
PLANNING AND RIGHTS OF WAY PANEL (EAST)
MINUTES OF THE MEETING HELD ON 5 MAY 2015

Present: Councillors Lewzey (Chair), Denness (Vice-Chair), Hecks and Tucker

Apologies: Councillors Fitzhenry

61. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

62. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the Minutes of the meeting held on 7 April 2015 be approved and signed as a correct record.

63. **46 PEARTREE AVENUE, 15/00141/FUL**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Internal and external alterations to facilitate conversion of the existing building from a Family Centre (Class D1) to nine flats comprising three x one-bed, five x two-bed and one x three-bed (Class C3) with associated parking and bin storage.

Mr and Mrs Sevier, Mr and Mrs Lisk (Local Residents/objecting), Councillor Keogh (Ward Councillor/objecting), Mrs Batley (Owner) and Mr Wiles (Agent) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that the number of representations in Item 5.1 of the report should be 22 and not 24 as listed.

RESOLVED

- (i) that authority be delegated to the Planning and Development Manager to grant planning permission subject to the completion of a Section 106 Legal Agreement, the conditions listed in the report and the amended and additional conditions as set out below;
- (ii) that in the event that the legal agreement is not completed within two months of the Panel date the Planning and Development Manager be authorised to refuse permission on the grounds of failure to secure the provisions of the Section 106 Legal Agreement; and
- (iii) that the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

Amended Condition

6. APPROVAL CONDITION - Landscaping [Pre-occupation Condition]

Notwithstanding the submitted details before the occupation of the units hereby approved a detailed hard and soft landscaping scheme and implementation timetable shall be submitted, which includes hard surfacing materials; planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate; a landscape management scheme. Furthermore, details of the method for removal of Japanese Knotweed present on the site shall be submitted and agreed in writing by the Local Planning Authority.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of five years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of five years from the date of planting.

The approved hard and soft landscaping scheme for the whole site shall be carried out, including the removal of any Japanese Knotweed as agreed, prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of five years following its complete provision.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990.

Additional Condition

14 APPROVAL CONDITION - Window Improvement

Prior to the first occupation of the development hereby approved, the details of a larger window in the north elevation to replace the window shown on the approved plans serving the living room shall be submitted to and agreed in writing by the Local Planning Authority. The development hereby approved shall be implemented in accordance with the approved details prior to the first occupation of the dwelling and thereafter retained whilst the building is in residential use.

Reason:

To ensure future occupiers have access to adequate outlook and light serving a habitable room.

RECORDED VOTE to grant planning permission.

FOR: Councillors Lewzey, Hecks and Tucker

AGAINST: Councillor Denness

64. **56/58 COBDEN AVENUE, 14/01908/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address.

Erection of a part single, part two-storey four-bed detached house with rooms within roof space and a detached double garage, with alterations to access and boundary treatment, following demolition of existing garage.

Ms Partington (Local Resident/objecting) and Mr Plant (Applicant) were present and with the consent of the Chair, addressed the meeting.

RESOLVED that planning permission be granted subject to the conditions in the report and the amended and the additional conditions set out below.

Amended Condition

8. APPROVAL CONDITION - Landscaping [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works a detailed hard and soft landscaping scheme and implementation timetable shall be submitted, which includes hard surfacing materials; planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate; a landscape management scheme; and (as requested at the Planning and Rights of Way Panel on 5th May 2015) further details of screening vegetation along the site's western boundary using suitable species – including evergreen.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of five years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of five years from the date of planting.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of five years following its complete provision.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990. Furthermore, to protect the privacy of the neighbouring occupiers.

Additional Condition

24. APPROVAL CONDITION – Roof Light Restriction

Prior to the insertion of the approved roof lights, or the first occupation of the dwelling hereby approved, (whichever comes first) a cross sectional plan of the roof space showing the finished floor level and the bottom/sill of the approved roof lights shall be submitted to and agreed in writing to the Local Planning Authority. The development shall then be implemented in accordance with the approved details before the dwelling is occupied and the roof lights shall thereafter be retained as agreed.

Reason:

To demonstrate that the roof lights will not afford any overlooking towards neighbouring residential property from the approved roof space

65. **20 ANSON DRIVE, 15/00041/OUT**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address, attached.

Erection of a two-storey, detached dwelling with associated parking and cycle/refuse storage (outline application seeking approval for access, appearance, layout and scale).

Mr Lee and Ms Caws (Local Residents/objecting) and Ms Jackman (Applicant) were present and with the consent of the Chair, addressed the meeting.

RESOLVED that planning permission be granted subject to the conditions in the report and the amended conditions set out below.

The presenting officer reported amendments to conditions regarding Code for Sustainable Homes as follows:

07. APPROVAL CONDITION - Energy & Water [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

08. APPROVAL CONDITION - Energy & Water [performance condition]

Within six months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

Reason:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

RECORDED VOTE to grant planning permission.

FOR: Councillors Lewzey and Tucker

AGAINST: Councillor Denness

ABSTAIN: Councillor Hecks

66. **BEDFORD HOUSE, AMOY STREET, 15/00465/DIS**

The Panel considered the report of the Planning and Development Manager recommending approval be granted for the discharge of Condition 25 – “Details and Samples of Building Materials to be Used (Pre-Commencement Condition)” for a proposed development at the above address.

Application for approval of details reserved by conditions 7 (construction environment management plan), 8 (material storage), 10 (cycle storage), 12 (public sewer protection), 22 (lighting), 23 (trees), 24 (ecological mitigation statement), 25 (materials), 26 (landscaping, lighting and means of enclosure) and 28 (demolition statement) of planning permission ref 14/01778/FUL for 18 houses.

RESOLVED

- (i) that the following materials be agreed and approved:
 - bricks: Cissbury, red multi stock;
 - fascia boards: UPVC, dark grey;
 - windows and doors: UPVC, dark grey;
 - gutters and downpipes: black UPVC;
 - hardsurfacing : central shared surface street paving: Aquasett – Cornish Natural; and
 - hardsurfacing: car parking spaces: Omega Flow – Charcoal.

- (ii) that the following materials be rejected:
 - roof tile: Weinerberger New Generation / interlocking slate; and

- (iii) that authority be delegated to the Planning and Development Manager to determine a revised roof tile (along the lines of an Eternit Slate or equivalent) and the other outstanding conditions listed in the above description of development.

RECORDED VOTE to grant approval for the discharge of Condition 25.

FOR: Councillors Lewzey, Hecks and Tucker
ABSTAIN: Councillor Denness