

Development Committee – 24 January 2019

Minutes of the meeting of the Development Committee held on **24 January 2019**
when there were present:-

Chairman: Cllr S P Smith

Cllr C C Cannell
Cllr J D Griffin
Cllr N J Hookway
Cllr Mrs D Hoy
Cllr G J Ioannou

Cllr R Milne
Cllr M J Steptoe
Cllr Mrs C A Weston
Cllr A L Williams
Cllr S A Wilson

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs L Shaw and P J Shaw.

SUBSTITUTE MEMBERS

Cllr D S Efde - for Cllr P J Shaw
Cllr M J Lucas-Gill - for Cllr Mrs L Shaw

NON-MEMBERS ATTENDING

Cllr M Hoy

OFFICERS PRESENT

M Hotten - Assistant Director, Environmental Services
C Buckley - Team Leader (Area Team South)
A Evans - Senior Planner
C Irwin - Solicitor
S Worthington - Democratic Services Officer

PUBLIC SPEAKERS

D Wallis - for item 9(1)

12 MINUTES

The Minutes of the meeting held on 9 January were approved as a correct record and signed by the Chairman.

The Chairman expressed regret to Cllr Mrs D Hoy that she had not been given the opportunity to speak at the Committee meeting on 9 January prior to being asked to leave the Chamber and emphasised that this would not happen again.

13 18/00898/FUL - BIRCH LODGE, ANCHOR LANE, CANEWDON

The Committee considered a Section 73 application to vary condition 2 attached to planning consent reference 17/00258/FUL to accommodate revisions to the site layout (providing a rear access to plots 12, 13 and 14 and parking provision serving plots 3 and 4 and revisions to the design of plots 3, 4,

5, 6, 7, 8 and 9.

During debate concern was expressed at the potential impact of the proposed development on the badgers on site and it was observed that there would be merit in an informative advising the developer to work with relevant wildlife experts to protect the welfare of the badgers.

Resolved

That the application be approved, subject to being written into and bound by the obligations to the legal agreement dated 20 July 2018 to which application 17/00258/FUL relates and to the following conditions:-

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of the original planning permission granted on 24 July 2018.
- (2) The development shall be undertaken in strict accordance with the following referenced plans and documents:-

H1055/A1 Rev A, H10551/A2 Rev A, H10551 - A3 Rev A, H10551/01 Rev A, H1055105 Rev A, H10551/D2 Rev A, H10551/D3 Rev A, H10551-P3, H10551-P5 , H10551- P6, H10551 - P8, H10551 - P10, H105511 - P11, H10551 - P12, together with the provisions and measures set out by the revised Flood Risk Assessment (reference H10551 Rev B 14/07/2017), Arboricultural Report including the updated Tree Protection Plan (revised February 2017).
- (3) No development shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and agreed in writing by the Local Planning Authority. This Plan shall include details of all ecological avoidance, mitigation and enhancement measures to be undertaken in connection with the implementation of the development, including ecological enhancements to be achieved as part of the development. The details to be submitted shall include details as recommended by Section 5.2 of the Preliminary Ecological Appraisal (April 2017) submitted in support of the application. The development shall be undertaken in accordance with the agreed measures.
- (4) Prior to the implementation of any soft landscaping works associated with the development, details in the form of a detailed planting specification shall be submitted to and approved in writing by the Local Planning Authority. These details shall indicate details of species types, including their height at the time of planting, together with details of the treatment or replacement of any trees, shrubs or plants which become diseased or die within the first 3 years of planting.
- (5) The scheme shall be implemented in accordance with the agreed details.

- (6) Notwithstanding the details submitted by the revised Flood Risk Assessment reference H10551 Rev B 14/07/2017 no surface water drainage 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 should include but not be limited to:-
- Limiting discharge rates to 1 in 1 green field rate for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change;
 - Provision of 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;
 - Final modelling and calculations for all areas of the drainage system;
 - The appropriate level of treatment for all run off leaving the site, in line with the CIRIA SuDS Manual C753; and
 - Detailed engineering drawings of each component of the drainage scheme.
- (7) A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features shall be submitted, including a written report summarising the final strategy and highlighting any minor changes to the approved strategy. The scheme shall subsequently be implemented prior to occupation.
- (8) 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 to prevent pollution has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented as approved.
- (9) 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.
- (10) 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.

Informative

Construction may lead to excess water being discharged from the site. If de watering takes place to allow for construction to take place below ground water level, this will cause additional water to be discharged. Furthermore, the removal of top soils during construction may limit the ability of the site to intercept rain fall and may lead to increased run off rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and ground water, which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

- (11) All highway access works including the surfacing of the shared access drive and shared surfaces as shown by plan reference H10551/04 Rev A shall be fully completed prior to the first occupation of any dwelling within the development site.
- (12) 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. The archaeological work will comprise evaluation trenches of the proposed development area, followed by excavation if archaeological features are found.
- (13) Notwithstanding the landscaping details to be submitted and approved prior to its first implementation details of the type and construction of all boundary treatments including perimeter boundary fencing and boundaries between individual plots shall be submitted to the Local Planning Authority for its written approval.
- (14) The development shall be implemented in accordance with the agreed details of all boundary treatments.
- (15) Prior to their first use a detailed specification of all external materials to be used within the development including windows and doors, roofing materials, guttering and rain water goods shall be submitted to and approved in writing by the Local Planning Authority.
- (16) The development shall be undertaken in strict accordance with the agreed details of external materials.
- (17) The hours of construction/operation on site including any deliveries or transfer of materials to or from the site shall be restricted to the hours of 7.30 am to 7.30 pm (Monday to Friday) and between the hours of 8.30 am and 7.30 pm on Saturday and Sundays).
- (18) Prior to first installation details of a lighting scheme shall be submitted to the

Local Planning Authority for its written approval. These details shall include details of all external lighting and illumination within the development site, including details of the height and position of all lighting columns, together with details of luminosity.

- (19) The development shall be undertaken in strict accordance with the details of the agreed lighting scheme. Any variation shall be first agreed in writing by the Local Planning Authority prior to Implementation.
- (20) The development shall be undertaken in accordance with the recommendations of the arboricultural report, as revised in February 2017. Any variance to the measures as recommended by the report shall be first agreed in writing by the Local Planning Authority prior to the implementation of any works.
- (21) In the event of any contamination being found on site during the course of development an evaluation of the source and risk of contamination and appropriate mitigation measures to remediate the site shall be undertaken and mitigation measures shall be agreed in writing by the Local Planning Authority. Any necessary mitigation or remediation shall be undertaken/implemented in accordance with details to be agreed.
- (22) The development shall be implemented to provide/facilitate the provision of fibre optic telecommunication Infrastructure including full fibre optic broadband to serve the development.

Informative

It is advised that a payment in respect of the provision of 3 refuse bins per dwelling at £168.00 per set will be required prior to the first occupation of the respective dwellings. (ADES)

14 18/00794/FUL – COUNCIL OFFICES, 7 SOUTH STREET, ROCHFORD

The Committee considered an application for the proposed removal of an existing window and replacement with a security door.

Resolved

That planning permission be approved, 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) The development shall be undertaken in strict accordance with the following referenced plans and documents: Drawing reference(s)
FRNT_18.558_200_Proposed Block Plan and Location of Works Plan,
FRNT_18.558_201_Proposed and Existing Plans and Elevations.

- (3) Prior to the first installation of the door, details of its finished colour shall be submitted to the local planning authority for its written approval. The development shall be implemented in accordance with such details as may be agreed. (ADES)

15 18/00795/LBC – COUNCIL OFFICES, 7 SOUTH STREET, ROCHFORD

The Committee considered a Listed Building application for the proposed removal of an existing window and replacement with a security door.

Resolved

That the Minister for Housing, Communities and Local Government be advised that Listed Building Consent be approved, subject to the following conditions:-

- (1) The development hereby permitted shall be begun before the expiration of 5 years from the date of consent.
- (2) The development shall be undertaken in strict accordance with the following referenced plans and documents: Drawing reference(s)
FRNT_18.558_200_Proposed Block Plan and Location of Works Plan,
FRNT_18.558_201_Proposed and Existing Plans and Elevations
- (3) Prior to the first installation of the door, details of its finished colour shall be submitted to the local planning authority for its written approval. The development shall be implemented with the agreed details. (ADES)

16 18/00878/FUL – LAND OPPOSITE RECTORY FARM HOUSE, FAMBRIDGE ROAD, ASHINGTON

The Committee considered an application referred from the Weekly List for the construction of a stable, feed store and tack room building and change use of land for the keeping of horses.

Mindful of officers' recommendation that the application be refused, Members nevertheless considered that the application should be approved as the relationship between the built form and the surrounding open space would not compromise the openness of the Green Belt.

Resolved

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

- (1) Time limit - The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) Archaeological work

No development shall take place within the site until the implementation of a programme of archaeological work in accordance with a written scheme of investigation has been secured and has been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the agreed programme.

REASON: To allow proper investigation and recording of the site, which is of archaeological and/or historic significance.

(3) Use restricted to one horse

The stable building hereby approved shall be used for the keeping of no more than one horse.

REASON: In the interests of preventing over-development of the site given the restricted size of the site and in the interests of ensuring sufficient land available for the welfare of the horse to be kept.

(4) List of Approved plans

The development hereby permitted shall not be carried out other than in accordance with the approved plans listed below:-

Proposed site plan Drawing No. 5364/P201 Rev. A,

Proposed Plan Drawing No. 5364/P202 Rev. A,

Proposed Elevations Drawing No. 5364/P203 Rev. A.

REASON: For the avoidance of doubt and to ensure that the development is completed in accordance with the details considered as part of the planning application.

REASON FOR DECISION

Following consideration of the application merits, Members considered that the application should be approved as the relationship between the built form and the surrounding open space would not compromise the openness of the Green Belt.
(ADES)

The meeting closed at 8.40 pm.

Chairman

Date

CONFIRMED

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