

18/00411/REM

**LAND EAST OF RUGBY CLUB, AVIATION WAY,
ROCHFORD**

**RESERVED MATTERS APPLICATION FOR PHASE 2
INFRASTRUCTURE WORKS COMPRISING A SPINE ROAD
AND ASSOCIATED INFRASTRUCTURE INCLUDING THE
CREATION OF GREEN CORRIDORS PURSUANT TO
CREATING ACCESS TO ALL PARTS OF THE BUSINESS
PARK FOLLOWING APPROVAL OF APPLICATION REF:
15/00781/OUT**

APPLICANT: HENRY BOOT DEVELOPMENTS LTD

ZONING: JOINT AREA ACTION PLAN (JAAP)

PARISH: ROCHFORD

WARD: ROCHE SOUTH

1 RECOMMENDATION

1.1 It is proposed that the Committee RESOLVES

That planning permission be approved subject to the following conditions:

- (1) SC4B - Time Limits Full - Standard
- (2) Prior to works commencing to provide the landscaping hereby approved, details shall be submitted to and agreed in writing showing the following:
 - Improved positioning and increased quantity of bins and benches
 - Enhancement of existing hedgerow to the north and enhanced landscaping to the northern edge
 - Details of tree sizing
 - Timber edging to footpath within Green Ribbon and Green Spine
 - Sub station sizing and design details
 - The landscaping design and positioning for the public realm known as 'Central Hub'

Once agreed, such details shall be implemented together with the landscaping hereby approved in a phased arrangement in conjunction

with development within the phase adjacent or as otherwise agreed in writing with the Local Planning Authority.

- (3) Prior to first use of the development hereby approved, details of a gate control at the southern boundary of the site shall be submitted to and agreed in writing with the Local Planning Authority. Once agreed such gate control shall be installed prior to first use of the vehicular access onto Aviation Way.
- (4) Prior to first use of the vehicular access onto Aviation Way, visibility splays measuring 2.4m x 43m to each side of the access onto Aviation Way shall be provided and be permanently retained thereafter..
- (5) A Programme of Archaeological Investigation:
 1. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in a mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.
 2. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of 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.

2 PLANNING APPLICATION DETAILS

- 2.1 The proposal is a Reserved Matters application for consideration of the infrastructure works in association with phase 2 of the approved application ref: 15/00751/OUT. This application granted outline planning permission for a business park to be constructed and required Reserved Matters applications to be submitted by planning condition 1 in order to consider the more detailed elements of the scheme . An indicative site layout was provided at application stage to show how the development could appear.
- 2.2 As part of the current Reserved Matters application, the works to which permission is sought are as follows:
 - Spine Road – looped access road throughout the business park. A 3m wide shared footpath/cyclepath and verge would surround the outer edge of this access road. No footpath is proposed to the inside of the looped access road to its southern extent. A new spur would be formed from this road to provide access to the company Ipeco's proposed new facilities to the east.

- Green Corridors – green swathes running North/South ('Green Spine') and East/West ('Green Ribbon') with a 3m wide footpath/cyclepath running through the spaces. They would cross in the centre of the site whereby a foot and cycle bridge would be located providing access over the existing ditch. The green ribbon would utilise an existing hedgerow.

3 MATERIAL PLANNING CONSIDERATIONS

Site & Context

- 3.1 The site character is currently a combination of open former agricultural land, former rugby pitches associated with Westcliff Rugby Club and hedging/overgrowth. There is a ditch and hedgerow running north-south through the site.
- 3.2 Westcliff Rugby Club have received planning permission for a new building and pitches and these are currently being constructed to the north-east of the application site. A new roundabout has been constructed within Cherry Orchard Way to the north-west of the application site along with a roundabout within the business park site and spine road linking to the entrance to the approved Westcliff Rugby Club location. These were all approved as part of the outline application.
- 3.3 The site is located within the Joint Area Action Plan (JAAP). It is identified within the JAAP as an intended Business Park (areas 2 and 3) within use classes B1 and B2. This area is also identified for a new road, access, enhanced junction, green corridor and green buffer surrounding a Grade II listed building (Cherry Orchard farmhouse) to the west.

Relevant Planning History

- 3.4 15/00781/OUT - Outline Application With All Matters Reserved Apart From Access To The Site Off Cherry Orchard Way To Create A Business Park To Comprise Use Classes B1 (Business), B2 (General Industrial) And Ancillary Uses To Include A1 (Retail), A3 (Restaurants/Cafes), A4 (Drinking Establishments), C1 (Hotel), D1 (Non-Residential Institutions), D2 (Assembly And Leisure) And B8 (Storage And Distribution). Provide Hard And Soft Landscaping And Demolition Of Existing Rugby Club And Associated Works. APPROVED
- 3.5 16/00898/ADV - Erection of two signs at Airport Business Park, Cherry Orchard Way Southend, SS2 6UN. APPROVED
- 3.6 16/01110/DOC - Submission Of Details Pursuant To Conditions 7, 11, 15, 22, 23 And 27 Of Outline Planning Permission To Create A Business Park To Comprise Use Classes B1 (Business), B2 (General Industrial) And Ancillary Uses Ref 15/00781/OUT. CONDITIONS DISCHARGED

- 3.7 17/00192/DOC - Application to discharge condition no 22 (mitigation of construction run-off) to permission granted on 31st October 2016 for Business Park under application ref : 15/00781/OUT. PENDING CONSIDERATION
- 3.8 18/00584/REM - Reserved matters application (following outline permission reference 15/00781/OUT) to consider layout only, for the provision of an employment unit for B1/B2 (Business/General Industrial) use and associated car parking, servicing yard and landscaping. PENDING CONSIDERATION

Principle of Development

- 3.9 The principle of the development of a business park at this site has already been determined by approval of application ref: 15/00781/OUT. Therefore the acceptability of such principle has already been determined and will not be revisited as part of this application.
- 3.10 Policy E3 of the JAAP allocates land including the application site for development of a new business park

Highway & public footpath

- 3.11 It should be noted that the following highway works as part of the wider business park development have been approved as part of the outline application and are not for consideration as part of the current application:
- Roundabout junction on Cherry Orchard Way
 - Initial stages of the spine road including a spur road to the boundary of the Brickworks
 - A spur to provide access to the new rugby club

These works have all been implemented.

- 3.12 A public footpath would be proposed in two directions. The North/South footpath would link from the northern boundary of the wider site down to Aviation Way to the South. The East/West footpath would link from a point close to the North-Eastern corner of the wider site where footpath 36 is located down to Cherry Orchard Lane at the western boundary of the site.
- 3.13 The design code approved as part of the outline application originally showed a proposed footpath linking to footpath 40 to the east in a more direct east/west direction. As design has progressed, Ipeco have identified security concerns with a footpath being located through their site which is intended to be located to the eastern section of the wider site (an application for the Ipeco units is pending consideration). As a result the link is now proposed alongside the Ipeco site (to their western boundary) onto the newly relocated footpath 36. Footpath 36 and 40 join at the north-eastern corner of the site and therefore this proposed alternative link is not considered objectionable. Condition 8 of the approved outline application required any diversion routes

to be agreed with the Local Planning Authority, this discharge of condition remains outstanding although diversion through ECC has been agreed and undertaken.

- 3.14 Condition 19 of the approved outline application required all reserved matters applications to accord with the principles of design as set out in the landscape and design codes. The codes are intended not to fix the design but to give a principle of the design elements of the scheme. The proposal would still provide the necessary footpath links just in a slightly different manner to that shown indicatively within the codes and therefore it is still considered that it would comply in principle with the codes here.
- 3.15 Policy T1 of the JAAP states that ‘consideration will be given to access to the new business park from Aviation Way dependent on the need identified in the development areas coming forward and provision for future bus services.’ ECC Highways do not object to the proposal but they do seek a planning condition requiring details and subsequent installation of the Bus gate control at the southern boundary of the site to be agreed. The agent has queried whether such a condition could permit other vehicles, not just buses, as they consider the intention was for such an access to provide controlled access to other vehicles as well such as those using the Ipeco units. The Landscape Design Code refers to use by buses as a secondary access but doesn’t make reference to other vehicles. ECC Highways have confirmed they have no objection to this ensuring that there remains gated control over vehicle use.
- 3.16 It is considered that with buses, at a minimum, using the new access onto Aviation Way that suitable visibility splays should be agreed. There was no condition relating to this on the outline application. ECC Highways have confirmed that splays measuring 2.4m x 43m to each side of the access should be provided, a condition to this effect is recommended.
- 3.17 The proposal includes a carriageway measuring 6.75m in width. To some of its length a shared cycle/pathway 3m in width would be proposed to the outer edge with a 2.5m wide shared cycle/pathway to the inner edge. However, to the southern extent of the looped access road a 3m wide shared cycle/pathway is proposed to just the outer edge.
- 3.18 The design code approved as part of the outline application mentioned that secondary cycle and pedestrian routes are to be provided along the perimeter of the main spine road on both sides. The Essex Design Guide identifies this as a mixed use road whereby a 6.75m carriage width and 2m wide footpaths should be located on either side of the road. The carriage width would adhere to the Essex Design Guide. The reason behind such change by the developer is to increase the plot areas within the centre of the business park which they state would allow greater flexibility in site layout to meet current market demand.
- 3.19 Whilst the shared cycle/pathway would now only occur on one side of the road this is not considered objectionable. ECC Highways have not raised

issue with such a proposal. These changes occur where the Green Ribbon dissects the site and in such positions pedestrian crossings are proposed which would enable safe crossing to the shared cycle/pathway on the outer edge of the remaining road.

Landscaping

- 3.20 Policy T1 of the JAAP states that ‘a green link through the site will be required as part of the master planning and linking into the surrounding network’. On this basis, a Green Spine, Green Ribbon and Central Hub have been created within the wider development.

Green Spine

- 3.21 The Green Spine is an area of soft landscaping running North/South through the site.
- 3.22 Condition 16 of the outline application required the Green Spine design and landscaping to be completed in accordance with the Landscape Design Code. This condition required the Green Spine to have a minimum width of 18m measured from the western edge of the existing hedgerow. This is adhered to and exceeded across the majority of the length of the Green Spine. In one place this reduces down to 17.5m but there is space for additional amenity landscaping in this area. A 3m wide footpath is provided along the length of the Green Spine in accordance with the Landscape Design Code. As planning condition 16 already requires this measurement to be adhered to, there is no need for such a condition to be repeated here.
- 3.23 Whilst the car parking is not screened by hedging in places along the Green Spine, which was a requirement in principle of the Landscape Design Code, it is also considered that a degree of natural surveillance is required of the footpath, therefore a balance between screening and surveillance must be met. Trees and amenity grassland is still located within this area to soften the appearance of the car parking therefore it is not considered objectionable that hedging does not screen all of the car parking within the Green Spine.
- 3.24 Two trees and three areas of hedging is proposed for removal along the Green Spine where the loop road would intersect the existing linear hedgerow. With the amount of additional planting and trees proposed, this is not considered objectionable.
- 3.25 Where development plots front onto the green space from the east a native hedge was required in principle within the Landscape Design Code. All the buildings currently shown indicatively on the masterplan have side or rear elevations towards the green space, on this basis although ornamental planting is shown in places where buildings are located close to the green space, no hedging would be required.

- 3.26 With regards to materials, the footpath was intended to have timber edging within the Landscape Design Code, this is not shown on the plans but could still be required by condition.
- 3.27 A bench and two bins are shown within the area of the Green Spine. The bench is located to the north but there are no bins located near to it. Greater consideration around this is required by condition. There are no lighting details provided but these would need to be dealt with by discharge of condition 21 as part of the approved outline application.
- 3.28 The trees should be 14-16cm in girth and the hedgerow to the north was to be enhanced within the Landscape Design Code, there is no detail around this within the plans. A condition requiring more detail around this should be attached to an approval.

Green Ribbon

- 3.29 The Green Ribbon is an area of soft landscaping running East/West through the site.
- 3.30 It should be noted that the Landscape Design Code and condition 17 of the approved outline application refer to the Green Ribbon extending to the eastern edge of the site. In order to accommodate the security requirements of Ipeco, the proposal now incorporates the Green Ribbon extending to the north-east to avoid dissecting the intended Ipeco site which is the subject of a pending planning application. This is still considered to adhere to the principles of the Landscape Design Code which sought to provide green swathes through the development with connections to local footpaths which this proposed Green Ribbon would still provide. It should be noted though that an application to vary condition 17 of the outline application would need to be made by the developer as this condition requires the Green Ribbon to be delivered across the full width of the site which this new proposal would not adhere to.
- 3.31 Condition 17 of the outline application required the Green Ribbon design and landscaping to be completed in accordance with the Landscape Design Code. This condition required the Green Ribbon to have a width equal to that shown (average) on the indicative layout drawing within the outline application. There is no exact width on this plan. The Landscape Design Code refers to a minimum width of the Green Ribbon to be 8m. The Green Ribbon is quite varied in sizing along its length however, the general width is considered to comply with the Landscape Design Code and would not be less than 8m.
- 3.32 The Landscape Design Code refers to the Green Ribbon widening at the Hub area where the design is to become more formalised. There are sections within the centre which are wider to accommodate the detention ponds. The Green Ribbon was intended to provide views along the green space in both directions with the open countryside and the airport runways as a back drop. There are views along the open space however, these are angled towards the

rugby club at the north eastern end. There does however, remain a view towards the open landscape looking beyond the intended car parking area shown between the two Ipeco units.

- 3.33 The Green Ribbon had the same suggested details within the Landscape Design Code as the Green Spine with regards to the native hedging and materials therefore the comments within paragraphs 3.26 and 3.27 above equally apply to the Green Ribbon.
- 3.34 Three benches and two bins are shown. It is considered that in such a large swathe of landscaping with a central hub that a greater degree of benches should be provided by condition.

Central Hub

- 3.35 Condition 18 of the approved outline application required a public realm to be designed to a central area of the site. The Landscape Design Code referred to this area being around the Innovation Centre. It is not clear from the current plans where the Innovation Centre is now intended to be. The Central Hub is no longer surrounding a building and there is no mention of the Central Hub within the Design and Access Statement submitted.
- 3.36 It is considered that more detail around how this area is intended to work should be agreed by planning condition. There is a possibility that the Innovation Building and Central Hub is now indicatively intended to be the building and area to the south-east of the new roundabout within the development.

Further Discussion

- 3.37 The Council's arboriculturalist has no objection to the proposed landscaping but does state that further information regarding aftercare is required. The Landscape Design Code states that maintenance is to be undertaken by a maintenance company. The S106 agreement as part of the approved outline application controlled future maintenance of these spaces.
- 3.38 The ECC Conservation officer makes reference to the nearby St Andrews Church. He advises that greater screening and buffering should be provided on the northern and north-eastern boundary of the site to better preserve the open landscape setting which makes a strong contribution to the significance of the church. The current proposal is not addressing the landscaping for the entire site, therefore this is something that the developer can take on board prior to submission of any future reserved matters applications. However, it does have relevance where the Green Spine meets the northern edge. At this point a greater degree of landscaping is considered to be necessary.
- 3.39 An area for what appears to be an intended sub station is shown within the red lined boundary to the south-east of the site. No details are provided however, regarding how this building would appear and no reference is made to it within any of the documents or plans submitted. The proposal appears to

just be looking to agree its positioning in relation to the wider site which is not considered objectionable. Soft landscaping is shown around the building (albeit not for consideration under the current application) which would soften its appearance. A condition requiring details of the sub station to be submitted to and agreed should be attached to an approval.

SUDS

- 3.40 The surface water drainage for the scheme would be located partly within the soft landscaped Green Ribbon using four detention basins. Condition 22 of the approved outline application required surface water drainage details to be submitted and agreed for each phase. The approved outline showed, in principle, the intention for swales and detention basins across the site.
- 3.41 A discharge of condition application for condition 22 was submitted in relation to phase 1 of the development. This focused on the area to the north-eastern corner of the wider site including the rugby pitches. The ECC Lead Local Flood Authority did not object to the proposals for phase 1. No drainage details have been agreed for the area the subject of this application.
- 3.42 Whilst the current application shows intended drainage arrangements within the landscaped areas, it would remain the case that the drainage would need to be agreed via discharge of condition 22 of the original outline application. ECC Lead Local Flood Authority would be consulted on such details. There remains a possibility that if the drainage arrangements shown on the submitted drawings were not acceptable, an amended landscaping scheme may need to be considered.

Archaeology

- 3.43 The ECC archaeologist suggests a planning condition be attached to an approval as the proposed development area lies within a potentially sensitive area of archaeological deposits. Planning condition 24 attached to the approved outline application required fieldwork to be undertaken and a post excavation assessment. Excavation has taken place as a result of this fieldwork and a further condition is recommended as a result of the need to undertake further work to the south.
- 3.44 It is considered reasonable to impose a further archaeological condition in relation to the current application.

4 CONSULTATIONS AND REPRESENTATIONS

RDC Arboriculturalist

- 4.1 I have checked the planting specification and method statement, both are fine. The specification favours the native species and is planted in a suitable mix. The planting method is correct and offers suitable barriers and soil conditions to ensure reduced future nuisance whilst providing improved conditions for good root growth.

- 4.2 Some further detail is required regarding aftercare – watering/feed regime, replacement requirement, tree and hedgerow management, ground maintenance, etc. They may have provided this detail but I could not see it within the plans.

ECC Highways

- 4.3 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following:

1. Prior to occupation of the proposed development the details and subsequent installation of the Bus gate control at the southern boundary of the site shall be agreed with the Local Planning Authority.

- 4.4 Further comments:

- Method of control can be agreed -happy for the word bus to be removed – then facilitates other forms albeit with control
- Any new junction onto aviation way will need 2.4m x 43m vis splays in both directions
- Footway is only removed on the inside of southern half of the loop -where alternative facilities are present due to the internal footpath arrangement and crossing points – I don't see any need / users given the alternative provision.

ECC Archaeology

- 4.5 The Historic Environment Record shows that the proposed development area lies within a potentially sensitive area of archaeological deposits. Initial archaeological investigations have already been carried out on this site and the results of these archaeological investigations have led to excavation of the surviving archaeological deposits on the northern part of the site. Further excavation and assessment is planned on the areas to the south, in accordance with the recommendation below.

- 4.6 RECOMMENDATION: A Programme of Archaeological Investigation:

1. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in a mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.
2. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of 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.

ECC Conservation

- 4.7 Large landscape buffer between Cherry Orchard and the built form on the site considered to be the most sensitive and offer the greatest mitigation as could be achieved within the parameters of what was previously approved.
- 4.8 However very little screening and buffering is proposed on the northern and north-eastern boundary of the site, and this therefore means that there is the greatest inter-visibility between the church and the site. Whilst this is considered to result in a low level of harm it is still considered that the site could be better screened from the church, to better preserve the open landscape setting which makes a strong contribution to the significance of the church. I would therefore want to see this boundary strengthened.
- 4.9 I therefore have limited objections to the scheme from a conservation perspective, but I believe that an alteration in the landscape plan would have beneficial effects in preserving the significance of the listed church.

5 EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.'

6 CONCLUSION

- 6.1 The proposal is considered not to cause undue demonstrable harm to any development plan interests, other material considerations or to the character and appearance of the area such as to justify refusing the application.



Matthew Thomas

Assistant Director, Planning and Regeneration Services

Relevant Development Plan Policies and Proposals

Policies E1, E3, E5, E6, T1, T2, T3, T4, T5, T6, T7, ENV5 and ENV7 of the Joint Area Action Plan (JAAP)

Policies CP1, T1, T3, T6, T7, ED1, ED2 and ED4 of the Core Strategy 2011

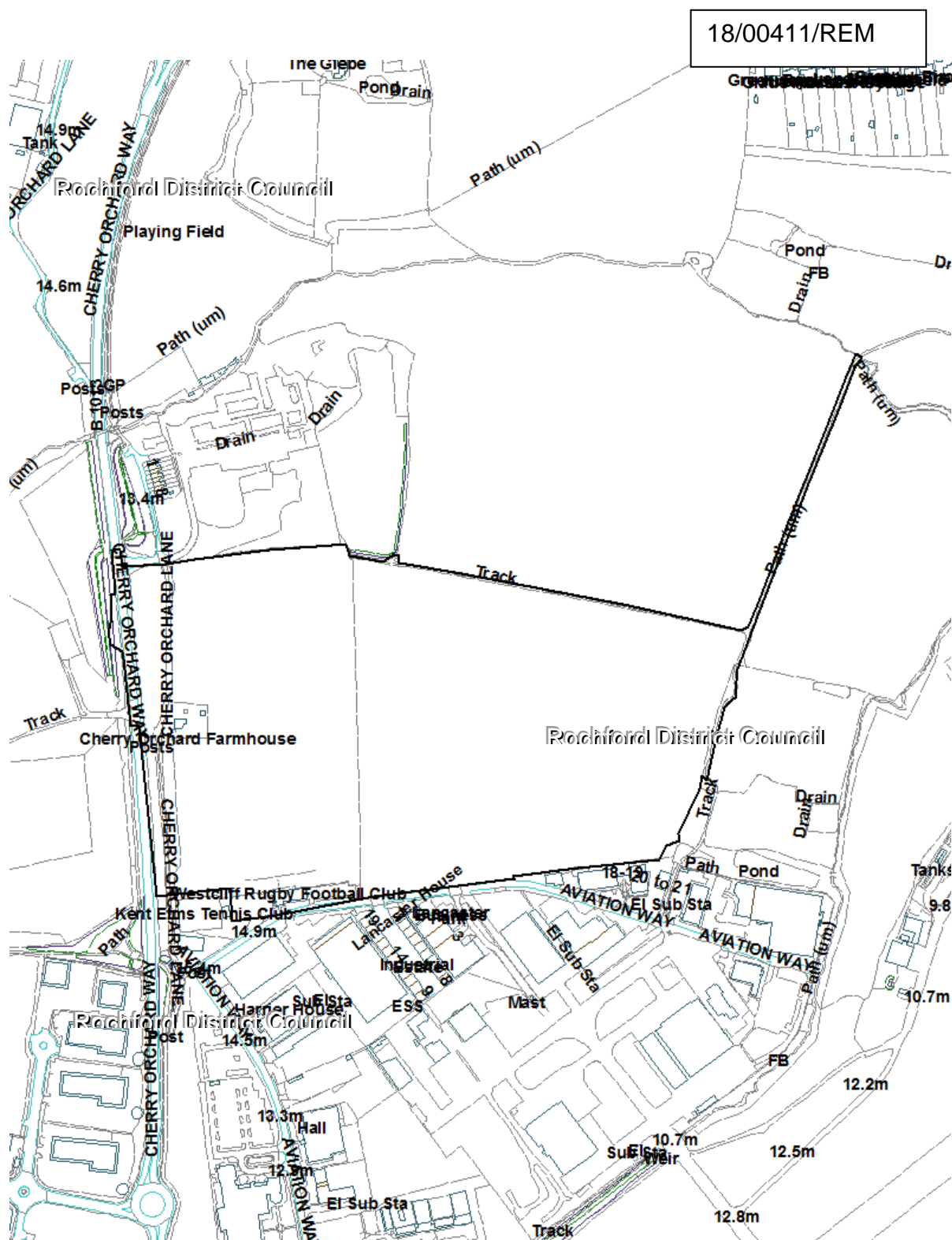
Policies DM1, DM25, DM26 and DM31 of the Development Management Plan 2014

For further information please contact Claire Buckley on:-

Phone: 01702 318127

Email: claire.buckley@rochford.gov.uk

If you would like this report in large print, Braille or another language please contact 01702 318111.



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. This copy is believed to be correct.

Nevertheless Rochford District Council can accept no responsibility for any errors or omissions, changes in the details given or for any expense or loss thereby caused.

Rochford District Council, licence No.LA079138