

HORTON HEATH DEVELOPMENT MANAGEMENT COMMITTEE

Monday, 26 September 2022 (7:00 pm – 9:07 pm)

PRESENT:

Councillors Tennent (Chair of the meeting in the absence of Councillor Gomer), Asman, Bearder, Broomfield, Couldrey and Marsh

Apologies for absence were received from Councillor Gomer (Chair)

38. Declarations of Interest

Councillor Marsh declared a non-pecuniary interest as she owns a property near the application site.

39. Minutes of Previous Meeting

RESOLVED –

That the minutes of the meeting held on 3 November 2021 be confirmed and signed as a correct record.

40. Public Participation

There was no public participation on this occasion.

41. Planning Guidelines

The Principal Planning Officer gave a short presentation on guidelines that had to be taken into account when determining planning applications; in particular the issues that could, and could not, be taken into account. This was set against the broader policy framework.

42. Planning Application - Land between Burnetts Lane and Allington Lane - F/21/91185

The Committee considered the report of the Executive Head of Planning and Economy (Agenda item 6) concerning an application for the construction of road between Allington Lane and Burnetts Lane with associated footway, cycle paths, water crossings, drainage and landscaping (This application is subject to Environmental Impact Assessment). (Ref: F/21/91185).

The Committee were given the following updates:

- Paragraph 54: Natural England consultation response: formal position remains that further (condition discharge) information is required. CEMP and other information already sent and condition recommended for Management Plan (condition 6). Minor update to Appropriate Assessment document to include fuller reference to conditions

- Page 47 Amendment to Condition 6 (LEMP):

”Prior to the commencement of development (excluding site clearance works) a final updated Landscape and Ecological Management and Enhancement Plan (LEMP) shall be submitted to the local planning authority. The purpose of the LEMP is to ensure that all the ecological features to be retained and those that are to be created, restored or enhanced are appropriately managed and monitored to deliver the conservation objectives for the development. The content of the LEMP shall include the following.....”:

- Page 50: add “not” to condition 9 (Unexpected Contamination):

“In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority and any recommendations complied with. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority and the road hereby approved shall not be brought in to use until such approval is provided. Reason: Reason: in the interests of human health and in order to comply with EBLP April 2022 Policy DM8 “

- Page 50: Add Reason for Condition 10 (Acoustics)

Reason: in the interests of residential amenity.

RESOLVED -

That permission be GRANTED subject to completion of the Environmental Impact Assessment process of notifying the Secretary of State and publishing the decisions and completion of final conditions (delegated to Executive Head of Planning and Economy in consultation with Chair of the Horton Heath Development Management Committee 26 September 2022)

[NOTES: (A) One written statement was received and 2 member’s of the public spoke in objection to the application, citing concerns - including but not limited to – flooding on the site, overdevelopment and the impact on climate change, construction traffic and destroying local habitats. (B) The Horton Heath Development Planning Manager and a flood risk and drainage consultant spoke in support of the application citing benefits – including but not limited to – the strategic importance to the local highway network, best route

for the landscape and environment, planting of additional trees, forming key connections for cars and buses.]

43. Rights of Way Diversions

The Senior Engineering Specialist presented the report.

RESOLVED –

That authorisation be given for the consultation on and processing of an Order under Section 257 of the Town and Country Planning Act 1990 for the diversion of Public Footpath Fair Oak No's 11, 701 & 702 as it is necessary to do so in order to enable development to be carried out. (Ref: No F/21/91185).

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