

## Development Committee – 27 September 2012

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Minutes of the meeting of the **Development Committee** held on **27 September 2012** when there were present:-

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

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

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Mrs P Aves, J E Grey, J D Griffin, B T Hazlewood, C J Lumley, Mrs J R Lumley, M Maddocks, R A Oatham, R D Pointer, Mrs C E Roe and I H Ward.

### **OFFICERS PRESENT**

J Whitlock	- Planning Manager
K Rodgers	- Team Leader (Area Team South)
M Stranks	- Team Leader (Area Team North)
N Khan	- Principal Solicitor
S Worthington	- Committee Administrator

### **PUBLIC SPEAKERS**

Cllr Mrs M A Weir	- for item 4
P Biggs	- for item 4
Cllr A Williams	- for item 5
D Fletcher	- for item 5

### **197 MINUTES**

The Minutes of the meeting held on 30 August 2012 were approved as a correct record and signed by the Chairman.

### **198 DECLARATIONS OF INTEREST**

Cllr Mrs H L A Glynn declared a non pecuniary interest in item 5 of the agenda by virtue of membership of Rochford Parish Council and in item 4 of

the agenda by virtue of being a former Member of Hawkwell Parish Council.

### **199 12/00381/FUL – LAND BETWEEN MAIN ROAD AND RECTORY ROAD AND CLEMENTS HALL WAY, HAWKWELL**

The Committee considered an application to demolish an existing dwelling and construct a development of 176 houses with access off Thorpe Road, access off Clements Hall Way, access for one plot off Rectory Road, road network, public open space, landscaping and relocation of high pressure gas main.

#### **Resolved**

That, subject to referral to 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 set out below and to those clauses to the agreement the subject of the previous application.

Legal agreement with Rochford District Council and Essex County Council for the following:-

- a) Highway improvements to Rectory Road/Hall Road/Main Road mini roundabout comprising widening of the Rectory Road approach to provide a left turn lane;
- b) Relocate bus stop and shelter on the north side of Rectory Road on site frontage and widen footway to provide waiting area for the relocated bus stop;
- c) Create waiting area for the bus stop on the south side of Rectory Road by building over roadside ditch;
- d) Relocation of telegraph poles and lamp posts in the footway on the north side of Rectory Road;
- e) Travel information and marketing scheme (bus travel packs); and
- f) Bus subsidy £100k.

Legal agreement with Rochford District Council to:-

- g) Secure affordable housing;
- h) Scheme for the funding of the permanent maintenance of the public open space and woodland areas;
- i) Contribution of £80,189 for enhancement of sport facilities at Clements Hall; and

- j) Contribution not to exceed £10,000 towards the cost of the construction of a footbridge to connect public open space areas to Spencers Park to be refunded if scheme not agreed after five years.
- k) The owner shall only use the paddocks for agriculture, horticulture, forestry, grazing or as open land so as to ensure that they remain un-built upon, except for any buildings ancillary to such permitted use and provide open space that mitigates the visual impact of the development on the area in which the site is situated.

And to conditions including the following heads of conditions:-

- 1) Development to commence in three years.
- 2) Submission of details of external materials.
- 3) Submission of details for means of enclosure.
- 4) Obscure glazing to first floor side facing windows.
- 5) No enlargement or provision of additional windows at first floor level side or rear elevations.
- 6) Prior to commencement, the submission of details for the lighting height and luminance of the play areas and pathways.
- 7) Submission of landscaping details.
- 8) Development to be implemented in accordance with the measures for the protection of trees retained in the arboricultural impact assessment accompanying the application and drawing no. 280502-P-13 dated June 2012 by Messrs. Tim Moya Associates.
- 9) Garages to be retained for parking.
- 10) Prior to commencement of the development, the road junction at its centre line on Clements Hall Way shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres to the junction to the south and 2.4 metres by 43 metres to the north, 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. The junction on Rectory Road shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres x 90m in both directions, as measured from and along the nearside edge of the carriageway.
- 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) the proposed private drive accesses from Clements Hall way shall be constructed and provided with an appropriate dropped kerb crossing of the footway prior to the occupation of the dwellings proposed to take access there from.
  - 13) 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.
  - 14) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
  - 15) Prior to commencement of the proposed development details of a wheel cleaning facility within the site and adjacent to the egress onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The wheel cleaning facility shall be provided at the commencement of the development and maintained during the period of construction.
  - 16) Prior to commencement of development details of the estate 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.
  - 17) The carriageways of the proposed estate roads 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.
  - 18) the proposed bell mouth junction with the existing highway, inclusive of cleared land necessary to provide the visibility splays, shall be constructed up to and including at least road base level and be available for use prior to the commencement of any other development,

including the delivery of materials.

- 19) 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.
- 20) Development to be carried out in accordance with the flood risk assessment and mitigation measures detailed in the FRA.
- 21) Prior to occupation, the development shall be served by a system of operational street lighting, which shall thereafter be maintained in good repair.
- 22) Contaminated land conditions and scheme for remediation.
- 23) Advise archaeologist of not less than 24 hours notice of the start of breaking ground for construction (watching brief).
- 24) No occupation of the proposed development until such time as the junction improvements works at the Main Road, Hall Road and Rectory Road roundabout have been provided entirely at the developer's expense. The proposal includes widening the Rectory Road arm to provide two lanes on approach (as shown in principle on Ardent CE drawing no. D540-004).
- 25) No occupation of the proposed development until such time as the passenger transport infrastructure along Rectory Road adjacent to the site is relocated and upgraded where appropriate. All works shall be provided entirely at the developer's expense and include new shelter and footway facilities comprising of lighting, seating and timetable information, together with raised kerbs where necessary and the relocation of telegraph poles and lighting along Rectory Road in the vicinity of the site.
- 26) Construction traffic shall access the site in accordance with the details of the construction management of the site, as set out in section 14.8 to the Planning Statement by Messrs. Kember Loudon Williams LLP reference: 12/016 submitted in support of the application.
- 27) Details of any tree planting proposed within the highway and a programme for implementation shall be submitted to and agreed in writing by the Local Planning Authority prior to planting. Trees must be sited clear of all underground services and visibility splays.
- 28) Implementation of development in accordance with mitigation measures set out in the ecological report accompanying the application.

- 29) Details of the proposed sound insulation scheme for the development shall be submitted to and agreed in writing with the Local Planning Authority. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose. (HPT)

(**Note:** Cllrs Mrs C M Mason and J R F Mason wished it to be recorded that they voted against this decision.)

### **200 12/00398/REM – LAND EAST OF SPENCER GARDENS, BRAYS LANE, ROCHFORD**

The Committee considered detailed reserved matters of a residential development of up to 100 dwellings, new access, parking area and bus parking facility for the King Edmund School, associated infrastructure and landscaping.

#### **Resolved**

That the detailed reserved matters be approved, subject to the following heads of conditions:-

- 1) No dwellings shall be occupied until the works have been carried out in accordance with the drainage strategy report by Messrs Ardent Consulting Engineers report reference H142-002 dated June 2012 and as amended by the letter and details from Messrs Ardent Consulting Engineers dated 3 August 2012 and reference TS/SS12723/H142/RM, unless otherwise approved in writing by the Local Planning Authority.
- 2) No development shall commence before details, including samples 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 details shall include the provision of revised elevations to show rendered treatment to full elevations without rendered returns, where the use of render is proposed. Such details as may be agreed shall be those used in the construction of the development hereby permitted.
- 3) 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 the 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.

- 4) Prior to the commencement of the development the applicants shall submit to the Local Planning Authority details of the design and siting of the school access gates to be provided at the threshold of the school access and car park. The development shall be implemented in accordance with such details as may be agreed.
- 5) Prior to the commencement of the development the applicants shall submit to the Local Planning Authority details of the design and siting of the boundary treatment to the eastern boundary of the site. The development shall be implemented in accordance with such details as may be agreed.

- 6) Prior to the commencement of the development the applicants shall implement the recommendations for the protection of existing trees to be retained as part of the development, as contained within the aboricultural impact assessment by Messrs. D F Clark Bionomique Ltd reference DFC 1259 Rev. B 15 June 2012.
- 7) Prior to the commencement of the construction of the residential housing hereby approved the applicants shall submit details to the Local Planning Authority to demonstrate how the dwellings hereby approved comply with the lifetime homes standard. Such details shall include the construction of not less than three dwellings to be constructed to full wheelchair accessibility standards. The development shall be implemented in accordance with such details as may be agreed.
- 8) The northern and eastern boundaries to the school parking and school access areas shall be fenced in accordance with the detailed design and layout of security fencing shown on the plan 'security fencing' by Liz Lake Associates as date stamped received 10.07.2012 by the Local Planning Authority prior to the first use of the school parking and access areas hereby approved.
- 9) No development requisite for the permission hereby permitted shall commence before the applicants have secured the means for the provision of a hedge to the north of the highway boundary to the roundabout. Details of the species and planting density and implementation of the hedge shall be submitted in accordance with the landscaping details to be submitted in accordance with condition 3 above.
- 10) The existing hedge to the southern side of Brays Lane shall be retained but for those breaks required within its length required for pedestrian and vehicular access and necessary visibility splays.
- 11) Prior to the commencement of the dwellings hereby approved the applicants shall submit to the Local Planning Authority typical details of the design and appearance of the solar panels to be provided to the dwellings hereby approved. The development shall be implemented in accordance with such details as may be agreed by the Local Planning Authority.
- 12) Prior to the commencement of the development the applicants shall submit to the Local Planning Authority details for the provision of a physical barrier to separate vehicle parking from the central area of public open space to be provided east of the main access road. The development shall be implemented in accordance with such details as may be agreed.

- 13) The proposed junction with the existing highway, inclusive of cleared land necessary to provide the visibility splays, shall be constructed up to and including at least road base level and be available for use prior to the commencement of any other development, including the delivery of materials. 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.
- 14) 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 to and approved in writing by the Local Planning Authority.
- 15) Prior to commencement of the proposed development details of a wheel cleaning facility within the site and adjacent to the egress onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The wheel cleaning facility shall be provided at the commencement of the development and maintained during the period of construction.
- 16) The carriageways of the proposed estate roads 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 those roads. 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 foot paths 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 dwellings.
- 17) 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.
- 18) Any tree planting proposed within the highway must be agreed with the Local Planning Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme.
- 19) The powered two wheeler/cycle parking facilities, as shown on the approved plan, are to be provided prior to the first occupation of the development and retained at all times.

## Development Committee – 27 September 2012

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- 20) Obscure glazing to lower half of window below finished floor level height of 1.7m to bedroom 1 to first floor flat to plots 41 and 42.
- 21) Submit details for the provision of oil interceptors to car parking area. (HPT)

The meeting closed at 9.20 pm.

Chairman .....

Date .....

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