



**MINUTES of
COUNCIL (EXTRAORDINARY)
21 SEPTEMBER 2017**

PRESENT

Chairman	Councillor H M Bass
Vice-Chairman	Councillor N R Pudney
Councillors	Mrs B F Acevedo, J P F Archer, E L Bamford, Miss A M Beale, B S Beale MBE, R G Boyce MBE, A S Fluker, Mrs B D Harker, B E Harker, M S Heard, Miss M R Lewis, M R Pearlman, S J Savage, Mrs N G F Shaughnessy, A K M St. Joseph and Mrs M E Thompson

459. CHAIRMAN'S NOTICES

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

460. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A T Cain, Mrs P A Channer CC, I E Dobson, M F L Durham CC, Mrs H E Elliott, P G L Elliott, M W Helm, R Pratt, Rev. A E J Shrimpton, D M Sismey and Miss S White.

461. DISCLOSURE OF INTERESTS

There were none.

462. RES/MAL/17/00712 - LAND HOLLOWAY ROAD, HEYBRIDGE, ESSEX

Application Number	RES/MAL/17/00712
Location	Land Holloway Road Heybridge Essex
Proposal	Reserved matters application for the approval of appearance, landscaping, layout and scale on approved planning application OUT/MAL/14/00990 (Outline planning application with all matters reserved other than access for a residential development of up to 100 dwellings, with associated public open space and infrastructure.)
Applicant	Bellway Homes Ltd.
Agent	Mr David Fletcher - Strutt & Parker LLP
Target Decision Date	25 September 2017
Case Officer	Mark Woodger, TEL: 01621 875851
Parish	HEYBRIDGE WEST
Reason for Referral to the Committee / Council	Strategic site within the strategic submitted Local Development Plan Member Call In – Councillors Miss M R Lewis and I E Dobson

Prior to the Officer's presentation, in response to a question, the Chairman advised that if Councillors were not present during the Officer's report or the following debate, then they could not vote to determine an application.

Councillor Miss M R Lewis arrived at this point in the meeting.

Following the Officer's presentation of the report, Mr D Benson, an Objector, of Heybridge Residents' Association and Mr D Fletcher, the Agent, both addressed the Council.

Councillor A S Fluker proposed that the Officer's recommendation be accepted. This proposal was duly seconded.

Members then debated this application and raised several questions:

- Was there was a construction traffic management plan and, if not, could one be worked on;
- Were the working hours for the site within those set out in the outline permissions;
- Was the issue of parking for contractors and operatives being addressed as there was not room for them to park along Holloway Road.

In response, the Officer confirmed that there was a construction traffic management plan in existence which would cover hours of operation, amongst other things.

Further questions were asked regarding the lack of response from the Environment Agency, the Tree Officer and Anglian Water. The Officer advised that it was extremely unlikely that the Environment Agency would raise any objections and, if they did, then it would be necessary for the application to be resubmitted. With regard to Anglian

Water, a response from this consultee was due imminently. A verbal update was then given on behalf of the Tree Officer.

There followed a discussion regarding the ditches and, in response to a question, the Officer advised that the S106 Agreement required the owner to covenant with the Council to lay out and construct the Sustainable Urban Drainage System (SuDs) and also to maintain it in perpetuity.

In response to a further question regarding open space, the Officer advised that all open space on the development would be controlled by a management company. Whilst there was no play equipment on this site, there was play space. Play equipment would be located on the nearby Countryside development.

Councillor B D Harker then proposed that a condition be included, should this application be approved, that no development shall take place until a flood alleviation scheme had been approved by the Environment Agency and implemented. This proposal was not seconded.

The Chairman advised that surface water drainage was dealt with in the Officer's report and was also dealt with in an earlier application for this site. The Officer further advised that the flood alleviation scheme referred to was outside of the ownership of this particular applicant and, therefore, it was not possible for a condition to be imposed relating to flood alleviation. Furthermore, Essex County Council's SuDs team had raised no objection to this application.

RESOLVED that this application be **APPROVED**, subject to the following conditions:

- 1 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
- 2 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.
- 3 Within the first available planting season (October to March inclusive) following the commencement of the development the landscaping works as shown on the approved plan(s) drawing number(s) as may be agreed and specifications attached to and forming part of this permission shall be fully implemented. 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 replacement for it, is removed, uprooted or destroyed or 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 at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 4 No development shall commence until a landscape management plan, including long term design objectives (five year period), phasing, and maintenance schedules for all landscape areas, other than domestic gardens, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the details as approved.

- 5 The trees and hedges identified for retention on the approved plans and accompanying arboricultural reports which is attached to and forms part of this permission shall be protected during the course of the development. The trees and/or hedges shall be protected by which accord with British standard 5837:2012 (trees in relation to construction). The protective fencing and ground protection shall be erected before the commencement of any clearing, demolition and building operations and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced protection zone(s) no materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence, nor shall any change in ground level be made within the fenced area unless otherwise first agreed in writing by the Local Planning Authority. If within five years from the completion of the development a tree or hedge shown to be retained is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, a replacement 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.
- 6 Layout details of the proposed finished surfaces of the internal roads, footways and cycle ways within the development, and the footpath and cycle way connections to the rest of the North Heybridge Garden Suburb shall be as agreed in the submitted drawings and be implemented prior to the erection of the dwellings intended to take access therefrom or within any such extended period that may otherwise be agreed in writing by the Local Planning Authority.
- 7 No clearance or destruction of any vegetation or structure which may be used as a breeding site shall take place during the bird breeding season, 1 March to 31 August, unless otherwise agreed by a variation of condition application by the Local Planning Authority.
- 8 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no development under Class A (enlargement improvement or other alteration of a dwelling house), Class B (enlargement of a dwelling house consisting of an addition or alterations to its roof) Class C (other alteration to its roof), Class D (the erection or construction of a porch), Class E (buildings incidental to the enjoyment of dwelling house) except for an ancillary buildings not exceeding 10 cubic metres in volume, Class F (hard surfacing), Class H (installation of a microwave antenna) save where the antenna would be on an elevation of any building which does not front a road, shall be erected within the site without planning permission having first been obtained from the Local Planning Authority.

There being no further items of business the Chairman closed the meeting at 8.04 pm

H M BASS
CHAIRMAN