



**MINUTES of  
SOUTH EASTERN AREA PLANNING COMMITTEE  
5 DECEMBER 2016**

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**PRESENT**

|               |  |
|---------------|--|
| Chairman      | Councillor R P F Dewick  |
| Vice-Chairman | Councillor A S Fluker  |
| Councillors   | Mrs B F Acevedo, B S Beale MBE, Mrs P A Channer, CC,<br>M W Helm and R Pratt |

**772. CHAIRMAN'S NOTICES**

The Chairman drew attention to the list of notices published on the back of the agenda.

**773. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R G Boyce MBE CC, Mrs H E Elliott, P G L Elliott and N R Pudney.

**774. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the Committee held on 7 November 2016 be approved and confirmed.

**775. MINUTES - 22 SEPTEMBER 2016 (SPECIAL MEETING)**

**RESOLVED**

- (i) that the Minutes of the special meeting of the Committee held on 22 September 2016 be received.

**Minute 549 – Chairman’s Notices**

Councillor A S Fluker advised that the word “lift” should be amended to read “life”.

**RESOLVED**

- (ii) that subject to the above amendment, the Minutes of the meeting of the Committee held on 22 September 2016, be approved.

## 776. DISCLOSURE OF INTEREST

Councillor R P F Dewick declared that in relation to Agenda Item 8 - FUL/MAL/16/01046 - Stokes Hall, Burnham Road, Althorne, he had carried out work on the site in the past, but not for these Applicants.

Councillor Mrs P A Channer declared:

- a non-pecuniary interest as she was also a Member of Essex County Council who was consulted on highways, footpaths, education and other matters;
- that in relation to Agenda Item 6 – FUL/MAL/16/00299 – Land North of Latchingdon Bowls Club, Burnham Road, Latchingdon – she was a Trustee of the Henry Gilder Drake Almshouse Charity and would leave the meeting for this item;
- a non-pecuniary interest in relation to Agenda Item 10 – FUL/MAL/16/01058 – The Dells, 102 The Drive, Mayland, Essex, as she had, in the past, been involved in the inspection of children’s homes due to her role as a Member of Essex County Council.

Councillor R Pratt declared that in relation to Agenda Item 6 - FUL/MAL/16/00299 – Land North of Latchingdon Bowls Club, Burnham Road, Latchingdon – he was a Trustee of the Henry Gilder Drake Almshouse Charity and would leave the meeting for this item.

Councillor M S Helm declared that in relation to Agenda Item 6 - FUL/MAL/16/00299 – Land North of Latchingdon Bowls Club, Burnham Road, Latchingdon – he was a Trustee of the Henry Gilder Drake Almshouse Charity.

Councillor A S Fluker declared in the interests of openness and transparency in relation to:

- Agenda Item 6 - FUL/MAL/16/00299 – Land North of Latchingdon Bowls Club, Burnham Road, Latchingdon – he knew the Agent; and
- Agenda Item 11 – FUL/MAL/16/01114 – Agricultural Barn, Goldsands Road, Southminster – he knew the Applicant.

Councillor B S Beale MBE declared that in relation to Agenda Item 11 - FUL/MAL/16/01114 – Agricultural Barn, Goldsands Road, Southminster – he knew the Applicant.

Councillor Mrs B E Acevedo declared a non-pecuniary interest in relation to Agenda Item 6 - FUL/MAL/16/00299 – Land North of Latchingdon Bowls Club, Burnham Road, Latchingdon – as she knew the Applicant.

Councillors Mrs P A Channer and R Pratt left the meeting at this point.

**777. FUL/MAL/16/00299 - LAND NORTH OF LATCHINGDON BOWLS CLUB, BURNHAM ROAD, LATCHINGDON**

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|---|--|
| <b>Application Number</b>                             | <b>FUL/MAL/16/00299</b>  |
| <b>Location</b>                                       | Land North Of Latchingdon Bowls Club Burnham Road Latchingdon Essex  |
| <b>Proposal</b>                                       | Full planning application for (1) the development of 41 homes, amenity space and a revised vehicular access from the Burnham Road, and (2) a new village hall and associated infrastructure, (no change is proposed to the existing village hall access) |
| <b>Applicant</b>                                      | Latchingdon South Ltd  |
| <b>Agent</b>  | Mr David Barker - Evolution Town Planning LLP  |
| <b>Target Decision Date</b>                           | 15 December 2016   |
| <b>Case Officer</b>                                   | Yee Cheung, TEL: 01621 876220  |
| <b>Parish</b>   | <b>LATCHINGDON</b>   |
| <b>Reason for Referral to the Committee / Council</b> | Major Application<br>Departure from the Local Plan 2005  |

Following the Officer's presentation of the report, Mr D Thornton, an Objector, of 3 Crouch Vale Court, Latchingdon, Mr D Simmons from Latchingdon Parish Council and Mr S Butler-Finbow, the Agent, all addressed the Committee.

Members were of the opinion that this application had been opposed when it had originally been determined as there had been concerns that it would dramatically alter the street scene. However, as the street scene had changed dramatically in recent months, this was no longer a valid reason for objecting to this application.

In response to a question, the Group Manager for Planning Services advised that the affordable housing element of this application would be applied in accordance with the Council's housing policy. He was of the opinion that a condition to prioritise local families for affordable housing would not be considered reasonable if this was to go to appeal.

Members drew attention to the fact that no objections had been received from statutory consultees and commended the provision of 40% affordable housing. Furthermore, they considered that a new village hall would be beneficial to the area and that this should be provided for under Heads of Terms of a S106 Agreement.

**RESOLVED** that this application be **APPROVED** subject to the following Heads of Terms of S106 Agreement:

- Affordable Housing to be provided as detailed within the application comprising 16.4 units of the total 41 proposed for this development. The 0.4 element shall be of a Commuted Sum Payment of £47,200
- Education provision for financial contributions for the Early Years and Childcare (EYC) of ££46,214 and for the secondary school £31,024.50. These total £77,238.50 and are all indexed linked to April 2015 costs
- Details regarding the future maintenance of the public open space
- The upgrade of the pitches; and

- Village Hall

And 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 hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision.
- 3 No development shall take place until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the materials and details as approved.
- 4 No development shall commence until details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers have been submitted to and approved in writing by the Local Planning Authority. The screening as approved shall be constructed prior to the first use/occupation of the development to which it relates and be retained as such thereafter.
- 5 No works or development shall take place until full details of soft landscape works to be carried out have been submitted to and approved in writing by the Local Planning Authority. These details shall include schedules of shrubs and trees to be planted, noting the species, stock size, proposed numbers / densities and details of the planting scheme's implementation, aftercare and maintenance programme. The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development, unless otherwise first agreed in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation.
- 6 No trees within or adjacent to the site shall be felled, cut back, damaged or removed, unless otherwise first agreed in writing with the Local Planning Authority. No development shall commence until information has been submitted and approved in writing by the Local Planning Authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:-
  - Tree survey detailing works required;
  - Trees to be retained;
  - Tree retention protection plan;
  - Tree constraints plan;
  - Arboricultural implication assessment;
  - Arboricultural method statement (including drainage service runs and construction of hard surfaces).
  - Trees offsite

No development shall commence until fencing and ground protection to protect the trees shall be erected, details to be submitted and approved as per BS5837:2012, and ground protection has been erected details of which shall have been submitted to the Local Planning Authority for written approval. The ground protection shall be laid as per Arboricultural method statement in accordance with British Standard BS5837:2012 (Trees in relation to construction) unless otherwise agreed in writing. The protective fencing and ground protection shall be erected before the commencement of any clearing, demolition and building operations and shall be retained until all equipment, machinery and surplus materials have been removed from the site. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the Local Planning Authority.

- 7 No development shall commence until details of the materials to be used for the hard surfacing of the site have been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented and completed in accordance with the approved scheme.
- 8 The measures contained within the Flood Risk Assessment a copy of which was submitted with the planning application and forms part of this permission, shall be fully implemented and in place prior to the first occupation of the development and retained as such thereafter.
- 9 Prior to the commencement of development a scheme shall be submitted in writing for approval that details the measures aimed at mitigating or offsetting the impacts on local air quality resulting from increased road traffic generated by the development. The agreed measures shall be implemented prior to final completion of the development
- 10 Prior to the commencement of development, Further contaminated Land investigation as described in the Phase 1 Contaminated Land Desk study provided with the application shall be under carried out and reported in writing to the Local Planning Authority. Where identified as necessary a remediation strategy shall be agreed and implemented.
- 11 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

- 12 No extraction or ventilation shall be installed and operated until details of equipment for the suppression of fumes; odours and/or dust including details of noise attenuation together with a maintenance schedule for the future operation of that equipment have been submitted to and approved in writing by the Local Planning Authority. The operation shall not take place other than in accordance with these approved details.

- 13 No development approved by this permission shall be commenced until a scheme for the improvement and/ or extension of the existing sewerage system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved. No occupation of dwellings approved by this permission shall occur until the scheme for improvement and/ or extension of the existing sewerage system has been completed.
- 14 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:
- Groundwater testing and infiltration testing in line with BRE 365. If infiltration is found to be unviable, run-off rate should be restricted to no higher than 3.8l/s.
  - Attenuation storage for the 1 in 100 inclusive of climate change (40%) storm event and ‘urban creep’.
  - An appropriate amount of treatment in line with the CIRIA SuDS Manual C753.
  - Final detail as to how any surface water ponding on site will be mitigated against.
  - Final detailed modelling of the whole drainage network on site.
  - A drainage plan highlighting final conveyance and exceedance routes, location and sizing of storage features, discharge rates and outfall/s from the site.
- 15 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater 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.
- 16 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.
- 17 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 a request by the Local Planning Authority.
- 18 Prior to the first occupation of the development, the proposed estate road, at its bellmouth junction with Burnham Road Latchingdon shall be provided with 10.5m. radius kerbs returned to an access road carriageway width of 5.5m. and flanking footways 2m in width returned around the radius kerbs. The new road junction shall be constructed at least to binder course prior to the commencement of any other development including the delivery of materials.
- 19 Prior to the 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.

- 20 The carriageway(s) of the proposed estate road(s) 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(s). 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 paths in front of each dwelling shall be completed with the final surfacing within twelve months from the first occupation of such dwelling.
- 21 The carriageways throughout the proposed development shall be provided at no less than 5.5m in width.
- 22 The footways throughout the proposed development shall be provided at no less than 2.0m in width.
- 23 Each internal estate road junction shall be provided with a clear to ground level visibility splay with dimensions of 25m by 2.4m by 25m on both sides. Such visibility splays shall be provided before the road is first used by vehicular traffic and shall be retained free from obstruction in perpetuity.
- 24 Prior to the first occupation of each dwelling on the proposed development, the individual proposed vehicular access for that dwelling shall be constructed at right angles to the highway boundary and to a width of 3.7m and each shared vehicular access shall be constructed at right angles to the highway boundary and to a width of 5.5m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.
- 25 No unbound materials shall be used in the surface treatment of any of the proposed vehicular accesses within 6m of the highway boundary.
- 26 Prior to commencement of the proposed development, vehicular turning facilities for service and delivery vehicles of at least size 3 dimensions and of a design which shall be approved in writing by the Local Planning Authority, shall be provided within the site and shall be maintained free from obstruction in perpetuity.
- 27 Prior to commencement of the proposed development, details of the provision for the storage of bicycles for each dwelling, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted site and shall be maintained free from obstruction at all times for that sole purpose in perpetuity.
- 28 No development shall take place, including any works of 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 for:
- 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 washing facilities
- 29 Prior to the first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Plan including the initial commitments; and amended and supplemented under the provisions of a yearly report. The Residential Travel Plan to include a

- commitment to provide a Travel Plan co-ordinator within the residential sales office to give advice to the new residents of the development.
- 30 Prior to the occupation of any of the proposed dwellings, the applicant shall provide a new footway northwards across the full width of available highway or 2.0m in width whichever the greater dimension, which shall extend and connect to the bus stop adjacent to the village hall, being provided entirely at the Applicant/Developer's expense including drainage facilities/ connections, new kerbing, surfacing, any adjustments in levels, any accommodation works to the footway or carriageway channel and making an appropriate connection in both directions to the existing or proposed new footway at the remodelled primary vehicular access to the proposed development, to the specifications of the Highway Authority and approved in writing by the Local Planning Authority.
- 31 Prior to the occupation of any of the proposed dwellings, the proposed additional traffic calming measures for Burnham Road Latchingdon as shown detailed within the approved drawings and documents shall be provided to the specifications of the Highway Authority and approved in writing by the Local Planning Authority.
- 32 Prior to the occupation of any of the proposed dwellings, the applicant shall provide a pedestrian / cycle link, 3.5m in width, from the development site across the frontage of Plots 31, 32 & 33 as shown on the amended plan connecting to the community sports facilities.
- 33 The changing rooms within the village hall hereby permitted shall not be constructed other than substantially in accordance with the Football Association Technical Design Guidance Note 'Changing Accommodation' (see informative).
- 34 Prior to any development a detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality shall be undertaken. Based on the results of the assessment to be carried out a detailed scheme, which ensures that the playing field will be provided to an improved quality, shall be submitted to the LPA for written approval. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with playing pitch quality improvement and a programme of implementation. The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.
- 35 No development including any site clearance or groundworks of any kind shall take place within the site until the applicant or their agents; the owner of the site or successors in title has submitted an archaeological assessment by an accredited archaeological consultant to establish the archaeological significance of the site. Such archaeological assessment shall be approved by the Local Planning Authority and will inform the implementation of a programme of archaeological work. The development shall be carried out in a manner that accommodates such approved programme of archaeological work.
- 36 No development including any site clearance or groundworks of any kind shall take place within the site until the applicant or their agents; the owner of the site or successors in title has secured the implementation of a programme of archaeological work from an accredited archaeological contractor in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in a manner that accommodates the approved programme of archaeological work.

- 37 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order) no dormer window or other form of addition or opening shall be constructed in the roof or gable walls of the dwellings hereby permitted without planning permission having been obtained from the Local Planning Authority.
- 38 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order) the garages and carports hereby permitted as part of the development shall be used only for the parking of a motor car in connection with the residential use of the properties.
- 39 The parking spaces and means of access thereto as shown on the approved plans which are attached to and forms part of this permission shall be constructed, surfaced, laid out and made available for use in accordance with the approved scheme prior to the occupation of any dwelling and retained for such purposes thereafter.
- 40 No demolition or scrub clearance shall take place during the bird nesting season (March to September inclusive) unless it is carried out under the direct supervision of an ecologist who has been approved in writing by the Local Planning Authority. Details of the ecological enhancements in accordance with the Basecology - Preliminary Ecological Appraisal dated January 2015 shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the ecological enhancements have been implemented as approved.
- 41 No development shall commence until a strategy to facilitate superfast broadband for future occupants of the site has been submitted to and approved in writing by the Local Planning Authority. The strategy may include commercial arrangements for providers and shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.

Councillors Mrs P A Channer and R Pratt returned to the meeting at this point.