

Development Committee – 19 January 2017

Minutes of the meeting of the Development Committee held on **19 January 2017**
when there were present:-

Chairman: Cllr S P Smith
Vice-Chairman: Cllr M J Steptoe

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|--------------------|------------------|
| Cllr C I Black | Cllr J E Newport |
| Cllr N J Hookway | Cllr Mrs L Shaw |
| Cllr Mrs C M Mason | Cllr M J Steptoe |
| Cllr D Merrick | Cllr S A Wilson |

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs M R Carter, J D Griffin, G J Ioannou, R Milne and T E Mountain.

SUBSTITUTE MEMBERS

| | |
|----------------------|-------------------------|
| Cllr S P Smith | - for Cllr M R Carter |
| Cllr D J Sperring | - for Cllr J D Griffin |
| Cllr A L Williams | - for Cllr G J Ioannou |
| Cllr Mrs J R Gooding | - for Cllr R Milne |
| Cllr J R F Mason | - for Cllr T E Mountain |

NON-MEMBERS ATTENDING

Cllrs J C Burton, R R Dray, Mrs T R Hughes, Mrs C E Roe, C M Stanley and I H Ward.

OFFICERS PRESENT

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|---------------|--|
| M Thomas | - Assistant Director, Planning & Regeneration Services |
| A Law | - Assistant Director, Legal Services |
| W Richards | - Team Leader (Area Team South) |
| M Stranks | - Team Leader (Area Team North) |
| S Worthington | - Democratic Services Officer |

PUBLIC SPEAKERS

| | |
|----------------|-----------------|
| Cllr J Sawford | - for item 8(2) |
| Cllr M Sawyer | - for item 6 |
| Cllr R Shorter | - for item 8(1) |
| R Barber | - for item 8(4) |
| M Calder | - for item 7 |
| R Lambourne | - for item 8(2) |
| L Molossi | - for item 8(1) |
| S Neville | - for item 8(1) |
| S Prenty | - for item 8(2) |
| S Wood | - for item 6 |

9 MINUTES

The Minutes of the meeting held on 15 December 2016 were approved as a correct record and signed by the Chairman.

10 DECLARATIONS OF INTEREST

Cllr I H Ward declared a non-pecuniary interest in items 8(2) relating to 16/01159/FUL, Frances Cottee Lodge, Clarence Road, Rayleigh and item 7 relating to 16/00733/FUL, Three Acres, Anchor Lane by virtue of being a board member of the Sanctuary Housing Association in Rochford Committee and left the Chamber during debate of those items.

Cllrs Mrs C E Roe, R R Dray, J C Burton, J E Newport, C M Stanley, D J Sperring and I H Ward each declared a non-pecuniary interest in items 8(1) – 8(4) by virtue of membership of Rayleigh Town Council.

Cllrs N J Hookway and Mrs T R Hughes each declared a non-pecuniary interest in item 6 relating to 16/00668/OUT – land between Star Lane and Alexandra Road and south of High Street, Great Wakering by virtue of membership of Great Wakering Parish Council.

Cllr R R Dray also declared a non-pecuniary interest in item 8(1) relating to 16/00618/COU, 42-46 Eastwood Road, Rayleigh by virtue of being acquainted with neighbours of the site.

11 16/00618/COU – 42-46 EASTWOOD ROAD, RAYLEIGH

The Committee considered an application for change of use from A1 (shop) to A3/A4 fine dining and drinking establishment, which had been referred from Weekly List no. 1362.

The contents of a letter of representation, that had been received in the office after publication of the addendum to the officer's report, was read out to the Committee.

Mindful of officers' recommendation to approve the application, Members nevertheless considered that the application should be refused on the grounds that this would result in a loss of residential amenity.

Resolved

That the application be refused for the following reason:-

The proposal, by way of the extent to which the hours of opening proposed would give rise to noise, nuisance and disturbance into late evening and over night from patrons, would prove detrimental to the amenity of nearby residential occupiers beyond what is reasonably expected in a residential area.

12 16/00668/OUT – LAND BETWEEN STAR LANE AND ALEXANDRA ROAD, SOUTH OF HIGH STREET, GREAT WAKERING

The Committee considered an outline application for a residential development of up to 180 dwellings with all matters reserved except access.

Officers confirmed that the Local Highways Authority (ECC) had not requested any Section 106 contributions, but had recommended eleven planning conditions, which had been incorporated into the report. Contributions had, however, been requested by Southend Borough Council (a consultee) for improvements to two junctions, at Royal Artillery Way/Southchurch Boulevard and Bournes Green Chase/Maplin Way North, with the exact amount yet to be finalised.

Members were advised that reference had been made in the report to those neighbour representations sent directly to the Council via the statutory procedure and uploaded onto the website. Officers confirmed that the points raised by Great Wakering Parish Council and comments made directly to it had been included in the officer's report.

A summary of the contents of an email expressing personal views on the application from the Clerk to Great Wakering Parish Council was read out by officers.

Resolved

That the application be approved, subject to the applicants and owners entering into an agreement under section 106 of The Act to provide the heads of terms and associated contributions set out below and subject to the following heads of conditions:-

Section 106 Agreement Heads of Terms

| Planning Obligation | Contribution |
|----------------------------|--|
| Affordable housing | 35% of the units will be affordable – i.e. 63 dwellings |
| Health contribution (NHS) | £70,978 to NHS Primary Care Trust towards mitigating the impact of the development |
| Education (ECC) | £1,553,634.00 towards increasing educational facilities in Great Wakering |
| Highways contribution | £tba towards junction improvements |

Conditions

Commencement of Works

- (1) No development shall commence until approval of the details (as appropriate) of the appearance, landscaping, layout and scale (hereinafter called the reserved matters) has been obtained from the Local Planning Authority in writing. The development shall be carried out as approved.

Reserved Matters

- (2) The first application for approval of reserved matters shall be made to the Local Planning Authority no later than three years from the date of this permission.
- (3) The commencement of development pursuant to this outline consent shall begin before the expiration of two years from the date of the last reserved matter of that parcel to be approved.
- (4) The development hereby permitted shall be carried out in accordance with the following approved plans unless otherwise agreed in writing by the Local Planning Authority:-
 - a. Site location plan - Drawing No: 1571/P/10-1
 - b. Application site - Drawing No: 1571/P/10-1
 - c. Access details – Drawing No: ST-2488-04-A/ 1:500

Phasing

- (5) No development shall commence, apart from enabling works, earth works and strategic engineering elements, unless agreed in writing by the Local Planning Authority until such time as a Phasing Plan for the application site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing contained within the phasing plan, unless otherwise agreed in writing by the Local Planning Authority.

Design Code

- (6) Prior to, or concurrent with the submission of the first of the reserved matters applications for the development, a Design Code shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall address all pertinent matters associated with the following subject areas:-

- a. The overall vision and character of the development and its setting;
- b. The conceptual design and approach to the public realm, including enclosure, natural surveillance, materials, street furniture and signage, sustainable drainage, the incorporation of utilities and landscaping;
- c. The design of the transport network hierarchy, streets, cycle routes, footpaths and public spaces, providing typical street cross-sections, which should include details of tree planting and tree species, underground utility/service trench routes type and specification, and on street parking, including construction design details;
- d. The principles addressing building form, massing, height, scale and legibility, building typologies, density and use. This shall include the design principles addressing primary frontages, fronts and backs, pedestrian and vehicular access points, threshold definition and surveillance of public realm areas, building materials and performance standards and design features;
- e. Approach to incorporation of ancillary infrastructure/buildings such as sub-stations, pumping stations, waste and recycling provision for all building types. Approach to the provision of electric vehicle charging points/infrastructure, pipes, flues, vents, meter boxes, external letter boxes, fibres, wires and cables required by statutory undertakers as part of building design;
- f. Details of the approach to vehicular parking across the entire site, including the amount of parking, location and layout of parking for people with disabilities;
- g. Details of the approach to cycle parking for all uses, including the distribution (resident/visitor parking and location in the development), type of rack, spacing and any secure or non-secure structures associated with the storage of cycles;
- h. The hard and soft landscape design principles, including approach to the character and treatment of each of the elements, landscape typologies, a palette of materials for hard and soft landscaping and furnishings;
- i. The approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs, so as to maximise energy efficiency, minimise light pollution and avoid street clutter;
- j. Measures to demonstrate how the design can maximise resource efficiency and climate change adaptation through external, passive

means, such as landscaping, orientation, massing, and external building features;

k. Details of measures to minimise opportunities for crime; and

l. Statement of Community Safety.

The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code will apply, who should use the Design Code and how to use the Design Code.

All subsequent reserved matter applications shall accord with the details of the approved Design Code, and be accompanied by a statement which demonstrates compliance with the code.

Fire Hydrants

- (7) Unless otherwise agreed in writing by the Local Planning Authority, a scheme for the provision of fire hydrants shall be submitted to the Local Planning Authority for approval with all reserved matters applications for layout in relation to the development, and shall be carried out in accordance with the approved details and the approved scheme shall be fully operational prior to the first occupation of that development parcel.

Housing – Market Mix

- (8) The submission of any reserved matters application relating to the development for residential development, pursuant to this outline permission, shall include a schedule of the mix of market dwellings proposed, taking into account local knowledge of market demand.

Housing – Room Sizes

- (9) The Reserved Matters application in relation to the development for residential development (and whether for affordable or market housing or a combination of the two) shall provide minimum room sizes and minimum gross internal floor areas in accordance with national guidelines.

Ground Water and Contamination

- (10) No development approved by this planning permission shall take place until a remediation strategy that includes the following components 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:-

- a. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
- b. The results of a site investigation based on (a) and a detailed risk assessment, including a revised CSM.
- c. Based on the risk assessment in (b) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.
- d. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (c). The long term monitoring and maintenance plan in (c) shall be updated and be implemented as approved.

Ground Water and Contamination

- (11) 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 a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Drainage – Surface Water Drainage Strategy

- (12) No works 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 shall subsequently be implemented prior to occupation and should include but not be limited to:-
 - Restriction of discharge rates from the site to no more than 17l/s to replicate the green field 1 in 1 year run off rate for all events up to the 1 in 100 year plus 40% climate change.
 - Restriction of discharge rates from pond 11 to no more than 40l/s to replicate the green field 1 in 1 year run off rate for contributing catchments up to the 1 in 100 year plus 40% climate change event.

- Provision of sufficient storage to manage water on site with the above discharge restrictions in place during the 1 in 100 year event plus 40% climate change.
 - Provision of sufficient treatment to manage the pollution risk for all elements of the site in line with the CIRIA SuDS Manual (C753).
- (13) No works shall take place until a scheme to minimise the risk of off site flooding caused by surface water run off and ground water during construction works has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented. The scheme shall be implemented as approved.
- (14) No works shall take place until 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.
- (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 request by the Local Planning Authority.

Drainage – Adoption of SuDS Infrastructure

- (16) Prior to or concurrent with the first reserved matters application a scheme relating to the management and maintenance of the Sustainable Drainage System (SuDS) including Award Drains shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the following:-
- (i) details of the management regime which shall set out the responsibility for the maintenance of the SuDS in accordance with the approved Maintenance Scheme, following their provision;
 - (ii) details of a maintenance scheme in respect of the repair and maintenance of the SuDS (the Maintenance Scheme);
 - (iii) details of a monitoring and review scheme.

The SuDS shall thereafter be maintained in accordance with the approved scheme.

Drainage – Reserved Matters

- (17) Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within

either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developer's cost under Section 185 of the Water Industry Act 1991, or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

- (18) Any reserved matters application shall include a detailed surface water strategy pursuant to the reserved matters site for which approval is sought.

The strategy shall include details of the design, location and capacity of all such SUDS features and shall include ownership, long-term management/maintenance and monitoring arrangements/responsibilities, including detailed calculations to demonstrate the capacity of receiving on site strategic water retention features without the risk of flooding to land or buildings. The strategy should also demonstrate that the exceedance of the designed system has been considered through the provision of overland flow routes. The development shall be carried out in accordance with the approved details and no building pursuant to the particular reserved matters for which approval is being sought shall be occupied or used until such time as the approved detailed surface water measures have been fully completed in accordance with the approved details.

Drainage – Surface Water Management

- (19) A detailed scheme for the future responsibilities for the management of the surface water drainage scheme for the development shall be submitted to, and approved in writing by the LPA, prior to occupation of that Development Phase to which the drainage relates. The relevant area shall thereafter be managed in accordance with the approved scheme unless otherwise approved in writing by the LPA.
- (20) The development hereby permitted shall not be commenced until the ditches in and to the south of the development, within the ownership of the developer, are cleared of any blockage and are restored to a fully working condition.

Drainage – Foul

- (21) 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.

Trees

- (22) The development is to be carried out in strict accordance with the recommendations provided within the arboricultural impact assessment supplied by SJA trees, reference SJA air-15319-01c, dated July 2016, in order to protect the retained tree amenity.
- (23) No development or any preliminary ground works shall take place until:-
 - a. All trees to be retained during the construction works have been protected by fencing of the 'HERAS' type or similar. The fencing shall be erected around the trees and positioned in accordance with British Standard 5837:2012, and;
 - b. All weather notices prohibiting accesses have been erected on the fencing demarcating a construction exclusion zone as detailed in BS5837:2012.
- (24) Notwithstanding the above, no materials shall be stored or activity shall take place within the area enclosed by the fencing. No alteration, removal or repositioning of the fencing shall take place during the construction period without the prior written consent of the Local Planning Authority.
- (25) Unless otherwise approved in writing by the Local Planning Authority, no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree's branches, stems or roots be pruned.
- (26) No works or development shall take place until a scheme of supervision for the arboricultural protection measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be appropriate to the scale and duration of the development hereby permitted and shall include details of:-
 - a) an induction and personnel awareness of arboricultural matters;
 - b) identification of individual responsibilities and key personnel;
 - c) a statement of delegated powers;
 - d) timing and methods of site visiting and record keeping, including updates;
 - e) procedures for dealing with variations and incidents.

The development shall be implemented in accordance with the approved scheme.

Landscape Design Proposals

- (27) No development shall commence until full details of hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority.

Hard Landscape Details Shall Include:-

- Proposed finished levels and contours;
- Works to existing water courses (culverts, head walls, etc);
- Proposals for new water bodies, attenuation ponds etc;
- Pedestrian/cycle/equestrian paths and circulation spaces;
- Hard surface details;
- Boundary treatments;
- Minor artefacts and structures (street furniture, signage etc);
- Retained landscape features and proposals for restoration, where relevant.

Soft landscape Details Shall Include:-

- Retained trees, hedgerows and areas of soft landscape and proposals for their protection during construction and restoration where relevant;
- Planting plans;
- Schedule of plants (Trees, shrubs, herbaceous plants, turf and seed mixtures) including species, sizes, numbers, and planting and seeding densities;
- Written specification including cultivation, planting operations and landscape sundries (tree stakes, plant shelters, mulch, fertilisers etc);
- A landscape management and maintenance specification describing how the landscape will be established and managed throughout the maintenance period; and
- A timetable for the implementation of landscape works.

Landscape Works Implementation

- (28) All hard and soft landscape works shall be carried out in accordance with the approved details and in accordance with the relevant British Standards or codes of good practice. Landscape works shall be implemented in accordance with a timetable agreed in writing with the Local Planning Authority. Any tree or plant that within a period of 10 years after planting is removed, dies, or becomes in the opinion of the Local Planning Authority significantly damaged or diseased, shall be replaced during the next planting season with others of the same species and size, unless the Local Planning Authority gives its written approval for a variation.

Landscape Management and Maintenance Plan

- (29) The Landscape Management Plan shall state the long term vision for the landscape and shall describe the relevant landscape operations to achieve this through landscape maintenance and management before, during and after construction. The Landscape Maintenance Strategy shall specify the maintenance procedures, operations, and their frequency, and maintenance standards that will be implemented to ensure the successful establishment and longevity of all hard and soft landscape areas, before, during and after construction.

Landscaping Implementation

- (30) All planting, seeding or turfing in the approved soft landscape details for the relevant development parcels shall be carried out in the first planting season following the completion of the appropriate element of development. Any trees, plants, turf or seeded areas which within a period of 10 years for strategic planting and 5 years for all other planting are removed or are noticeably damaged or diseased, or have failed to establish or make reasonable growth, shall be replaced in the next planting season with others of the same size and species, unless the LPA gives written approval of a variation of the first planting.

Tree Protection

- (31) No demolition, site clearance or building operations shall commence in respect of any earth works, each development parcel or any part of the engineering elements until details of physical tree protection for that part of the development has been installed in accordance with tree protection details specified in an Arboricultural Survey and Assessment.
- (32) No trees shall be removed during the course of site preparation or construction until completion unless otherwise agreed in writing by the Local Planning Authority.

Low Carbon Strategy

- (33) Prior to or concurrently with the submission of reserved matters application for any development parcel containing residential units, pursuant to this outline permission, shall be accompanied by a statement demonstrating compliance with the low carbon strategy (as set out in the Energy Strategy, August 2014 and Sustainability Statement, August 2014). The development of each development parcel shall then be carried out in accordance with the details.

Fibre Optic Telecommunication Infrastructure

- (34) Prior to the commencement of each development parcel, pursuant to this outline permission, a scheme detailing the provision of open access ducting for fibre optic cable to serve a range of telecommunication services, shall be submitted to and approved in writing by the Local Planning Authority, including site infrastructure plans. The scheme shall ensure that a) a site-wide network is in place and provided as part of the strategic engineering works; and b) that the developers of each development parcel are required to complete the infrastructure to facilitate the provision of fibre optic cable to each dwelling and commercial premises upon the occupation of each building. The development of the site hereby permitted shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

Construction Environmental Management Plan

- (35) Prior to the commencement of any development, pursuant to this outline permission, a site wide Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The site wide CEMP shall include:-
- a) Contractor's access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
 - b) Details of haul routes within the relevant parts of the site;
 - c) A plan specifying the area and siting of land to be provided for parking, turning, loading and unloading of all vehicles visiting the relevant parts of the site and siting of the contractor's compound during the construction period to be agreed on a phased basis;
 - d) Dust management and wheel washing or other suitable mitigation measures such as lorry sheeting, including the consideration of construction/engineering related emissions to air, to include dust

and particulate monitoring and review and the use of low emissions vehicles and plant/equipment;

- e) Noise and vibration (including piling) impact/prediction assessment, monitoring and recording protocols/statements and consideration of mitigation measures in accordance with the provisions of BS5228 (2009): Code of Practice for Noise and Vibration Control on Construction and Open Site – Part 1 and 2 (or as superseded);
- f) Details of best practice measures to be applied to prevent contamination of the water environment during construction;
- g) Measures for soil handling and management including soil that is potentially contaminated;
- h) Details of concrete crusher if required or alternative procedure;
- i) Details of odour control systems including maintenance and manufacture specifications;
- j) Maximum noise mitigation levels for construction equipment, plant and vehicles;
- k) Site lighting for the relevant part of the site;
- l) Screening and hoarding details;
- m) Liaison, consultation and publicity arrangements, including dedicated points of contact;
- n) Complaints procedures, including complaints response procedures;
- o) Membership of the considerate contractors' scheme;
- p) Archaeological protection and mitigation measures to be implemented during the construction process.

Construction Working and Construction Deliveries/Collection Permitted Hours

- (36) All construction, demolition, enabling and earth works are only permitted between 0800 hours to 1800 hours Monday to Friday and 0800 hours to 1300 hours on Saturday. No works are permitted at any time on Sundays, Bank or Public Holidays, unless agreed in writing by the Local Planning Authority or in accordance with agreed emergency procedures for deviation.

No deliveries of construction materials or plant and machinery and no removal of any spoil from the site or similar collections from the site shall take place before 0700 hours or after 1900 hours on Mondays to

Fridays, before 0800 hours or after 1400 hours on Saturdays, and not at all on Sundays or recognised Public Holidays.

External Artificial Lighting

- (37) Within each reserved matters application that includes any form of external lighting illumination an artificial lighting scheme to include details of the height, type, position and angle of glare of any final site lighting/flood lights, the intensity of illumination and predicted horizontal and vertical isolux lighting contours and an assessment of artificial lighting impact on any sensitive residential premises on and off site shall be submitted to and approved in writing by the Local Planning Authority. The details and measures so approved shall be carried out and maintained thereafter in accordance with the approved details.

Waste and Recycling Management Strategy

- (38) Unless otherwise agreed in writing by the Local Planning Authority, any reserved matters application for layout in relation to each development parcel shall be accompanied by a Waste Management and Minimisation Strategy. The WMMS should include:-
- a. A detailed Waste Audit to include anticipated waste type, source, volume, weight etc. of municipal waste generation during the occupation stage of the development;
 - b. Proposals for the management of municipal waste generated during the occupation stage of the development, to include:-
 - the design, provision, management, maintenance and renewal of internal and external waste systems for the segregation, storage and collection of recyclables, non-recyclables and compostable materials, e.g., internal storage caddies, external underground waste systems, wheeled bin system etc;
 - access to storage and/or collection points by users and waste collection vehicles. Arrangements for the provision, on-site storage, delivery and installation of waste containers prior to occupation of any dwelling.

Transport

Transport/Highways - General

- (39) No means of access shall be formed between the site and the existing highway until the detailed access design (including but not limited to construction details, drainage and visibility splay) has been submitted to and approved in writing by the Local Planning Authority.

- (40) Dwellings shall only be occupied when the vehicular accesses, driveways, parking areas and turning areas serving that residential unit have been constructed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.
- (41) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- (42) There shall be no discharge of surface water onto the Highway.
- (43) No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide areas within the curtilage of the site for the purpose of:-
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and under body washing facilities.
- (44) Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
- (45) The parking shall be provided in accordance with the EPOA Parking Standards.
- (46) Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- (47) Prior to occupation of development, the developer shall provide infrastructure improvements to the existing bus stops adjacent to the site on both sides of the High Street. This shall include the provision of Real Time information boards and associated works as deemed necessary.
- (48) Prior to occupation of the development, improvements to the junction of Alexandra Avenue with High Street to provide enhanced facilities to facilitate pedestrian movements with appropriate dropped kerbs and tactile paving.

Transport – Adoption Strategy

- (49) Prior to the first occupation of any buildings in respect of any development parcel, pursuant to this outline permission, an Adoption

Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Adoption Strategy shall set out:-

- i. The elements of the transport network within the site which will be offered for adoption by the Local Highway Authority;
- ii. The elements of the transport network within the site which will be retained in private ownership, or other, and in each case details of the management arrangements for these elements of the network;
- iii. The elements of the recreational path network that will be offered for adoption as Public Rights of Way; and
- iv. The elements of the recreational path network which will be retained in private ownership, and the management arrangements for these elements of the network.

Archaeology

- (50) 'No development or preliminary ground works of any kind shall take place until the applicants have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicants and approved by the Local Planning Authority'. The archaeological work will comprise evaluation trenches followed by excavation, if features are identified. A professional archaeological contracting team should undertake any archaeological work.
- (51) Prior to the occupation of the 51st unit hereby approved, the dog walking routes, as illustrated within the Habitats Regulations Assessment Report (January 2017 RT-MME-121553-Rev B), shall be laid out and be operational. All new dwellings built as part of the development shall be provided with an information pack detailing the locations of convenient walking and dog walking facilities in the local area. The dog walking route referred to above shall also be equipped with dog waste bins and interpretation boards, which are to be installed within the circular walking route.

Informatives

Highways

- All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.
- The Highway Authority cannot accept any liability for costs associated with the developer's improvement. This includes design check safety audits,

site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

- Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.
- The above is required to ensure the proposal complies with the County Council's Highways and Transportation Development Control policies, as originally contained in Appendix G of the Local Transport Plan 2006/2011 and refreshed by Cabinet Member Decision dated 19 October 2007.
- The requirements above should be imposed by way of negative planning condition or planning obligation as appropriate.
- Prior to any works taking place in the public highway the developer shall enter into the appropriate legal agreement with the Highway Authority under the Highways Act 1980 to regulate the construction of the highway works.
- Prior to occupation, the development shall be served by a system of operational street lighting which shall thereafter be maintained in good repair.
- In all cases where spoil is unavoidably brought out onto the highway, the applicants/developer must be reminded of their responsibility to promptly remove such spoil at their own expense and to the satisfaction of the Highway Authority. (ADP&RS)

13 16/00733/FUL – THREE ACRES, ANCHOR LANE, CANEWDON

The Committee considered an application to demolish an existing dwelling and construct a development of 35 dwellings and associated works.

Resolved

That the application be approved, subject to the recommendations from the local Care Commissioning Group and subject to the applicant and owners entering into an agreement under Section 106 of The Act to provide the heads of terms and associated contributions set out below and subject to the following heads of conditions:-

Section 106 Agreement Heads of Terms

| Planning Obligation | Contribution |
|------------------------|---|
| Affordable housing | 35% of the units will be affordable – i.e. 12 dwellings |
| Education (ECC) | <p>£4.30 per secondary school pupil per day for 190 days (a standard academic year excluding training days). It is the practice of Essex County Council to seek the cost pertaining to a 5 year period.</p> <p>Total equivalent to 6.2 (say 7) secondary school places.</p> <p>$7 \times 190 = 1,330$ days at £4.30 = £5719 per year for five years.</p> |
| Highways contribution | <p>£50 per dwelling for sustainable transport pack.</p> <p>Provision of bus stops on both sides of Anchor Lane with hardstanding, poles, flags and timetables and raised kerbing.</p> |
| NHS | £13,248 |
| Footway | Provision of a 2m footway to Anchor Lane as shown on plans. |
| Access | Provision of access and access rights through site to adjoining site of Birch Lodge to ensure that the site is free of ransom strips. |
| Open Space Maintenance | Maintenance arrangements for the open space will be undertaken by Sanctuary as the freeholder of the site during and after construction, and in perpetuity. |
| Provision of Bins | Requirement to pay £168.00 for each set of three bins per household, totalling £5880 for the 35 units proposed. |

Heads of Conditions

- (1) SC4B – Time limit three years
- (2) Development to be implemented in accordance with the schedule of approved plan numbers: 001 P1, 200 P3, 201, 202, 203, 204, 205 P3, 206 P2, 207 P2, 208 P1, 209 P3, 210 P1, 211, 212, 214 P3 OAS-16-047-TS01 and as received on 29 July 2016, 9 August 2016, 5 January 2017, 6 January 2017
- (3) External materials
- (4) Submission of landscaping details

The construction of the houses shall not 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. No construction works above the floor slab level shall take place until remaining 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;
- areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
- paved or otherwise hard surfaced areas;
- existing and finished levels shown as contours with cross-sections if appropriate;
- means of enclosure and other boundary treatments;
- car parking layouts and other vehicular access and circulation areas;
- minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc);
- existing and proposed functional services above and below ground level (eg. drainage, power and communication cables, pipelines, together with positions of lines, supports, manholes etc);

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.

- (5) Prior to occupation of the dwellings, the Landscape Management Plan shall state the long term vision for the landscape and shall describe the relevant landscape operations to achieve this through landscape maintenance and management before, during and after construction. The Landscape Maintenance Strategy shall specify the maintenance procedures, operations, and the frequency, and maintenance standards that will be implemented to ensure the successful establishment and longevity of all hard and soft landscape areas, before, during and after construction.

Drainage

- (6) No works pertaining to the foundations of the dwellings 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:-
 - Limiting discharge rates to 3l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
 - Providing 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.
 - Providing sufficient treatment for all elements of the development. Treatment should be demonstrated to be in line with the guidance within the CIRIA SuDS Manual C753.

The scheme shall subsequently be implemented prior to occupation.

- (7) No works shall take place until a scheme to minimise the risk of off site flooding caused by surface water run off and ground water 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.
- (8) No works shall take place until 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 provided.

- (9) 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 request by the Local Planning Authority.
- (10) No hardstanding areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Archaeology

- (11) 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'.
- (12) Unless otherwise agreed in writing by the Local Planning Authority, a scheme for the provision of fire hydrants shall be submitted to the Local Planning Authority for approval, and shall be carried out in accordance with the approved details and the approved scheme shall be fully operational prior to first occupation.

Trees and Ecology

- (13) The development should be carried out in accordance with the tree report provided, in particular the tree works specification, tree protection method statement and construction profile (appendix 1 and tree protection plan for locations) and the hard surfacing required for T14 as provided on the tree protection plan and report sections P 4.0.

24. Notwithstanding the above, no materials shall be stored or activity shall take place within the area enclosed by the fencing. No alteration, removal or repositioning of the fencing shall take place during the construction period without the prior written consent of the Local Planning Authority.
- (14) Unless otherwise approved in writing by the Local Planning Authority, no retained tree as illustrated within the tree report approved as part of the application shall be cut down, uprooted or destroyed, nor shall any retained tree's branches, stems or roots be pruned.

- (15) A licence from Natural England to mitigate on site presence of Great Crested Newts and to allow development is to be obtained before development commences. The final mitigation strategy is to be approved by Natural England before development commences and a copy of the mitigation strategy and all approvals submitted to RDC.

Fibre Optic Telecommunication Infrastructure

- (16) No construction works above the floor slab level shall take place until a scheme detailing the provision of open access ducting for fibre optic cable to serve a range of telecommunication services shall be submitted to and approved in writing by the Local Planning Authority. The development of the site hereby permitted shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

Lighting

- (17) Prior to occupation, a lighting scheme shall be submitted to and approved in writing by the LPA for approval in respect of: external lighting illumination, an artificial lighting scheme, including details of the height, type, position and angle of glare of any final site lighting/ flood lights, the intensity of illumination and predicted horizontal and vertical isolux lighting contours and an assessment of artificial lighting impact on any sensitive residential premises on and off site shall be submitted to and approved in writing by the Local Planning Authority. The details and measures so approved shall be carried out and maintained thereafter in accordance with the approved details.
- (18) Prior to first occupation, a Waste Management and Minimisation Strategy shall be submitted to and approved in writing by the LPA. The WMMS should include:-
- a. A detailed Waste Audit to include anticipated waste type, source, volume, weight etc. of municipal waste generation during the occupation stage of the development;
 - b. Proposals for the management of municipal waste generated during the occupation stage of the development, to include:-
 - the design, provision, management, maintenance and renewal of internal and external waste systems for the segregation, storage and collection of recyclables, non-recyclables and compostable materials e.g. internal storage caddies, external underground waste systems, wheeled bin system, etc;
 - access to storage and/or collection points by users and waste collection vehicles and arrangements for the provision, on-site storage, delivery and installation of waste containers prior to occupation of any dwelling.

- (19) No works pertaining to the foundations of the dwellings shall take place before details of the proposed finished floor levels, ridge and eaves heights of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted level details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of surrounding property. The development shall be carried out as approved.

Construction Working and Construction Deliveries/Collection Permitted Hours

- (20) All construction, demolition, enabling and earth works are only permitted between 0800 hours to 1800 hours Monday to Friday and 0800 hours to 1300 hours on Saturday. No works are permitted at any time on Sundays, Bank or Public Holidays, unless agreed in writing by the Local Planning Authority or in accordance with agreed emergency procedures for deviation.

No deliveries of construction materials or plant and machinery and no removal of any spoil from the site or similar collections from the site shall take place before 0700 hours or after 1900 hours on Mondays to Fridays, before 0800 hours or after 1400 hours on Saturdays, and not at all on Sundays or recognised Public Holidays.

- (21) Prior to first occupation the road junction at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 75.9 metres to the east and 2.4 metres by 75.9 metres 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. A 2m footway shall be provided along the northern side of Anchor Lane from the junction of the proposed development in an eastward direction to link to the existing footway in front of 131 Anchor Lane. The footway on Anchor Lane shall be provided with full kerbs and appropriate drainage to carriageway. Details as shown in principle on Motion Drawing 150339- 07 shall be agreed with the Local Planning Authority in consultation with the Highway Authority.
- (22) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- (23) There shall be no discharge of surface water onto the highway.
- (24) No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction

period. The Statement shall provide areas within the curtilage of the site for the purpose of:-

- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and underbody washing facilities.
- (25) Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
- (26) The parking shall be provided in accordance with the EPOA Parking Standards.
- (27) Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers/or smartcard to the same value for use with the relevant local public transport operator.
- (28) Prior to occupation, the developer shall provide public transport infrastructure improvements adjacent to the site to two bus stops on Anchor Lane. The eastbound stop shall include flagpole, timetable and raised kerb. The westbound stop shall include hardstanding, raised kerbs, flagpole, timetable. Both stop shall include appropriate road markings.
- (29) 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) 207 P2 and 210 P1 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. (ADP&RS)

14 16/01159/FUL – FRANCES COTTEE LODGE, CLARENCE ROAD, RAYLEIGH

The Committee considered an application for proposed minor internal and external alterations to an existing sheltered housing complex, the provision of additional car parking spaces and landscaping to the entrance of the site, which had been referred from Weekly List no. 1364.

Resolved

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

- (1) SC4B Time Limits Full - Standard
- (2) The external facing materials shall match the existing parts of the building or site and/or be those materials specified on the plans and application form submitted in relation to the development hereby permitted, unless alternative materials are proposed. Where alternative materials are to be used, no development shall commence before details of those alternative external facing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Where other materials are agreed in writing by the Local Planning Authority, the materials agreed shall be those used in the development hereby permitted.
- (3) Prior to the commencement of the development the applicant shall submit details to the Local Planning Authority for the provision of an area within the site and clear of the highway for the storage on the site of all materials, equipment, plant, machinery and the parking of site operatives' and site visitors' vehicles for the duration of the construction period. The development shall be implemented in accordance with such details as may be agreed.

REASON AND PRE-COMMENCEMENT REASON: In order to ensure that the construction activity retains the highway clear of obstruction in the interests of the free flow of traffic and highway safety. (ADP&RS)

15 **16/01084/FUL – LAND OPPOSITE 2 GOLDSMITH DRIVE, RAYLEIGH**

The Committee considered an application to construct a stable and tack room, hardstanding and turning area and use of the land for the grazing of a horse, which had been referred from Weekly List no. 1364.

Mindful of officers' recommendation to approve the application, Members nevertheless considered that the application should be refused on the grounds that the proposed grazing area was inadequate.

Resolved

That the application be refused for the following reason:-

The application, by way of the proposed grazing area of only some 0.315 hectares, would fall considerably short of the 0.4 hectares which would be required for 1 horse stable, as required by part (ii) of Policy DM15 of the Rochford District Council Development Management Plan 2014. Whilst the site benefits from having immediately accessible bridleways, which could provide an alternative to the open space provided, it is not considered that this

would be enough to counteract the shortfall of the grazing area provided. This application would therefore be contrary to part (ii) of Policy DM15 of the Rochford District Council Development Management Plan 2014. (ADP&RS)

16 16/01029/COU – 24 SIRDAR ROAD, RAYLEIGH

The Committee deferred an application for the change of use from workshop to D2 (gym) until the next scheduled meeting of the Committee due to the lateness of the hour.

The meeting closed at 11.03 pm.

Chairman

Date

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