwellings, which would achieve this, shall be

submitted to and agreed in writing by the Local Planning Authority.
The site shall then be developed in accordance with the agreed details.

- (25) A mix of dwelling types (size) shall be provided within the layout at the Reserved Matters stage.
- (26) Prior to commencement of development details shall be submitted to demonstrate how each dwelling on the site with a garden, patio or communal garden space shall be provided with a rain water collection system (with reasons given as to why this is not viable to certain dwellings, if this is the case), which shall be correctly specified and of sufficient size to collect rain water for external and/or internal use in accordance with definitions of 'correctly specified' and 'sufficient size' as found in DCLG's Code for Sustainable Homes Technical Guide November 2010. The system(s) shall be implemented as agreed to each dwelling prior to occupation of the dwelling to which the system relates.
- (27) Prior to or in conjunction with the submission of Reserved Matters, a renewable energy statement including plans and specific details of the measure including size, specification, location and design that will be used in order to secure at least 10 per cent of the energy from the development by on-site de-centralised and renewable or low carbon sources shall be submitted to and agreed in writing by the Local Planning Authority. The measures, as agreed, shall be fully installed and operational prior to occupation of the dwelling to which they relate unless an alternative timetable for implementation is approved in writing by the Local Planning Authority in which case the implementation shall accord with this.
- (28) Provision for a future cycle route link to the land to the west of the site identified as part of the preferred site in the general location of West Hockley in the emerging Allocations DPD shall be provided for in the detailed layout to be considered as part of the Reserved Matters application.

Contamination

- (29) Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:-
 - 1. A preliminary risk assessment, which has identified:-
 - All previous uses;
 - Potential contaminants associated with those uses;

- A conceptual model of the site indicating sources, pathways and receptors;
 - Potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are completed and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

- (30) Prior to commencement of development a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (“a long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. The long-term monitoring and maintenance plan shall be implemented as approved
- (31) Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority, as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.
- (32) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained, written approval from

the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Drainage

- (33) No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved, unless otherwise approved in writing by the Local Planning Authority.
- (34) Details and plans of any pumping station required in connection with drainage at the site shall be submitted to and agreed in writing by the Local Planning Authority prior to any installation or development associated with the pumping station. Details shall include proposed elevations of any above ground structures, proposed siting, boundary treatment and surface treatment. The pumping station shall be built in accordance with the details, as agreed.

Trees

- (35) Prior to, or in conjunction with, submission of Reserved Matters, a full site tree survey to identify specific tree constraints and protection measures in accordance with BS5837:2012 shall be submitted to and agreed in writing by the Local Planning Authority. Protection measures, as agreed, shall be implemented prior to commencement of development and shall remain in place for the duration of the construction of the site. (HPT)

242 12/00603/COU – UNIT 2C, SWAINES INDUSTRIAL ESTATE, ASHINGDON ROAD, ROCHFORD

(Note: Cllr Mrs A V Hale declared a non pecuniary interest in the application by virtue of owning a property in Leecon Way.)

The Committee considered an application for change of use from class B8/B1 to class D2 use as a fitness centre.

Mindful of officers' recommendation to refuse the application, Members nevertheless considered that planning permission should be granted as special circumstances were demonstrated that there were no facilities of this kind for children and young people in this ward and that, given the location of the site in close proximity to a main bus route and the likelihood of customers car sharing and either walking or cycling to the facility, less car parking would be required.

Resolved

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

- (1) SC4B – Time Limits Full – Standard
- (2) The use of Unit 2C Swaines Industrial Estate hereby permitted shall be restricted to the use solely for a fitness centre and for no other purpose, including any use otherwise permitted within Class D2 of the Schedule to the Town and Country Planning (use classes) Order 1987 (including any Order revoking or re-enacting that Order, with or without modification) or such uses ordinarily incidental to the use hereby permitted.

Reason: To enable the Local Planning Authority to retain adequate control over the use hereby permitted in the interests of the amenity of adjoining residential properties.

- (3) All of the windows and doors including any fire escape doors of the unit shall kept shut during periods when music is played or performed within the premises.

Reason: To enable the Local Authority to retain adequate control over such details in the interests of the amenities of the residents of the nearby residential properties.

- (4) The use hereby permitted shall not open for use outside the hours of 0800 – 2200 hours Monday to Friday, 1000 to 1600 hours Saturdays and 1000 to 1600 hours on Sundays and Bank Holidays.

Reason: To enable the Local Planning Authority to retain adequate control over such hours of use, in the interests of neighbour amenity.

- (5) Prior to the first use of the development hereby approved the four car parking spaces shown to the front of units 2A and 2B edged green on the floor plan Drawing. No. SKX 002 date stamped 14 November 2012 shall be made available at all times to provide off street car parking for the use of customers and patrons to the use hereby approved.

Reason: To ensure off street car parking is provided to serve the use in the interests of highway safety and the free flow of traffic.

Informative

The applicants' attention is drawn to the desirability in the interests of sustainable transport to provide cycle storage within the site for the patrons of the use hereby permitted. (HPT)

243 12/00520/FULL – 125A – 125D HIGH ROAD, RAYLEIGH

The Committee considered an application to demolish an existing vacant residential building and construct a new building comprising four flats, two one-bed and two two-bed, provision of associated parking, amenity areas, cycle and bin store with landscaping, stop up existing vehicular access and form a new vehicular access onto Brook Road.

Resolved

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

- (1) SC4B Time Limits Full – Standard
- (2) Submission of samples of materials to be agreed in writing by the Local Planning Authority.
- (3) Details of proposed sound insulation to be agreed in writing by the Local Planning Authority.
- (4) Details of proposed ventilation scheme to be agreed in writing by the Local Planning Authority.
- (5) Development to be in accordance with the measures for the protection of trees, in accordance with the arboricultural impact assessment accompanying the application.
- (6) Prior to the occupation of any of the proposed dwellings, the proposed private drive shall be constructed to a width of 4.8 metres for at least the first 6 metres from the back of the footway.
- (7) Prior to the occupation of the development a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the access.
- (8) Prior to occupation of the development the vehicular access shall be provided with an appropriate dropped kerb vehicular crossing of the footway.
- (9) The existing vehicular crossing shall be suitably and permanently closed incorporating the reinstatement to full height of the highway footway kerbing.
- (10) Prior to occupation the parking spaces shall be laid out in accordance with the layout plan and the adopted bay sizes.
- (11) Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including construction traffic, shall be identified clear of the highway, submitted and approved in writing by the Local Planning Authority.
- (12) 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 approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

- (13) Prior to the commencement of the construction of the residential housing hereby approved the applicants shall submit details to and be approved in writing by the Local Planning Authority to demonstrate the extent of how the dwellings hereby approved comply with the lifetime homes standard and implementation of the approved scheme.

Informative

Applicant to ensure that any necessary remediation measures are taken to alleviate the potential for flooding, particularly in the under croft of the building.
(HPT)

The meeting closed at 9.10 pm.

Chairman

Date

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