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Planning Committee

27 September 2022

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON TUESDAY, 27TH SEPTEMBER, 2022 AT 6.00 PM
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors White (Chairman), Fowler (Vice-Chairman), Alexander, Baker, Codling, V Guglielmi, Harris, Placey and Wiggins
Also Present:	Councillor Lynda McWilliams (Portfolio Holder for Partnerships) and Councillor Michael Bush
In Attendance:	Gary Guiver (Acting Director (Planning)), Graham Nourse (Assistant Director (Planning)), Joanne Fisher (Planning Solicitor), John Pateman-Gee (Planning Manager), Amy Lang (Planning Officer), Hattie Dawson-Dragisic (Performance and Business Support Officer) and Mark Wilson (Development Technician - Technical)

44. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence or substitutions submitted on this occasion.

45. MINUTES OF THE LAST MEETING

It was moved by Councillor Baker, seconded by Councillor Alexander and **RESOLVED** that the minutes of the meeting of the Committee held on 1 September 2022 be approved as a correct record, subject to an amendment to Minute 39 so that item 4 in that minute shall read as follows:

“4. Officers are instructed to enter into a Section 106 Agreement to secure financial contributions for RAMS, NHS and open space and if such deed is completed the ground of reason 4 will also not be defended. The Section 106 Agreement to also include a viability review clause in respect of the affordable housing contribution.”

46. DECLARATIONS OF INTEREST

Councillor White declared an interest in **Planning Application A.1 21/02070/FUL** due to his previous connection with the National Grid.

47. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

There were none on this occasion.

48. A.1 PLANNING APPLICATION 21-02070-FUL LAND ADJACENT TO LAWFORD GRID SUBSTATION, ARDLEIGH ROAD, LITTLE BROMLEY CO11 2QB

Councillor White had earlier on in the meeting declared an interest in this application due to his previous connection with the National Grid.

It was reported that, under Part 3 of the Council's Scheme of Delegated Powers, Planning Committee clause (vii) the Assistant Director (Planning) had taken the decision to refer this application to Members due to the wider public interest and given that the proposal was the first of its kind in the Tendring District.

Members were informed that Ardleigh Parish Council and a number of local residents had raised concerns. The majority of those objections related to the development being linked to the East Anglia Green Energy Enablement project (East Anglia GREEN), highway safety and harm to residential amenities from noise and disturbance, together with harm to biodiversity and landscape impact. The Committee was made aware that the application related to a parcel of land abutting the existing Lawford Grid Substation located to the south of Ardleigh Road / Little Bromley Road, Little Bromley. The application sought full planning permission for the construction and operation of a 50MW Battery Energy Storage System (BESS) and related infrastructure with associated access, landscaping and drainage.

Members were advised that a BESS was referred to by the National Grid as a 'balancing service' that will assist the operation of the grid in balancing electrical frequency at times of system stress. BESSs were able to provide flexible backup power to the grid at very short notice and respond rapidly to the short-term variations that were related to local and national energy demand and fluctuations in the output from renewable energy sources.

Concerns had been expressed with regard to the proposal's relationship with the East Anglia GREEN project. This was a separate proposal by National Grid Electricity Transmission (National Grid) to reinforce the high voltage power network in East Anglia. That project would support the UK's net zero target through the connection in East Anglia of new low carbon energy generation, and by reinforcing the local transmission network. The reinforcement would comprise mostly overhead lines (including pylons and conductors – the 'line' part) and underground cabling through the Dedham Vale Area of Outstanding Natural Beauty (AONB) and a new 400 kV connection substation in the Tendring District. It was reported that confirmation had been received from National Grid that this development proposal was not associated with the East Anglian GREEN project and was an independent third party applying to build a battery storage facility. This application had been submitted some time ago before the EAG proposals that had been consulted upon had been finalised.

Chapter 14 of the National Planning Policy Framework 2021 (NPPF) directed the planning system to meet the challenge of climate change, flooding and coastal change. Adopted Tendring District Local Plan 2013-2033 and Beyond (TDLP) Section 2 Policy PPL10 dealt with Renewable Energy Generation and Energy Efficiency Measures. Battery Storage Systems were identified within paragraph 7.9.3 of the supporting text of Policy PPL10 as one of the supported technologies aimed at maximising energy efficiency. Officers felt that the proposal was therefore acceptable in principle.

Members were advised that Essex County Council Highways Authority were satisfied that, through the imposition of appropriately worded planning conditions the development could be made acceptable in highway terms. Those conditions were to secure a revised Construction Management Plan; a Traffic Management

Plan outlining a designated route to, and from, the development site for all HGV movements, and details of how any damage to the highway resulting from traffic movements generated by the application site would be repaired.

Furthermore, the application had been accompanied by appropriate technical reports including a Landscape Visual Impact Assessment, Noise Risk Assessment, Phase 1 Contaminated Land Report, Arboriculture Impact Assessment, Flood Risk Assessment and an Ecological Assessment, which had satisfactorily addressed the related material considerations.

In relation to the impact on residential amenities, the nearest dwelling is approximately 240 metres away and the development would not result in any noise or disturbance from operational use, as confirmed by the accompanying Noise Impact Assessment. Any noise, disturbance or disruption during construction could be managed through conditions and would be for a limited time only. Temporary disruption during construction was not a justifiable reason for refusal.

Officers were therefore satisfied that the proposal did not warrant refusal and that an acceptable development could be secured using conditions in line with Paragraph 55 of the NPPF.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Planning Officer (Amy Lang) in respect of the application.

An update sheet had been circulated to the Committee prior to the meeting with details of:

(1) *One additional objection received and summarised below:*

- *No efforts made to enhance the existing infrastructure or amenities here.*
- *Harm to area character of the area from pylons.*

(2) *Condition 8 - PRIOR TO COMMENCEMENT – REVISED CTMP:*

Notwithstanding the details contained within the accompanying Construction Traffic Management Plan (CTMP) REF: EPC/CTMP/451, prior to the commencement of any work on the site, including any ground works or demolition, a revised CTMP shall be submitted to and approved in writing by the Local Planning Authority. The approved CTMP shall be adhered to by all ground works, construction and decommissioning traffic throughout the pre-construction, construction, and decommissioning phases. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for but not be restricted to:

- i. safe access to/from the site;*
- ii. the parking of vehicles of site operatives and visitors;*
- iii. the loading and unloading of plant and materials;*
- iv. the storage of plant and materials used in constructing the development;*

- v. wheel and underbody washing facilities.
- vi. measures to control the emission of dust and dirt during demolition and construction;
- vii. a scheme for recycling/disposing of waste resulting from construction works (no burning permitted);
- viii. details of hours of deliveries relating to construction of the development;
- ix. details of hours of all construction / workers traffic movements;
- x. details of hours of site clearance or construction;
- xi. Traffic Management Plan outlining a designated route to and from the development site for all HGV movements **and any associated temporary traffic management measures** together with a management plan for local road maintenance and repair resulting from the development;
- xii. a scheme to control noise and vibration during construction, including details of any piling operations.
- xiii. temporary road works entrance and exit/ construction traffic signage,
- xiv. Provision of informal passing places,
- xv. Swept path analysis drawings for the access and any restricted bends.

The approved CTMP shall be adhered to throughout the construction period for the development.

Reason - To ensure safe and controlled access, to ensure that on-street parking of these vehicles in the adjoining streets does not occur, to ensure that loose materials and spoil are not brought out onto the highway, to preserve the integrity and fabric of the highway, in the interests of highway safety and resident's amenities.

(3) Additional information

Cambridge Power had issued a Members' Briefing Note, circulated via email on 25 September 2022. Copy forwarded to the planning officers from Councillor Ann Wiggins and uploaded to the planning file today (27 September 2022).

Neil Waterson, acting on behalf of the applicant, spoke in support of the application.

Matters raised by Members of the Committee:-	Officer's response thereto:-
<p>In the Highways latest comments from May 2022 on page 23 it mentions to restrict deliveries between the hours of 9.30am – 3.30pm Mon-Fri and Saturdays 9.30am - Midday will that be amended subject to condition 8 on the update sheet?</p>	<p>Yes the approach with the conditions here is the fact that the HGV movements and strategy submitted with the application was considered unacceptable by the Highway Authority. So we have imposed a full revised condition for the traffic management plan which incorporates</p>

	<p>everything we need, all as one document including delivery and HGV movements. The reason that condition hasn't been imposed directly into the conditions is to maintain that flexibility because if the revised HGV Strategy and routine plan alters the needs of those hours, we can address that as part of the discharge condition. However, as part of that discharge condition Officers would go back and consider all of the original comments of the Highway Authority and make that the timings are incorporated into that new report. We would consult with Highway Authority again to double check that everything is within compliance of their recommendations from the original application.</p>
<p>There will be landscaping around these but how long will it take before we can't see them?</p>	<p>So included in the application is 5 year illustrative plan and then also the fully established planting. *An image of the Illustrative elevations was shown* That would be in excess of the 5 years illustrative plan that has also been included. As mentioned the existing substation, now it is fully established with the planting around that it doesn't have much of an impact. The google street view images allows you to see the landscape better, from the ground it would be very difficult for you to see what is behind that existing planting. So in the future once this is established that will have a very similar impact.</p>
<p>Can you confirm that this project is vital to the energy infrastructure for the residents of Tendring?</p>	<p>It forms part of our adopted local plan and that's in line with NPPF. It is one of the first of its kind in this area so this is definitely something that complies with both national and local plan policy and something that we want to support. It will feed directly into the existing substation and will provide that back up in terms of stress and pressure. As it feed directly in to the existing substation it will have a direct benefit on the local energy supplies.</p>
<p>Is this a part of what will happen when</p>	<p>Yes.</p>

<p>electricity has superseded all fossil fuels?</p>	
<p>Do we know what the batteries are made of?</p>	<p>Unfortunately we cannot answer that.</p>
<p>Are they recyclable?</p>	<p>In terms of recyclable we do not have this information available.</p>
<p>When they reach the end of their lifespan, they will automatically be replaced with other systems is it correct that they are a renewable thing?</p>	<p>Included in the application supporting documents it is clear there will be maintenance vehicles and personnel attending the site as and when to make sure that the batteries are operating as they should. There is a plan in place to ensure that it is maintained and continues to do as it's aimed to do.</p>
<p>Can it be confirmed that this will be in place for 40 years and then the site will be returned to its original state?</p>	<p>Within the design and access statement submitted by the applicant there is a point that mentions that it is intended that the proposed development be temporary and would be in operation for a period of 40 years. Following this the proposed structure would be removed and the application site restored to its currently agricultural use. While we have no problem with that intention from the applicant's point of view, 40 years is a long period of time so from a planning position we are treating this as a permanent application.</p>
<p>Could we ask the applicant the following question: The construction of the battery and its use?</p>	<p>The applicant on this occasion was allowed to answer this question: The batteries are made from Lithium Iron Phosphate. The lifespan is usually 10-15 years, they can run a bit longer but that depends on how they are used.</p>
<p>Is this new technology or has this been established over time?</p>	<p>Batteries are not a new technology, it is integrated components and it has been evolving. I think the use of batteries on a commercial scale with the efficiency needed to act in the way that they are now being proposed (to store electricity) in order to help the stabilisation of network should there be a power cut you have a backup store rather than a generator you have electricity stored in a battery instead. We are satisfied that they help efficiency of current technology and in</p>

	terms of energy efficiency we are looking to support that on that basis.
What plans are in place if one or more of these batteries set fire?	There is a safety note and procedure submitted with the application which talks through all of the training requirements for staff and attendance and what is needed should a fire break out. Firstly there is things in place to avoid that happening and that is all contained within that safety note and report which forms part of the approved documents.

Following discussion by the Committee, it was moved by Councillor Harris, seconded by Councillor Alexander and **RESOLVED** that the Assistant Director (Planning) (or equivalent authorised officer) be authorised to grant planning permission for the development subject to the conditions as set out in Paragraph 8.2 of the related Officer (or as need to be varied in order to account for any errors, legal requirements or the update sheet) and those in addition that may be deemed necessary by the Assistant Director (Planning).

49. A.2 PLANNING APPLICATION 22-00820-FUL TREESTACKS FARM, OAKLEY ROAD, WIX CO11 2SF

It was reported that this application had been referred to Planning Committee at the request of Councillor Bush due to his concerns relating to the significant increase to this existing industrial farming facility and the perceived lack of economic benefits to the local economy.

Members were made aware that this application was for an additional three buildings to raise broiler chickens. The site was fully operational (as approved under 20/00194/FUL) with an office building and two other buildings for a biomass boiler and straw storage along with a caravan for an agricultural workers' home (temporary permission given for a 3 year period). The highways access had been completed and a significant amount of planting had been undertaken to screen the site from views in the surrounding countryside.

The proposed buildings would be of an identical design to the two currently in situ and would have a typical agricultural building appearance, being of a steel portal construction covered by olive green coloured polyester coated profiled sheeting except for the plinth to the walls, of pre-formed concrete.

The Committee was informed that the site was in a rural locality, between the settlements of Wix and Great Oakley, and within the Parish of Wix. Although set within open countryside, the site was at a position which was not prominent in the landscape and the proposals included landscaping mitigation works as well as biodiversity enhancements. The proposal was in planning terms considered by Officers to be an agricultural use within an agricultural area.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Planning Officer (Amy Lang) in respect of the application.

An update sheet had been circulated to the Committee prior to the meeting with details of one additional objection letter received via email from Mr Bob.

Ian Pick, the agent acting on behalf of the applicant, spoke in support of the application.

Councillor Mike Bush, the local Ward Member, spoke against the application.

Matters raised by Members of the Committee:-	Officer's response thereto:-
Confirm that the economic benefit in terms of employment is just 1 person?	1 extra employee is correct.
Confirm the number of objectors, is it 1 member of the public and an objection from Wix Parish Council?	That would be correct.
Confirm whether in 12 months that this has been operational, that there have been any complaints from Wix Parish Council or members of the public with regards to issues with traffic or HGV?	I can only confirm that we in the Planning Department haven't received any complaints. That is not confirm there hasn't been any that may have gone to Environmental Health or Essex County Highways.
Do Highways have any issues with route for straw tractors?	In terms of the Highways comments they have not objected to any part of the additional operation and that would've taken into account the flock cycle over the 48 day period. Within that you have the straw and the maintenance upkeep throughout that period. The way these operations work is actually quite well orchestrated in order that we do have sound understanding of the management of HGVs and other vehicles. A normal agricultural operation can be sporadic needs based on crops.
Confirm there have been no environmental agency concerns with this development over last 12 months whilst it has been operational?	We have consulted the environment agency and they have felt no cause to raise concerns in respect of the existing operation and the proposal before us.
Wix Parish Council have mentioned	We are not saying there is a loss

<p>that S106 money or compensation could be used for loss of amenities, is that realistic?</p>	<p>amenity that would warrant that mitigation requirement or a refusal. It is not our advice to you to pursue any requirement of a S106 agreement.</p>
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Following discussion by the Committee, it was moved by Councillor Fowler, seconded by Councillor Alexander and **RESOLVED** that the Assistant Director (Planning) (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to the conditions as set out in Paragraph 8.2 of the related Officer (or as need to be varied in order to account for any errors, legal requirements or the update sheet) and those in addition that may be deemed necessary by the Assistant Director (Planning).

50. A.3 PLANNING APPLICATION 21/02176/FUL – LAND AT MOORLANDS FARM, GREAT BENTLEY CO7 8RS

It was reported that this site was in a rural locality and within the sustainable settlement of Great Bentley and proposed 26 Dwellings similar in design and layout to adjacent development.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council’s Planning Manager (John Pateman-Gee) in respect of the application.

Emma Walker, the agent acting on behalf of the applicant, spoke in support of the application.

Karen Squires, a local resident, spoke against the application.

Parish Councillor Peter Harry, representing Great Bentley Parish Council, spoke against the application.

Councillor Lynda McWilliams, a local Ward Member, spoke against the application.

<p>Matters raised by Members of the Committee:-</p>	<p>Officer’s response thereto:-</p>
<p>If that change regarding the open space is refused because we think it should stay as open space this application cannot go ahead?</p>	<p>That would be the risk the applicant would take at this time.</p>
<p>Was that from an application that was granted by this Council or was S106 laid down by a Planning Inspector?</p>	<p>To confirm that was Council approval.</p>

<p>Confirmation that, due to apartment block to the south of the site, will those on admiral green estate have site of the village green?</p>	<p>Views are possible but could be restricted to a certain degree.</p>
<p>Is it correct that there is a general presumption in favour of new development, if this committee is mindful to refuse this application what would be the impact on a possible appeal?</p>	<p>That would depend on what reasons you put forward to refuse the item. My advice to you would be that principle of development would be a difficult matter to defend but ultimately you would be looking at actual planning harm as a consequence of the development and what would that be in accordance with your other policies within the Local Plan that do draw out Planning considerations for consideration.</p>
<p>So policy SPL1 managing growth, Great Bentley is described here as a rural service centre. Rural service centres in our plan says some of these villages will accommodate a modest increase in housing where appropriate developments will be of the scale that is proportionate, achievable and sustainable for each of the settlements concerned having regard to the existing size and character of each settlement. Does that meet the test of that statement in our new policy?</p>	<p>Yes, in context of the specific location of this site and the context of the development to the north of it. There are other parts that have been examined not that far away from this site that are more prominent and I would say would fail that particular test because of the impact specifically of the characteristics of the existing village that are more obvious and intrusive. This in my opinion would not be intrusive in that context. In terms of the village itself, if I was at an appeal you would have to weigh up the various infrastructural services that are available within this village including connections in terms of transportation and it would be difficult to say that it could not sustain the growth itself. You would be looking at planning harm if you were to go down the road of a refusal reason.</p>
<p>Are these houses included in the 550 or are they windfall properties?</p>	<p>This is not a site that is specifically allocated for residential development to contribute towards the 550 a year requirement, this would be classed as a windfall development. By virtue of its location within the settlement boundaries there is general presumption in favour of development, subject to meeting other planning considerations.</p>
<p>There was mention of two specific</p>	<p>So part of our assessment in respect of</p>

<p>properties that impact on neighbouring properties. In what way does that impact on the other properties and is that detrimental there enjoyment of their own properties?</p>	<p>impact on existing amenity was to consider how does this development affect existing occupiers and their enjoyment. It was felt that there is a degree of harm in respect of the windows at first floor level you have a bathroom, bedroom, bathroom, bedroom window arrangement for the semi-detached group and in terms of overlooking you have the ability to look out of those windows and look to the side and on that basis you would be able to overlook parts of the gardens of the existing properties to the north so there is a degree of harm there. There is some landscaping in existence and the in the control of those existing residents but it would not entirely remove that potential intrusion in respect of their amenity. However, you are weighting the balance of the development benefits and the degree of harm. Overall we have fallen on the side that it's not as harmful as a single issue to be a warrant defending appeal and warrant refusal.</p>
<p>If they were single storey would that eliminated harm caused?</p>	<p>It would remove the potential for overlooking as long as they are true single storey.</p>
<p>Are there any cycle paths?</p>	<p>There are no cycle paths with regards to the proposed development.</p>
<p>Given recent developments are there any plans for solar panels on these proposals?</p>	<p>Not as a specific proposal before us.</p>
<p>It's a given that all new housing will have electrical charging points for cars?</p>	<p>It was in the design and access statement that they would all have charging points.</p>
<p>Are we confirming that two small trees, that were originally envisaged to be removed, will not be removed? Or is this something we would have to condition if we were mindful to approve?</p>	<p>While the TPO sees no value in them given their size, there is no reason why we can't keep those trees. I suggest we do add a condition to that for avoidance of doubt if you were to approve it.</p>
<p>Is there no possibility that we could get a footpath at least through onto the green so those can get to the train station?</p>	<p>Ultimately there isn't a public right of way existing or that is proposed with this application and essentially in order to create a reasonable route that your considering you would be dealing with</p>

	other land beyond the control of the applicant. It would be subject to other consent required as well. So ultimately that would not be reasonable to require and is not the proposal before you. If we were to resist this proposal on that issue we would be in difficulty as officers to defend that point. Not least that the development close by has the same issue of commuting to the station.
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The Planning Solicitor gave the following advice to the Committee: “We have to rely on reasons for refusal which stand up to scrutiny on Planning merits and we must act reasonably. A part of that includes ensuring that we refuse on grounds that stand up to the Planning merits of the case and that are also supported by evidence. Just to remind Members that unreasonable behaviour can attract cost rewards for the Council.”

Following discussion by the Committee, it was moved by Councillor Harris, seconded by Councillor Fowler and **RESOLVED:**

(1) On appropriate terms as summarised below and those as may be deemed necessary to the satisfaction of the Assistant Director (Planning) to secure the completion of a legal agreement under the provisions of section 106 of the Town and Country Planning Act 1990 dealing with the following matters:

- A financial contribution for Open Space, Schools and RAMS as set out by consultees adjusted to 26 dwellings and indexed linked.
- Affordable House 30%
- Public open space to be secured and managed

(2) That the Assistant Director (Planning) be authorised to grant Planning Permission upon completion of the legal agreement subject to the conditions as stated in Section 8.2 of the related Officer report and stated below (or as need to be varied to account for any errors, legal and necessary updates) and those as may be deemed necessary by the Assistant Director (Planning) and further subject to a condition requiring the two northern dwellings to be of single storey height. If following consultation with the applicants this condition is not accepted then this application will be put before the Committee once more.

(3) The informative notes as may be deemed necessary;

(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured or not secured within 6 months that the Assistant Director (Planning) be authorised to refuse the application on appropriate ground at their discretion.

Conditions and reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Drawings to be agreed on release of decision

Reason – For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of development, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall include:

- 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
- v. prior to the commencement of any work on the site, a joint inspection of the route to be used by construction vehicles should be carried out by the Applicant and the Highway Authority, including photographic evidence.
- vi. noise control
- vii. emission control
- viii. dust control
- ix. working hours

Reason - To ensure that parking on the highway does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and to ensure that construction does not lead to excess water being discharged from the site or the environment is adversely affected.

4. No materials produced as a result of the site development or clearance shall be burned on site.

Reason: In the interests of residential amenity

5. Prior to occupation of the development, the road junction / access at its centre line with Michael Wright Way shall be provided with a minimum clear to ground visibility splay with dimensions of 2.4 metres by 33 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction / access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between vehicles using the road junction / access and those in the existing public highway in the interest of highway safety in accordance with policy DM1.

6. No unbound material shall be used in the surface treatment of the private drives throughout.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

7. Prior to the occupation of any of the proposed dwellings the internal road layout shall be provided in principle and accord with Drawing Number (Drawing No to be agreed on release of decision), Proposed site layout plan.

Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM1.

8. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1.

9. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, has been hard surfaced, sealed and if required marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

10. Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, while each tandem vehicular parking space shall have minimum dimensions of 2.9 metres x 11 metres to accommodate two vehicles, retained in perpetuity.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8.

11. Prior to occupation of the proposed dwelling, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by the Local Planning

Authority in writing, to include six one day travel vouchers for use with the relevant local public transport operator free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10.

12. Notwithstanding the details submitted with this application, no development shall commence other than that required to carry out additional necessary investigation which in this case includes demolition, site clearance, removal of underground tanks and old structures until an investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The risk assessment shall assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced.

Reason: To ensure that any risks (to future users of the land and neighbouring land and to controlled waters, property and ecological systems) arising from any land contamination are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13. Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of ensuring suitable drainage.

14. 1. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the local planning authority.

2. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above.

3. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report. Reason: To secure archaeological works required.

15. Notwithstanding Section 55 (2) (a) (ii) of the Town and Country Planning Act 1990 as amended and the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-

enacting that Order with or without modification):- - no enlargement, improvement, insertion of new openings or other alteration of the dwelling house(s) shall be carried out, except pursuant to the grant of planning permission on an application made in that regard.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of the amenity of the locality and to safeguard local distinctiveness.

16. All changes in ground levels, soft/hard landscaping shown on the approved landscaping details shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development, or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first use/first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted, or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and same species unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

17. Retention of Trees

Notwithstanding the landscape details submitted, all trees shall be retained within the public open space areas except to allow the access drive unless otherwise agreed in writing by the LPA

Reason - In the interests of the environment.

18. Car charging points

All dwellings shall provide a functional car charging point prior to first occupation to serve the interests of the occupier of that dwelling.

Reason – For the avoidance of doubt.

51. **EXCLUSION OF PRESS AND PUBLIC**

It was **RESOLVED** that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of Agenda Item 9 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 5 of Part 1 of Schedule 12A, as amended, of the Act.

52. **EXEMPT MINUTE OF THE MEETING HELD ON THURSDAY 1 SEPTEMBER 2022**

It was moved by Councillor Baker, seconded by Councillor Alexander and **RESOLVED** that the exempt minute of the meeting of the Committee held on 1 September 2022 be approved as a correct record subject to an amendment to Minute 39 so that item 4 in that minute shall read as follows:

“4. Officers are instructed to enter into a Section 106 Agreement to secure financial contributions for RAMS, NHS and open space and if such deed is completed the ground of reason 4 will also not be defended. The s106 Agreement to also include a viability review clause in respect of the affordable housing contribution.”

The Meeting was declared closed at 8.58 pm

Chairman

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