



Rochford District Council

SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY DEVELOPMENT COMMITTEE - 14 September 2011

All planning applications are considered against the background of current Town and Country Planning legislation, rules, orders and circulars, and any development, structure and locals plans issued or made thereunder. In addition, account is taken of any guidance notes, advice and relevant policies issued by statutory authorities.

Each planning application included in this Schedule is filed with representations received and consultation replies as a single case file.

The above documents can be made available for inspection as Committee background papers at the office of Planning and Transportation, Acacia House, East Street, Rochford and can also be viewed on the Council's website at www.rochford.gov.uk.

If you require a copy of this document in larger print, please contact the Planning Administration Section on 01702 – 318191.

Ward Members for Committee Item

Hawkwell South

Cllr P A Capon
Cllr Mrs H L A Glynn

SCHEDULE ITEM

Item 1 11/00315/OUT

Mr Mike Stranks

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Outline Application for Residential Development of up to 100 Dwellings, New Access/Bus Turning Facility and Reserve Land for The King Edmund School, Associated Infrastructure and Landscaping

SCHEDULE ITEM 1

**TITLE: 11/00315/FUL
OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT
OF UP TO 100 DWELLINGS, NEW ACCESS/BUS TURNING
FACILITY AND RESERVE LAND FOR THE KING EDMUND
SCHOOL, ASSOCIATED INFRASTRUCTURE AND
LANDSCAPING**

APPLICANT: AW SQUIER LTD, CROLL GROUP, MESSRS H, J and SQUIER

ZONING: METROPOLITAN GREEN BELT

PARISH: ROCHFORD PARISH COUNCIL

WARD: HAWKWELL SOUTH

PLANNING APPLICATION DETAILS**The site**

- 1.1 This application is to a site on the southern side of Brays Lane east of the built-up area beyond Spencer Gardens, and 370m east of the junction between Brays Lane and Ashingdon Road.
- 1.2 The site at present comprises grazed meadow running alongside the boundaries to properties fronting Spencer Gardens and the end of Hilary Crescent and to the north of the King Edmund School. This part of the site is broadly rectangular in shape and relatively flat with a gentle slope downhill southwards. The eastern part of the site includes stables and outbuildings to an existing stud farm/livery yard for horses. The frontage to Brays Lane has a substantial hedge. The field is divided into three paddock areas. The field margins with the residential development to the west and school boundary to the south are hedged with trees. Ten of these trees about the site margins are the subject of Tree Preservation Order No. 42/10.
- 1.3 The site area is approximately 5.45ha. (13.5 acres). Within the application site is an area for the expansion of the King Edmund School of 1ha. Additional land (2ha.) for sports pitches for the school is reserved on a site east of Oxford Road.
- 1.4 Following the withdrawal of the previous application 10/00374/OUT and prior to the submission of this current application the applicants met on 14 April 2011 with the Leader, Portfolio Holder for Planning and Transportation, ward members and officers to hear about the revised applicants proposals and to ask questions of clarity and understanding of the application submitted on 25 May and now for

consideration.

The proposal

- 1.5 The current application is an outline application with all matters reserved. At issue in this application is the principle of accepting the site for a development of up to 100 dwellings together with the formation of a new school access for the King Edmund School that would provide a bus turning facility and reserve land for the future expansion of the school. The application includes an indicative master plan showing an “every house” layout of the site to indicate that the site can deliver the quantum of housing proposed together with the access requirements for the King Edmund School.
- 1.6 The proposal comprises the following elements:
1. Up to 100 dwellings mixed in type and tenure, including 35% affordable housing.
 2. A new access and bus turning facility for the King Edmund School.
 3. Reserve land for the expansion of the King Edmund School in close proximity to the school buildings and adjoining the existing sports pitches. This includes a commitment to the provision of two additional sports pitches on land east of Oxford Road.
 4. Contributions towards local highway capacity and infrastructure improvements as necessary.
 5. Public transport infrastructure improvements and service enhancements.
 6. Sustainable drainage systems
 7. Area of formal and informal public open space
- 1.7 The application particulars state the buildings proposed would be two storeys in height with overall ridge heights of between 7.5 and 8.5m metres. The eaves height and overall walling would equate to between 5 and 5.5m in height. Building depths would range between 6.6m and 9m and building widths of between 5m and 10m.
- 1.8 The applicant indicates a mix of dwellings based upon 40 No. two bedroomed dwellings (40%) 40 No. Three bedroomed dwellings (40%) and 20 No. four bedroomed dwellings (20%).
- 1.9 The layout philosophy, although indicative at this outline stage, would seek to avoid long and narrow rear gardens. The density would equate to 30 dwellings per hectare. The indicative layout shows an area of public open space enclosed on three sides by frontage housing to give natural surveillance.
- 1.10 The applicants would provide 35 affordable housing units equating to 35% of the development in line with the requirements of Policy H4 to the emerging Core Strategy. The applicant however acknowledges that it would not be appropriate to fix the affordable dwelling mix at this outline stage and which should be agreed by the final developer and local planning authority at the detailed stage. The

applicants however anticipate that the composition will be likely to be 80% socially rented and 20% intermediate.

- 1.11 The design and layout philosophy would seek to retain the character of Brays Lane by siting the residential development set back from the road but with the verge areas improved. There would however be the loss of some vegetation and verge in order to construct the junction arrangement.
- 1.12 The indicative layout shows the provision of a central access road from a three arm roundabout junction made with Brays Lane. The access road would almost divide the site equally and would have a road carriageway width of 7.3m.
- 1.13 The layout philosophy would seek to retain the school access road free from obstruction in order for it to function as a school drop off point; in order to achieve this housing development facing the road would be served by a parallel road network.
- 1.14 The layout of the site includes 1ha of land shown to the southern part of the site adjoining the King Edmund School and for future school expansion. The school land would incorporate a bus turn around and parking area for 12 school coaches together with car parking for up to 122 cars to serve the school from the new access. The provision of the car park would free up existing parking areas within the school for future expansion which are well related to the existing building.
- 1.15 Land is identified (2ha.) to the east of Oxford Road in the application particulars for the extension of the school playing pitches at a future date to be determined. These sites align with understood needs for the school to expand as explained within Policy CLT 3 to the Council's emerging Core Strategy.

RELEVANT PLANNING HISTORY

- 1.16 Application No. 00 / 00843 / FUL
Erection of 52 dwellings, including the provision of a new access road onto Brays Lane and school bus drop off point.
Permission refused 8 February 2001
- 1.17 This application was for part of the southern parcel of land nearest Spencer Gardens and was refused Planning Permission for Green Belt reasons, in particular that the benefits that may result from the provision of a new school access did not outweigh the harm that would have arisen from the erection of 52 dwellings in the Green Belt and that the design and layout of the proposed houses would in terms of the coach parking area transfer environmental problems to this location.
- 1.18 Application No. 10/00374/OUT
Outline application for residential development of up to 150 dwellings, new access/bus turning facility and reserve lane for King Edmund School, Associated infrastructure and landscaping.

Land east of Spencer Gardens and Golden Cross Road, Brays lane, Rochford.
Application withdrawn.

1.19 CONSULTATIONS AND REPRESENTATIONS

Rochford Parish Council:

1.20 Members are in favour of the development but would like the following items to be considered as additional conditions for any approval when the application is determined:

- 1) A section 106 agreement is made for street lighting improvements in Brays Lane.
- 2) Consideration is given to imposing a 20 mph speed restriction in the vicinity of the new school entrance i.e. Brays Lane.
- 3) The proposed school entrance is the only public vehicular access to the school except staff and deliveries.
- 4) The waiting restrictions in Spencer Gardens and Vaughan Close are enforced.

1.21 **Essex County Council Schools, Children and Families (comments awaited)**

1.22 Previous comments on application 10/00374/OUT

1.23 *This proposal delivers a new access and additional land to facilitate the expansion of the King Edmund School as identified in policy CLT 3 of Rochford's Core Strategy submission. As such the proposal is supported by Essex County Council.*

1.24 *Since this is an outline application, the precise design of the school facilities to be constructed on the land must be left to future negotiation but the applicant should be bound by a section 106 agreement to provide the access road; bus turning circle; foot/ cycle ways; car parking ; surface water drainage; lighting; gates/fencing; landscaping and sports pitches. The applicant must also be obligated to guarantee that the land is free from contamination, has 30cms of clean topsoil; is flat / level land suitable for use by the school in all reasonable respects.*

1.25 *On the assumption that the above onerous duties are agreed, it is not reasonable to request additional monetary contributions towards the construction of other education facilities in the area as would normally be the case. Suggest the trigger for completion of the works and free transfer of the land to the school, is prior to the final occupation of housing south of Brays Lane and also prior to commencement of construction north of Brays Lane.*

Essex County Council Environment Sustainability and Highways:

1.26 Have no objection to raise subject to the following heads of conditions:-

1. Prior to commencement of the development details of the road junction to be agreed.
2. The areas within the site for the purpose of loading / unloading and manoeuvring of vehicles including construction traffic shall be identified and agreed.
3. Submission of details for a wheel cleaning facility for the duration of the construction period.
4. Details of the estate roads and footways to be submitted and agreed.
5. No unbound material in the surface treatment of the vehicular access to be used within the first 6m of the highway boundary.
6. Submission of details to prevent the discharge of surface water from the development onto the highway.
7. Vehicle / cycle and powered two wheeler parking shall conform to the current parking standards.
8. Prior the occupation of the proposed development the developer shall be responsible for the provision and implementation of a Travel Information and Marketing Scheme for sustainable transport.

1.27 Request a financial contribution for the following matters;

- A) A contribution of £21k towards improvements to passenger transport infrastructure at the following locations:
 - Brays Lane stop (ID1101509) to include real time information and shelter structure improvements
 - Brays Lane stop (ID1101508) to include real time information and shelter structure improvements
- B) A financial contribution of £25k towards improvements to safety and capacity enhancements of the highway at the following locations:
 - Ashingdon Road / Rectory Road junction
 - Ashingdon Road / West Street / Hall Road
 - Sutton Road/ Purdeys Way junction

Essex County Council Urban Designer:

1.28 Master planning

We would expect that a plan prepared for this specific site should not be looked at in isolation but as an integral part of this part of Rochford. There is a principle question about how the elements of urban structure such as streets, blocks of houses, footpaths, cycle ways, open spaces and landscape would work together with surrounding areas and how the site would connect and overlap with the existing and new sites from the Allocations document (SE1,2,3). So far it appears that there is a need for a broader guidance on movement framework which would indicate basic principles to be followed when planning a new development within segmented areas.

Brays Lane context

1.29 Existing context

The western section of the street is populated with a row of houses and a footpath on each side of the street, with houses set back from the edge of the road. The houses are of a traditional built, semi-detached and detached, one and two storey high. Quality landscaping and low height fencing along the boundaries provide an appropriate level of privacy and pleasant visual appearance. Further to the east the road is bordered by dense vegetation and hedges on both sides combined with a small number of farm houses situated along the road.

1.30 Hedges

The new proposal incorporates a replacement of the existing hedge with a new hedge that would be 'planted with similar species' (p. 22 of D&A Statement) and combined with some trees (drawing p.19). We support the retention/replacement of the existing hedges along Brays Lane, however, in order to create a successful transition between the western and northern character of the street, we would recommend that the height of this new replaced hedge would be of a similar height to the low height fencing and vegetation that exists at the neighbouring properties, and discouraging the use of just railings as boundary treatment.

1.31 Street scene

A typical cross section through the proposed segment of Brays Lane and a 3D image of the street showing both new and the existing houses should be prepared and submitted for design consideration at an early stage of the proposal. Both images should show urban design elements such as the scale of the new houses, hedges and trees. As these elements would have a significant impact on the character of Brays Lane, they should be established correctly at an early stage of the design process. In addition, a proposed building line for new houses situated along Brays Lane should be moved forward to the street closer to the existing building line to the west.

The layout and design concept

1.32 Permeability

We support the proposed network of pedestrian, cycling and vehicular routes established within the development boundaries, however, it would be expected that a similar level of permeability has been created beyond the development boundaries (please see comments in paragraph Master planning) possibly via Hilary Close and Vaughan Close. In addition to that, at least one or two more pedestrian routes should be created in order to link Brays Lane adequately with the southern part of the site.

With regard to an individual access to the properties, we do not encourage a cul-de-sac principle.

1.33 Access route to the school

We support a boulevard character which enhances a sense of arrival to the school. While we support the boulevard character, a different arrangement will be even more effective and attractive for car users and pedestrians. Moving the tree planting closer to the road verge and setting back the footpath behind the trees will provide the pedestrian with a more pleasant space. The proposed tree planting is too far back from the road. Consistency on the arrangement of cycleway/footway should be applied. In order to create satisfactory enclosure of space, a distance between the houses situated on opposite sides of the street should be reduced and relationship between the width of the space and heights of the houses checked through typical cross sections.

1.34 Design details

We support the concept based on a perimeter block of houses arranged in a pattern that reflects the surrounding layout and we support orientation the properties to the south.

1.35 We identify several issues with regard to the layout:-

1.36 East - The arrangement of buildings and footpaths at the south-eastern corner of the site; Treatment of the edges around the open space; A crossing space between four roads at the north-eastern corner of the site; The frontage of the south-eastern side of the main road leading to the school.

1.37 West – The frontage of the south-western side of the main road leading to the school; Fencing treatment of the car parking should be indicated as of a low height, possibly hedges rather than railings.

1.38 We support the statement on sustainability and compliance with Code Level 3 or higher dependant on current regulations and recommendations. Proposed form and scale of houses and blocks are acceptable as well as a variety of precedent ideas.

General comments on landscape**1.39 Open space**

The proposal of an open space located in the centre of the new development is acceptable. Seating, play areas for children and detailed landscaping scheme as well as hard landscaping would be required to be included in the application. While on page 25, figure 21 there is a reference to a proposed meadow, this does not appear on the drawing. We encourage the provision of an area dedicated to attract wildlife. A meadow is a good way to achieve this. The users of the green space will benefit from a choice of seating areas with planting.

- 1.40 Due to its rural context, the significant part of the scheme ought to be dedicated to landscape design and which should be taken as an integral part of the scheme and of equal quality in comparison with architectural design.
- 1.41 Sustainable drainage systems
- 1.42 Reducing water run off is an important issue in terms of sustainable design. A need for sustainable drainage system on this site and three different methods have been indicated that we support.
- 1.43 Paved areas will not contribute to reduce run off in the development unless this is taken into attractively designed open swales. Special attention should be given to the parking courts and school car park as these areas could be constructed with a surface material that allows water to be absorbed naturally by the ground or to provide green areas where the run off could be directed to.

Essex Police Architectural liaison:-

- 1.44 Support the application but subject to a condition requiring the layout to be Secure By Design.

Essex County Fire and Rescue:-

- 1.45 The drawings supplied do not give sufficient detail to allow comment on the suitability of access for fire fighting purposes. More detailed observations will be considered at the Building Regulation stage. The applicant is reminded that additional water supplies for fire fighting may be necessary and is urged to contact the water technical officer at service headquarters.

Essex County Council Specialist Archaeological advice:-

- 1.46 An Archaeological desk based assessment prepared by the Field Archaeology Unit of Essex County Council submitted with the previous withdrawn application makes it clear that there are no scheduled monuments, Listed Buildings, or other designated assets either within or near to the development site. However the desk based assessment does show that the proposed site, east of Spencer Gardens lies within Historic Character Area (HECA 13) an area characterised by a landscape of dispersed and polyfocal settlements, church hall complexes, historic farms and the presence of archaeological sites of a multi – period date. Having considered the sites historic environment character, the potential for multi period occupation and the size of the proposed development, the HEM team recommends that a programme of field evaluation by trial trenching is carried out to fully assess the extent and importance of any surviving cultural assets and the impact upon them by the proposed development and which can be secured by a pre-commencement condition.

1.47 Recommendation: Full Condition

“No development or preliminary groundwork of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the local planning Authority.”

Essex County Council Minerals:

1.48 No objection.

Natural England:

1.49 Advise that are satisfied that the proposed development will not result in any impacts upon statutorily designated nature conservation sites (Natura sites, SSSIs, or LNRs).

1.50 Advise however that there appear to be inconsistencies within the information supplied in support of the application. In particular paragraphs 4.31. and 4.32. of the biodiversity report produced by AMEC in March 2011 suggest that it is “unlikely” that reptiles would use the development site and only “possible” that they “could “ use the boundary hedgerows around the arable field. However the earlier reptile survey produced by AMEC in May 2010 clearly demonstrates the presence of a fairly substantial number of slow worms. Natural England therefore recommends the council seek clarification of this discrepancy prior to the determination of the application.

Environment Agency:

1.51 Flood Risk

Advise that the proposed development will only be acceptable if the following measure(s) detailed within the submitted Flood Risk Assessment are secured by way of a planning condition to the grant of permission;

1.52 Conditions

1. Surface water shall be discharged from the site at a rate no greater than 18.8l/s.
2. A minimum of 2342 cubic metres of storage shall be provided on the site to accommodate the 1 in 100 year storm, inclusive of climate change.
3. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the

hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

- Details of the permeable surfaces , swales and detention basins described within the FRA
- details of flow routes and pathways across the site
- consideration of where surface water may flow during exceedence events
- details of how the scheme shall be maintained and managed after completion

1.53 Potential contamination

Have reviewed the submitted documentation and given the geological and hydrogeological conditions associated with the site consider the proposed development would appear unlikely to pose a significant risk to controlled waters. Therefore have no objection with regards to site contamination.

1.54 Sustainable development

Advise that with new information becoming available on the impacts of climate change it is important that the proposed development is carried out in a sustainable manner and in accord with the objectives of Planning Policy Statement 1.

- 1.55 Refer to initiatives for water saving such as spray taps and low flush toilets, energy efficiency and the reduction of waste such as preventing the over ordering of construction materials. Suggest the design of the development can influence the ability of residents to be able to recycle and advise that the layout should incorporate facilities to aid this.

Anglian Water:

- 1.56 No objection but make the following advisory comments and recommended conditions.

Assets

- 1.57 Advise there are assets owned by Anglian Water within or close to the development boundary that may affect the layout of the site. Request informative drawing attention to these assets and that they may need to be diverted.

Wastewater service

- 1.58 Advise that the foul flows from the development can be accommodated within the foul sewerage network system will be treated at Rochford Sewage Treatment works that at present has adequate capacity.

Foul Sewerage Network

- 1.59 Advise the sewerage system at present has available capacity for these flows. If the developer wishes to connect to the network the company will require notification and will advise of the most suitable point of connection.

Surface water disposal

- 1.60 Advise that the preferred method of surface water disposal would be to a sustainable drainage system with connection to sewer seen as the last option. PPS 25 emphasises the role of SUDS and introduces a presumption that they will be used in all developments.
- 1.61 The surface water strategy/flood risk assessment submitted with the application is not relevant to Anglian Water and therefore is outside the company's jurisdiction.
- 1.62 Request the following condition requiring a drainage strategy covering the issues to be agreed:

"No dwelling/premises shall be occupied until the works have been carried out in accordance with the surface water strategy so approved unless otherwise approved in writing by the local planning Authority."

Essex and Suffolk Water:

- 1.63 Advise have no comments or observations to make.

South East Essex Primary Care Trust:

- 1.64 Having considered the application have no observations. There are sufficient resources in the area to accommodate additional housing and population.

London Southend Airport:

- 1.65 No safeguarding objections.

Rochford District Council Buildings / Technical support (Engineers):

- 1.66 Advise there is a public foul sewer running north – south through the site and there is no public surface water sewer available.

Rochford District Council Strategic Housing Manager:

- 1.67 The proposal to include 35% affordable housing will help contribute to the District's considerable need for affordable housing. Ideally, the tenure mix of affordable units should be 80% rented i.e. social rent and/or affordable (28 units) and 20 % intermediate housing.
- 1.68 Analysis of demand indicates the affordable rented accommodation should be in the following proportions;
- 1 bed – 41% (11 units)
 - 2 bed - 36% (10 units)
 - 3 bed – 20% (6 units)
 - 4 bed - 3 % (1 unit)
- 1.69 Analysis of demand indicates the intermediate housing should be in the following proportions;
- 1 bed – 75% (5 units)
 - 2 bed – 25% (2 units)
- 1.70 The provision of affordable housing should be included in a section 106 agreement to include delivery triggers, nomination rights and other relevant matters.

Rochford District Council Head of Environmental Services:

- 1.71 Advise that if members are minded to approve the application the following conditions should be attached to any consent granted:
- 1) Model contaminated land conditions 1-4.
 - 2) Site waste management plan informative.

And the following informative:

SI 16 (Control of nuisances)

Rochford District Council Consultant Arboriculturalist

- 1.72 No objection but requests a tree impact and protection method statement in relation to the proposed layout.

Neighbour representations

- 1.73 156 letters have been received in response to the public notification and from addresses in the following streets within the district ;

St. Andrews Road, Albert Close, Ashcombe ,Ash Green (Canewdon) Ash Tree Court (Stambridge) Ashingdon Road, Aspen Green, Boswell Avenue, Braxted Close, Becket Close, Brays Lane, The Bramleys, ,Canewdon View Road, Central Avenue , Cornwall Gardens, Craven Close, Doric Avenue Eastbury Avenue,Folly Lane (Hockley) Golden Cross Road, Goldsworthy Drive (Great Wakering) Harewood Avenue, Highcliff Crescent, Hilary Close,Holt Farm Way, Johnson Court, Johnson Close, Larfkfiled Close, Larkhill Road (Canewdon) Lascelles Gardens, The Laxtons, Manstead Gardens, Moons Close, Nansen Avenue, Nutcombe Crescent, Nelson Road, Oxford Road, Parklands, Princess Gardens, Rectory Road, Regency Close, Rowan Way (Canewdon) Spencer Gardens, Stambridge Road, Sutton Court Drive, Vaughan Close, Victory Lane, Wedgewood Way, West Street, The Westerings (Hockley) Woodville Close,

And from outside the district from the following streets;

Gunnes Road Shoeburyness, London Road Leigh-on-Sea, Soho Square London, Floral Street London, Whitehouse Road Leigh-on-Sea.

and which in the main raise the following comments and objections:

1.74 **Green Belt issue**

- Site is Green Belt
- The core strategy is now at an advanced stage and the timing of the core strategy should be a material consideration in assessing the merits of this application.
- The proposal is wholly inappropriate in the Green Belt
- If allowed we will become like Southend, Hadleigh and Eastwood which has merged into one.
- The site is still within the Green Belt and so very special circumstances have to be demonstrated to justify the grant of permission. The premature decision will prejudice the interests of other development sites meaning that the best sites may not come forward in circumstances unlikely to result in additional homes being built before the Core Strategy has been found sound. Suggest that determination of this application is at least delayed until the inspectors report on the soundness of the Core Strategy is published.

- Understand that there is still ongoing debate regarding the intentions of the coalition government and its interpretation of the Core Strategy and that therefore any development may be in complete contradiction of the policy they intend to adopt for the South East.
- Countryside should not be lost
- Having got rid of the labour government and their housing targets, Eric Pickles now asks Council's to be proactive in building more homes and offers an incentive to double council tax. With the cutbacks does the council put residents needs first or build more homes to remain financially viable and ignore the residents?
- North of Brays Lane has already had development in recent years (80 dwellings at Trafalgar Green and Golden Cross Mews)
- Take issue with Allocations document which states "...the site would afford good opportunities for the creation of a strong defensible Green Belt boundary " Yet this site is already Green Belt and should provide a defensible boundary without expansion of the school or other development.
- No strong definable boundary in the locality and if allowed will open up the Green Belt to development
- Proposal makes a mockery of Green Belt status
- Have always admired the council for keeping Rochford District rural
- The whole of Southend, Rochford, Hockley and Rayleigh and surrounding areas are being strangled
- Green and pleasant lane should be kept that way
- Saving our Green Belt is the only way to ensure Southend, Hawkwell and Hockley do not all become one
- Green Belt must be preserved for future generations
- Defence of the Green Belt boundary is straightforward , you reject any planning application
- Concept of adding 100 dwellings along Brays Lane is illogical , unwanted and not of benefit to the residents close to the school as is the thought behind this
- If allowed no defendable line to stop other proposals following
- Further development will spoil the district
- Need to keep the area as a little gem on the edge of Southend
- Other industrial "brownfield" areas that have been offered should be considered
- By taking precious Green – you are not solving the problem you are creating problems
- Not right to spoil more green belt
- Loss of country view outlook from existing dwellings in Spencer Gardens
- Development should be located in the vicinity of the Brickfields by – pass
- Moved to the area many years ago because it was unspoilt. Don't let developers spoil it. Feel devastated that this may all change.
- Proposal would substantially alter the dynamics of the area and the quality of the living environment

1.75 Highways issues

- Proposal will create more congestion and too much traffic on Ashingdon Road and hazard for the children.
- Ask developers to allow for two cars per household plus another space per household for visitors
- Buses , heavy goods, staff who will not pay for parking and parents dropping children off will still use Vaughan Close Entrance
- Ashingdon Road has five school along it and the majority of pupils arrive by car
- Private cars will not use the new entrance while Vaughan Close is still available
- Brays Lane not wide enough for traffic already using it carrying timber, mud and boats to Creeksea and Baltic Wharf
- If the need for a new school entrance is genuine, all that need be done is to use the road that passes Doggetts Pond that is already available and can be extended to serve the back of the school site with the minimum affect upon residents.
- Concern at use of Brays lane by extra traffic given existing route for HGVs
- Proposal would give rise to vast amounts of traffic
- Only one road through Ashingdon to Rochford which is grid locked at peak times how can you ever consider adding to this problem?
- Improvements for buses for school are not needed because the buses park in the school grounds and do not inconvenience local residents
- Mini roundabout will add to congestion and cause difficulty for HGVs
- Oxford Road entrance previously has been closed by the school and with some improvements there is no reason why this cannot be reopened
- As an ex pupil having left in mid 1980's. Many school friends were bussed in from Wakering and Foulness. There was never a problem then nor is there now to justify development.
- Will provision be made for horse riders?
- The extent of the traffic problems in the locality have only been exacerbated by the overdevelopment of a school originally built to accommodate 400 pupils. To improve the situation it would be better if pupil numbers were decreased rather than increased.
- With the development of Barling and Wakering it is time for this area to have a school of its own
- The revised access will do nothing to change congestion generated by the school
- New access is far too narrow
- Concerns over use of cul-de-sac layout with consequent obstructions to turning heads giving manoeuvrability problems
- Concerns for reptiles on the site including Slow Worms as site previously used a receptor for other developments giving rise to a legal problem under the "abandonment of animals act 1986"
- Case for highway funds for road improvements to be transferred to

- education budget to fund new school in another area
- Adverse impact on traffic movement given other sites also proposed using the same local network such as Hall Road and Christmas Tree Farm
- Easier access to the school yes but not further housing
- Will be Increased problem for horse riders in crossing busy roads to get to bridle paths
- Airport expansion and sat nav. Technology will increasingly direct traffic to the airport via Ashingdon Road
- Existing entrance to the school at Oxford Road with ample space for the coaches in School grounds

1.76 Infrastructure issues

- The infrastructure cannot absorb this or any other building proposal. The development would put an enormous strain on doctors, dentists and schools. Local nurseries and primary school are already overcrowded as it is.
- Reduction in number of dwellings cannot be considered material in mitigating the pressure on infrastructure
- Rochford has very little in the way of infrastructure. It has still not got a single “proper” supermarket. Instead the council continue to grant permission for ridiculous mini – stores convenience stores and Sainsbury’s locals. When the council see sense and build some proper infrastructure we can talk about major building developments.
- Compulsory purchase of the site to provide room for the school to expand and new access arrangements should be used rather than accepting additional housing.
- Concerned at the actual lack of Town Planning the Council department undertakes as no proper research evident into the infrastructure issues.
- This locality is full in terms of the number of dwellings unless the infrastructure can be improved.
- Short term gain in loss of school traffic a few minutes each day would be tempered by more substantial burden on the infrastructure
- Have witnessed in Hornchurch how an area can get run down by squeezing more properties in
- Will add to existing broadband and power cut problems
- Problems with water pressure and water conservation
- Will add to major strain on the only access road between towns
- See repeat of problems of speeding traffic and overdevelopment and change to character as caused by planning office previously allowing development in the vicinity of Golden Cross Road which has changed from a country road to now with four roads of it with parking problems, collapsed drains
- TV reception is not great and will be worse if the development is allowed
- All of the local schools are oversubscribed
- School improvements should be paid for out of government funds and therefore the local community would not have to have this unnecessary

- building, traffic chaos, loss of Green belt and wildlife.
- School should not be taking children from outside the catchment area such as Shoebury and Great Wakering, thus creating capacity and avoiding need for expansion and new access.
- Need a new school outside Rochford to stop all these children being shipped in each day
- Self perpetuating cycle of more homes meaning more children, more school places so more homes. How big should one school be allowed to get?
- Previously recognised in committee report of 8th February 2001 “It is already recognised by the authorities that Ashingdon Road has the highest standing for being the busiest and most dangerous road in the district”
- Brays Lane and nearby gardens flood in bad weather and the drains cannot cope
- Extent of Green Belt in the District acts as a sponge for floodwaters protecting the developed areas. Brays Lane regularly floods east of the site
- The drainage network is old and cannot cope with additional flows
- The gas mains are broken by the heavy lorries to Baltic Wharf
- More children are staying with parents due to constraint on mortgages and will increase significantly the number of cars.
- New traffic will increasingly use side roads as rat runs to avoid Brays Lane Ashingdon Road junction and Ashingdon Road generally such as going through Stambridge
- Inconceivable that any planning officer or councillor would consider 100-220 cars feeding onto the Ashingdon Road.
- The buses dropping off have never been a problem to existing residents and never any injury to a pupil
- Traffic passes within inches of pedestrians along Ashingdon Road and is an accident waiting to happen
- No pathway down Brays Lane
- Access to stables will be affected
- New access will mix heavy traffic with kids leading to an accident
- Current arrangement dissipates school traffic and allows it to disperse. Proposal would concentrate the traffic and buses together with pedestrians causing congestion and risk of accident
- High speed of traffic on Brays Lane increasing accident risk
- Can't even cross the road to catch the bus.
- The roundabout in Brays Lane will make it more difficult for the HGVs to the Baltic Wharf and Boatyard to negotiate
- Existing gas, water, electric, telephone, are already under resourced
- It takes an hour already to leave home at 7.30am in Spencer Gardens just to get through Rochford until 8.30am to get to work and keep my job. Proposal will need me having to leave half hour earlier and is not fair to residents.
- The proposal to relieve the school is unfounded and a weak reason to make profit
- No local employment opportunities for the new residents to work

1.77 **Other issues**

- Why not pipe water from Scotland and Wales to reduce south east water shortages?
- Suggest speed cameras on the back of dust carts to stop dangerous overtaking
- Will devalue the price of existing property
- The school is becoming a campus
- You allowed one development to take place in Rochford 10 years ago of a similar size and that attracted the chavs and their dogs and the boy racers who now speed around Golden Cross area with thumping music. It's not always the act of allowing it to happen. It's what then happens to it.
- Do not see the need for this number of houses given the number for sale or rent locally
- When objected previously, did so on the basis of objecting to any building at all. It is outrageous that the council is wasting public funds in considering the application. It was not for entertaining such applications that I voted this council into office.
- Whilst we do need to improve our schools and facilities for our children to grow and progress, the surrounding area in which they live needs to be a nice place to live and must be kept that way
- Damage to the environment caused by slow moving vehicles
- Proximity of buildings proposed to existing dwellings will result in overshadowing
- Previous reasons for the refusal of application 00/00843/FUL still apply and even more so as scheme then was for 52 houses and this scheme is for 100.
- Understand with horror that despite strong objections from long established residents the council is considering allowing the building of a hundred new homes. We are being very badly let down by the council who are elected to serve us and who will destroy this town and village. Shame on you all.
- Have worked hard to achieve the home that I have and do not want it to be devalued by people who do not live here
- No public benefit or to the benefit of the community
- Wildlife will be lost in a conservation area
- Loss of existing ditches and hedgerow
- Owls, pheasant, partridge and house martins feed on this land when the stables are closed
- Proposed roundabout will take a huge chunk of agricultural land that we need
- Will harm the amenities of the area by way of size and massing and density
- Application just a re – hash of 10/00374/OUT withdrawn because it was unlikely to succeed and seeking to by – pass secretary of states involvement. If allowed the northern part previously included would be proposed again.

- Will lead to further expansion of the school buildings
- The proposal would lack continuity of street frontage
- Significant noise and fumes including use of school at unsocial hours
- Ashingdon is a nice Green place to live and to raise children and wish them to grow up with Green Space and wildlife and not bricks and concrete
- Local shops cannot maintain stock required for the existing population and are always running out
- Insufficient parking at Golden Cross Parade
- The development looks out of keeping with surrounding area and existing property types.
- The existing coach and car park are locked up at night whereas the proposal appears to be open and would attract gatherings of youths
- Further development increase pressure upon the environment by way of pollution, noise and further erosion of Green Belt
- The night sky at present has been largely unaffected particularly after stables and school turn their lights off but street lighting will destroy the clarity of vision to the sky and add to light pollution
- Water body within 400m of the stables to be demolished so requiring a bat survey
- More pollution
- Proposal will destroy much wildlife including bats within the stables “Little Brays” and the development and street lighting will disturb their feeding grounds
- Could not the land be used to grow crops and so protect wildlife ?
- Rochford came in the top ten of places to live in a poll and if allowed Rochford will slip down the list
- Similar application was made in 2000 and the reasons for refusal still apply
- Suspicious of Council’s obsession with the expansion of the King Edmund School
- Application is an assault on Human Rights and work all my life to enable me to live in a country setting
- Require boundary to my specification and the developers cost
- Would be more environmentally friendly to re – open alternative closed school access
- Picturesque town is becoming overpopulated
- Hope our objections are taken seriously and not dismissed as the council tend to do in these situations
- The development would destroy the whole concept of Brays Lane as a country lane
- Existing residents keep a semi self sufficient lifestyle with chickens that can be noisy to neighbours
- Have bought into the secluded way of life for health reasons and which will be lost if this development is approved
- The application is for land within the highest agricultural land classification 1 and 2 and the council has always maintained caution and restraint towards placing new development in the countryside.
- Need arable land to feed people

One of the above letters included the following comments in support of the application;

- Have no objection to the new access and bus turn around as Oxford Road is not suitable and the narrow access facility to the current park is sometimes quite unnerving the way the buses approach

1.78 MATERIAL PLANNING CONSIDERATIONS

Green Belt and land supply issue

1.79 In determining the application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.

1.80 National policy for the Green Belt is set out in Planning Policy Guidance 2 (1995). Policies controlling development are very restrictive and whilst there are some specified exceptions to the restrictive stance, the construction of new dwellings is inappropriate development unacceptable within the Green Belt unless there are very special circumstances that can be demonstrated in the application and material considerations that would allow the development to be exceptionally permitted. By their nature those circumstances must not be easily replicated at other sites but must be sufficiently unique to the proposed development that there would be little risk of a similar special need occurring close by so as to create a cumulative loss of Green Belt.

1.81 The application proposes:

“Residential development of up to 100 dwellings, new access and bus turning area for the King Edmund School, reserve land for the School, associated infrastructure and landscaping.”

1.82 The Rochford Core Strategy Submission Document sets out a general location north of King Edmund School as being suitable for a development of 100 dwellings along with commensurate infrastructure, and the site itself is considered in the Allocations DPD (Discussion and Consultation Document) as one of several potential sites for development within the general location of East Ashingdon.

Regional Spatial Strategies

1.83 Following legal challenge it has been established that the proposed abolition of Regional Spatial Strategies is not a material consideration in plan-making, and that development plans must conform to the adopted Regional Spatial Strategy (RSS).

- 1.84 However, potentially in terms of considering planning applications, the proposed revocation of the RSS can be considered as a material consideration, although it was judged that this is unlikely to occur in many instances. This judgment was made on 27 May 2011.
- 1.85 The current position therefore is that Rochford District Council is required to meet the minimum housing requirement target of 250 dwellings per year as set by the East of England Plan, i.e. 250 dwellings per annum until at least 2021.

Planning Policy Statement 3 Housing

Of key note in PPS3 is the statement:

- 1.86 “On publication of this PPS, Local Planning Authorities will need to assess and demonstrate the extent to which existing plans already fulfil the requirement set out in this statement to identify and maintain a rolling five-year supply of deliverable land for housing, particularly in connection with making planning decisions”. (paragraph 7)

Of equal importance are the following statements:

- 1.87 Paragraph 70 - *“Where Local Planning Authorities have an up-to-date five year supply of deliverable sites and applications come forward for sites that are allocated in the overall land supply, but which are not yet in the up-to-date five year supply, Local Planning Authorities will need to consider whether granting permission would undermine achievement of their policy objective.”*
- 1.88 Paragraphs 70 and 71- *“Where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, for example, where Local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69.”*
- 1.89 Paragraph 72 - *“Local Planning Authorities should not refuse applications solely on the grounds of prematurity.”*
- 1.90 The above statements clarify that the District Council must have an up to date five year housing land supply. It is also important to note that paragraph 72 of PPS3 states clearly that Local Planning Authorities should not refuse applications solely on the grounds of prematurity.
- 1.91 PPS3 states that *“In support of its objective of creating mixed and sustainable communities, the Government’s policy is to ensure that housing is developed in suitable locations which offer a range of community facilities and with good access to jobs, key services and infrastructure”.*

Core Strategy Submission Document

- 1.92 The Core Strategy Submission Document was formally submitted to the Secretary of State in January 2010. An independent examination into the soundness of the document, including public hearing sessions, commenced in May 2010.
- 1.93 Following the change in Government in the same month, and subsequent changes to national policy the Core Strategy was updated to reflect the statement from the Secretary of State regarding the revocation of the Regional Spatial Strategies. The Schedule of Changes to the Core Strategy were subject to a further round of consultation and public examination in February 2011.
- 1.94 However, subsequently the Secretary of State's decision to revoke Regional Spatial Strategies was judged to be unlawful. As such, Development Plan Documents are currently required to be in general conformity with Regional Spatial Strategies – in the case of Rochford District, the East of England Plan. On 31 August 2011, the Council resolved to revert from the 'schedule of changes' Core Strategy to the original submission Core Strategy, subject to minor amendments resulting from the public hearing sessions and factual inaccuracies.
- 1.95 The Core Strategy identifies a number of general locations that have been evaluated and are considered suitable for housing development. One of these is East Ashingdon, which has been assessed as being suitable for the development of 100 dwellings.
- 1.96 The site covered by the planning application aligns with one of the general locations identified in the Core Strategy for housing development and as such there is no strategic policy objection to the principle of development as set out in
- 1.97 the application.
- 1.98 Core Strategy Appendix H2 states that the following items are required alongside the development of 100 dwellings at East Ashingdon:
- Local Highway Capacity and Infrastructure improvements;
 - Public transport infrastructure improvements;
 - Link and enhancements to local pedestrian/cycling and bridleway network;
 - Access to King Edmund School;
 - Land made available for the expansion of King Edmund School;
 - Sustainable Urban Drainage Systems;
 - Public Open Space;
 - Play Space; and
 - Youth facilities and Community facilities.
- 1.99 The application indicates that all requirements in the above list are deliverable, and that being the case the application conforms to the principles for housing development in this location as set out in the emerging Core Strategy.

1.100 Sustainability Appraisal

The Sustainability Appraisal of the Core Strategy Submission Document states that:

“The actual locations for growth proposed in the policy are considered to be the most sustainable options available, within the context of the overall high levels of population growth being proposed in the East of England Plan. “

- 1.101 East Ashingdon, where the application site is located, is included in the proposed locations for growth, and therefore the Sustainability Appraisal concludes this to be one of the most sustainable locations available for growth within the District.

- 1.102 The Sustainability Appraisal Addendum, published in June 2011, states that:

“Location 5 (South East Ashingdon) and Location 6 (East Ashingdon) were selected as they are well located in relation to King Edmund Secondary School, which amongst accessibility benefits also means that there are opportunities for important, required improvements to the school to accompany additional development in these locations to the benefit of the wider community.”

- 1.103 The Addendum continues to state that:

“No significant constraints were identified at this location (East Ashingdon). It is reasonably well located, close to shops, the secondary school, services and transport (bus) services in Ashingdon.”

- 1.104 The sustainability appraisal carried out for the Core Strategy confirms that East Ashingdon is one of the most sustainable locations for housing development in the District.

Five-year land supply and issue of prematurity

- 1.105 The council is required to maintain a rolling five year supply of deliverable land for housing (PPS3). The council's latest housing trajectory shows that part of this land supply includes the delivery of 100 dwellings within the general location of east Ashingdon (as identified within the Core Strategy). The application site is commensurate with the general location of east Ashingdon. Whilst the Core Strategy has yet to be adopted and a specific site yet to be allocated for development within the general locations identified within the Core Strategy, PPS 3 makes clear, as stated previously, that local planning authorities cannot refuse applications solely on the grounds of prematurity.

- 1.106 As per the Core Strategy submission document 100 dwellings are required to be delivered in east Ashingdon in order to maintain a five year land supply. As this site is commensurate with the east Ashingdon general location, the proposal would make an important and necessary contribution to the five year supply.

- 1.107 A recent appeal into an application at Coombes Farm, Rochford (APP/B1550/A/09/2118433), found that the proposed Green Belt release through the Core Strategy could be included within the five year land supply and acknowledged there would be a considerable shortfall in this supply together with the provision of affordable housing across the District, if the proposed Green Belt release through the Core Strategy were to be discounted. Notwithstanding that the Core Strategy is yet to be adopted, if the council were to refuse planning permission for this site in principle, the effect would be to leave the council without an adequate supply of housing land. As per PPS 3 (paragraph 54) the Council would then be at risk of not having a five year housing land supply and being vulnerable to ad hoc applications on Green Belt sites which may be less sustainable, less appropriate, and not fit with the holistic spatial approach to development within the District as set out in the Core Strategy.
- 1.108 In another appeal which took place shortly after the aforementioned Coombes Farm appeal, concerning land between Main Road and Rectory Road and Clements Hall Way Hawkwell (APP/B1550/A/09/2118700) the Inspector stated that:
- 1.109 *“There may be some reasons to doubt that the supply is as robust as is suggested by the Council. Some smaller sites appear not to be available, and in particular, the deliverability of the sites on Green Belt land in the General Locations (and the interdependence of employment and housing allocations) will be influenced by the results of the Core Strategy examination. However on the basis that the SCS [Submitted Core Strategy] is found to be sound, and Green Belt boundaries are reviewed, there is in my view, no reason to suppose that there is not, within acceptable ranges of error, a realistic 5 year supply of deliverable sites for housing in the District.”*
- 1.110 In a recent appeal decision of 28th July 2011 for a mixed development comprising housing (400 dwellings), employment, retirement village extra care facility, retail new community building and public open space on land at Binhamy Farm, Bude North Cornwall, the Secretary of State allowed the appeal noting that since it had not been demonstrated there was a five year supply of land, the appeal site was suitable and that the development was not so substantial or its effect so significant that granting planning permission would be prejudicial to the proper planning of Cornwall as a whole. This decision is important in that it demonstrates the likelihood that the Secretary of State will grant planning permission for development where there is not a five year supply and where it would not prejudice the emerging Core Strategy.
- 1.111 From the above and in summary, it is clear that a five-year supply of deliverable housing in the District can be demonstrated, but the supply is dependent on development of sites within the general locations identified within the Core Strategy, which are presently allocated as Green Belt. Such general locations include East Ashingdon.

- 1.112 The applicant states that in addition to the contribution of the site towards land supply, the site offers benefits by way of a new access and reserve land for the King Edmund School. This comprises 1ha set aside within the application site and a further 2ha on land off Oxford Road which the applicant can commit at this stage. The County Education authority has identified that the development would require a contribution of £700,000 towards education provision. It has been the desire of the County Education Authority and Members that should the application be approved, the education contribution be used to deliver the access improvements including the bus turn around facility. This scheme is the only development that offers the land to achieve that ambition. The applicant therefore argues that very special circumstances exist to outweigh the harm by way of inappropriateness and any other harm arising from the development in that the site will deliver the new school access and will not prejudice the spatial strategy for the district. In addition the applicant argues that the site will contribute to housing supply and provide for affordable housing, however the contribution to both supply and affordable housing would be expected from other sites and so these other factors, although important considerations, are not unique to this site.

Alternative sites

- 1.113 The Core Strategy proposes general locations for growth and not site specific allocations, but the application site is within the general location of East Ashingdon identified on the key diagram accompanying the Core Strategy document.
- 1.114 It is intended that an Allocations Development Plan Document will detail the specific site(s) to be allocated for residential development in the general locations identified in the Core Strategy. However, the Allocations DPD is at an early stage of preparation and as such no decisions have been made about the site(s) that will be selected to deliver the development requirements specified in the Core Strategy.
- 1.115 As noted earlier, PPS3 states that Local Planning Authorities cannot refuse applications solely on the grounds of prematurity. The fact that the Council has yet to identify specific sites through the Allocations DPD process is not the in itself reason to refuse this application.
- 1.116 The site is able to deliver the infrastructure requirements set out in the Core Strategy Submission Document (including the new access to the school) and it is not likely that an alternative site could do so. The site will contribute to the five year supply of housing land required for the district in a general location identified in the Core Strategy. Furthermore this site allows, by accommodating all development to the south of Brays Lane, a new, defensible Green Belt boundary to be created.

School expansion issue

- 1.117 The applicants consider the land shown for future school expansion to be in the most convenient and appropriate location. The Council has more recently confirmed the

housing growth requirements and consequently the requirement for Secondary school expansion remains.

- 1.118 The County Education Authority has concluded that the contribution of land to future Secondary school expansion together with the provision of the new access would make further financial contributions unreasonable.
- 1.119 District officers are aware that the quantum of land release would need to provide resources for the provision of an additional primary school and that in turn the development to which this application relates would have to also contribute. Without such a contribution there is a risk of a shortfall that could be difficult to make up and possibly result in a shortfall in Primary school provision. However, the site is the only realistic site that can deliver the alternative access the King Edmund School, and the contribution from the site towards infrastructure must be proportional. Any shortfall in primary school contributions must be made up from other sites as the application site is unique in that it can deliver the alternative access and the costs with that.

Affordable housing

- 1.120 Policy H4 to the council's emerging Core Strategy requires the provision of at least 35% of the dwellings in the development to be affordable at a ratio of 80% social rented and 20% intermediate tenure.
- 1.121 The applicants have indicated the development would meet that requirement. The contribution would comprise 21 No. two bedroomed units, 21 No. three bedroomed units and 11 No. four bedroomed units.
- 1.122 In an affordable housing statement submitted in support of the application, the applicants state there to be an acute need of affordable housing in the district identified in the Thames Gateway South Essex Strategic Housing Market Assessment as equating to a need of 131 net additional affordable dwellings per year. The Annual monitoring report identified a net affordable provision for the year 2008 – 2009 at -1 dwellings arising from the sale of a house.
- 1.123 The Council's Housing Strategy (2009) acknowledges the severe need for affordable housing and it is a key priority to maximise provision through the planning system. For this reason the strategy aims to achieve 35% provision on future development sites.
- 1.124 The Affordable Housing statement submitted alongside the application states that:
- “... presently, Rochford District Council's Affordable Housing Policy is Policy HP8 of the Rochford Replacement Local Plan. Policy HP4 of the Core Strategy is yet to be adopted, and it is understood that the Council is presently revising its Affordable Housing Policy with a view to providing a Supplementary Planning Document or a revision of its Core Strategy policies.”*

- 1.125 HP8 of the Rochford District Council Replacement Local Plan (Adopted 2006) states that “ In new residential development schemes of more than 25 dwellings or residential sites of 1 hectare or more, the Local Planning Authority will expect not less than 15% of the new dwellings to be provided as affordable housing to meet local needs.”

- 1.126 However the Regional Spatial Strategy (RSS) East of England Plan Policy H2 (adopted May 2006) states that:

“At the regional level, delivery should be monitored against the target for some 35% of housing coming forward through planning permissions granted after publication of the RSS to be affordable.”

The RSS supersedes the Replacement Local Plan and therefore it is concluded that the target of 35% affordable housing is sought in development schemes of 1 hectare or more, or more than 15 dwellings, and as per the policy in the emerging Core Strategy.

- 1.127 It is also recommended that the affordable housing is spread (“pepper potted” throughout the development, as per the emerging Core Strategy Policy H4. In strategic terms there is no objection to the affordable housing statement submitted with this application as they are in line with the policies in the Core Strategy Submission Document.

- 1.128 It should be noted however that the application states that “the Council is presently revising its Affordable Housing Policy with a view to providing a Supplementary Planning Document or a revision of its Core Strategy policies.” This is not the case; at the Inspector’s request, the Council prepared and consulted on an Affordable Housing Viability Study – this was examined, together with the affordable housing policy, at a session of the Core Strategy public examination in September 2010. The Council has no plan currently to provide an Affordable Housing Supplementary Planning Document or a revision of its Affordable Housing Core Strategy policies.

- 1.129 The applicants envisage that a partner for the development would be established prior to reserved matters stage so that partner can influence the detailed design and layout considerations.

The mix of dwelling types and tenure is expected to align to the council’s requirements.

These matters can be the subject of a legal agreement with the applicants to the grant of outline planning permission.

- 1.130 **Highway aspects**

The application is supported by a transport assessment that in turn has been considered by the County Highway Authority as part of the formal consultation on

the application.

- 1.131 The existing Brays Lane carriageway is between 5m and 5.5m in width with no pedestrian footway and subject to a 30 m.p.h speed limit for most of the site frontage. Closer to the Ashingdon Road the carriageway widens to 6.3m with supporting footways either side to a width of 1.7m. Whilst the applicants would expect that around 5% - 8% of traffic generated from the site could turn eastbound to visit recreational or work opportunities, traffic arising from the development would impact primarily onto Ashingdon Road and the road network into Rochford, and the assumptions made make no account for traffic that might leave the development to the east and towards Stambridge and Canewdon.
- 1.132 The assumptions made also take account of other planned developments at Hall Road/west Rochford (600 dwellings), Rectory Road/south Hawkwell (175 dwellings) Stambridge Mills (163 dwellings) and South East Ashingdon (500 dwellings).
- 1.133 The assumptions made estimate that an average of 76.7% of traffic generated by these and the proposed developments will be distributed towards Southend with 23.3% distributed northwards. The assessment considered the first occupation of dwellings in 2013 and for five years beyond to 2018.
- 1.134 The results considered the impact upon the junction of Brays Lane with Ashingdon Road, The impact upon the junction between Rectory Road and Ashingdon Road and the impact upon the junction of Hall Road with West street, Rochford.
- 1.135 The results indicate that the development would not exceed the capacity threshold for the Brays Lane/Ashingdon Road/Doric Avenue staggered junction. The findings acknowledged that queuing of three vehicles can be expected during the base afternoon peak hour for 2018 but which quickly disperse at peak periods.
- 1.136 The results for the Rectory Road/Ashingdon Road mini-roundabout expect that this junction would by 2018 already be reaching its theoretical maximum capacity with queuing problems and a queue of 21 vehicles northbound for the base afternoon 2018 peak hour. The applicants therefore consider that all the committed developments should resource improvements to this junction but that by itself the proposed development of 100 dwellings would increase traffic by 26% AM Peak hour worse case scenario.
- 1.137 The results for the Ashingdon Road/West Street/Hall Road mini roundabout indicate this junction is already operating above its theoretical practical capacity on West Street at the base 2018 afternoon peak hour with a worst case scenario of a queue of 105 vehicles on West Street in the afternoon peak hour. The applicants again advise that all committed development should contribute towards improvement of this junction but that by itself the development to which this application relates would not significantly worsen the capacity shortfall identified except on Ashingdon Road in the morning peak hour and would in a worst case scenario contribute 11% additional traffic.

- 1.138 The County Highway Authority have no objection to raise against these findings subject to the applicants making a financial contribution to improvements to capacity and safety of both the Rectory Road/Ashingdon Road junction, Hall Road/Ashingdon Road junction and Sutton Road/Purdeys Way junction.
- 1.139 The County Highway Authority has established that the apportioned share arising from the development equates to a contribution of £25,000 towards the improvement of those junctions together with improvements to the two bus stops nearest the site to the value of £21,000.

These matters are included in the legal agreement forming part of the recommendation.

Ecology issues

- 1.140 The application is accompanied by a Biodiversity report based upon a walk over survey of the site undertaken in March 2010. The survey considered that hedgerows bounding the farmland to the long term pitches may contain Great Crested Newts and other reptiles but these features are likely to remain in the development. These hedgerows are also likely to support commuting bats and the more general potential for the trees and hedgerows to support nesting birds. Concern was also raised that future lighting to the development directed at the hedgerows would require detailed surveys to determine the bat use and effects.
- 1.141 In response the comments of natural England the applicants commissioned a Bat Activity Survey and this was carried out around the site on 29 July 2010 and 4 August 2010 and which recorded common Pipistrelle, Soprano Pipistrelle and Brown Long Eared bats. Activity suggested possible small roosts in trees in two locations being on the eastern boundary of the northern section of the site and on the eastern half of the southern boundary. A commuting route was identified passing along the western boundary of the southern section and along Brays Lane.
- 1.142 Overall bat activity is considered low and involved three common and widely distributed species.
- 1.143 An adverse impact is possible from the use of artificial lighting interrupting the commuting route. This can be addressed by low lux lighting with hooded louvers to avoid spill into natural vegetation, which can also be enhanced by further landscaping to improve the bat commuting routes. These recommendations are believed to result in no negative impact upon the conservation status of the local bat population and can be addressed by conditions to the grant of outline consent.
- 1.144 The application is accompanied by a Great Crested Newt presence/absence survey based on a survey carried out in May 2010. Although water bodies present on the site had the potential for Great Crested Newts, none were found to be present as a result of the survey findings. The survey did find the presence of

Smooth Newt and Common Frog as well as goldfish in other ponds.

- 1.145 The application is accompanied by a Native Reptile Presence/absence survey involving site searches carried out in April and May 2010. These surveys revealed the presence of Slow Worm and Grass Snake close to the hedge margins of each parcel out of the cultivated arable areas and pasture grazing. The development could potentially result in adverse impact upon those protected species by way of incidental killing or injuring individual reptiles where there are impacts with the site boundary hedgerows during either hibernation or from March to October when reptiles are active. This can be addressed by a watching brief supervision by a qualified ecologist where works impact those areas and also the provision of replacement habitat of grassland with scrub not regularly mown and with the creation of log refuges within the development. The limited clearance works over winter (November to February) is also recommended and would accord with the requirements for nesting birds. These mitigation measures can be the subject of suitable conditions to the grant of outline consent.
- 1.146 Notwithstanding the above conclusions Natural England has sought clarification of conflicting points made between the statement in the Biodiversity Report that suggests it unlikely that reptiles would be present in the hedged margins, which conflicts with the findings of the reptile survey that particularly Slow Worms have been found to be present. Even if this broader statement is subsequently retracted, the recommendation is that a watching brief is ensured through a planning condition whilst development work is carried out near to the hedges.

Arboricultural issues

- 1.147 The trees on the site are to the edges of the parcels of land including the frontages to Brays Lane. The effect of the development upon the trees on the site cannot however be determined until the consideration of the intended layout. This matter can therefore be appropriately considered at the detailed reserved matters stage but it is necessary at this outline stage to condition the further assessment of the development upon the trees and any mitigation to be required as part of the reserved matters submission.

Policing issues

- 1.148 Paragraph 27 (iii) and paragraph 36 to Planning Policy Statement 1: Delivering Sustainable Development promotes crime free communities where the fear of crime would not undermine community cohesion.
- 1.149 Policy HP 10 to the Council's saved local plan (2006) argues for the consideration of crime prevention measures in new development.
- 1.150 The police architectural liaison officer acknowledges that the indicative general layout and makes no objection to the proposal subject to the detailed layout to follow 'secured by design' principles. At this outline stage for a large development with all matters to be reserved it is possible to encourage this approach by way of

a condition to the outline consent.

1.151 CONCLUSION

- 1.152 The site is within the Metropolitan Green Belt as defined in the council's saved local plan (2006). That being the case, the development for residential purposes is inappropriate and a departure from that development plan. The site is however the only realistic option that can deliver an alternative access to the King Edmund School that will relieve congestion and amenity problems to residents neighbouring the existing school access to Vaughan Close, Oxford Road and Spencer Gardens.
- 1.153 The application is brought forward ahead of the emerging Core Strategy which considers an allocation for 100 dwellings at East Ashingdon to be delivered by 2015. The response to public consultation on the Allocations discussion and consultation document (February 2010) is yet to be considered by members but prematurity on this basis is not considered to be a reason that planning permission can be refused.
- 1.154 It is imperative that the Council can demonstrate a five-year housing land supply. Development within the general location of East Ashingdon is required in order to maintain a five-year supply of housing land, and it is clear this will require land take from the Green Belt. This site is commensurate with the general location of East Ashingdon, and is considered a suitable and sustainable site within this general location, capable of incorporating all of the requirements of the Core Strategy (including the new access to the school and the 3ha of land for school expansion). If this site were to be rejected in principle it would be necessary to identify an alternative site that could deliver all of the Core Strategy requirements within the general location of East Ashingdon, and be delivered within five years. The application has come forward and would achieve the infrastructure provision and the required housing. If approved the decision will not prejudice the delivery of the Core Strategy and the proper planning of the District.
- 1.155 The requirement to provide a five-year housing land supply, together with the need for development to come forward within this general location, and the fact that this site is considered an appropriate and sustainable site within this general location, which can accommodate all of the Core Strategy infrastructure requirements are, taken together, the very special circumstances that outweigh the harm to the Green Belt.
- 1.156 The proposal would not significantly impact upon the local highway network different to any alternative site for 100 dwellings in the same vicinity. The county highway authority accepts the findings of the transport assessment accompanying the application provided the development would make an apportioned contribution to measures to enhance the three conflict junctions at Rectory Road and Hall Road made with Ashingdon Road and the junction improvements to Purdeys Way with Sutton Road.
- 1.157 Officers consider therefore that it is appropriate to grant outline planning permission for

the proposal, taking account of the location of the site in relation to the general location for development included in the emerging Core Strategy, the requirement for and the contribution the site will make to the five year housing supply, and the contributions to affordable housing and infrastructure. If Members do resolve to grant planning consent, the application will need to be referred to the Secretary of State.

RECOMMENDATION

It is proposed that this Committee RESOLVES advise the Secretary of State for communities and Local Government that the council is minded to APPROVE THE APPLICATION subject to an AGREEMENT under SECTION 106 of the Act to the following heads of terms:

- a) Secure land convenient to the school for two full size football pitches for the long term;
- b) Provision of 35 Affordable dwellings;
- c) A contribution of £21k towards improvements to passenger transport infrastructure at the following locations:
 - a. Brays Lane stop (ID1101509) to include real time information and shelter structure improvements
 - b. Brays Lane stop (ID1101508) to include real time information and shelter structure improvements;
- d) A financial contribution of £25k towards improvements to safety and capacity enhancements of the highway at the following locations:
 - a. Ashingdon Road / Rectory Road junction
 - b. Ashingdon Road / West Street / Hall Road
 - c. Sutton Road/ Purdeys Way junction;
- e) Provision of the school access and bus turn around facility commensurate with the implementation of the development; and
- f) Provision of maintenance fund for the public and open areas of the site of not less than £4,000 per year.

And to the following conditions:

Submission of reserved matters

1) No development shall commence, before plans and particulars showing precise details of Siting, Design and External Appearance of the ^IN; hereby permitted, the Means of Access thereto and the Landscaping of the site, (herein after called the "Reserved Matters") have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Time limit

2) Application for approval of all "Reserved Matters" referred to in Condition 1 above, shall be made to the Local Planning Authority before the expiration of three years from the date of this planning permission. The development hereby permitted, shall be begun before the expiration of three years from the date of this permission or two years from the date of the final approval of "Reserved Matters", whichever is the later.

Secure by design

3) The reserved matters and detailed layout referred to in condition 1 above shall demonstrate and take into account the need for safe communities and shall follow where possible the principles of "secure by design" in order to reduce opportunities for crime.

Reptile watching brief

4) Prior to the commencement of the development details shall be submitted to the local planning Authority of arrangements for a "Watching brief " supervision by a qualified ecologist on works to those margins of the site understood to support reptiles. Such arrangements shall be funded by the applicant / developer. Such details shall define the area of work and phasing to be supervised and the qualifications of the ecologist(s) chosen to undertake the brief. Such details shall include proposed mitigation for any reptiles disturbed in the development process. The development shall be implemented in accordance with such details as may be agreed by the local planning Authority.

Fencing / means of enclosure

5) No development shall commence, before plans and particulars, which shall have been submitted to the Local Planning Authority concurrently with the "Reserved Matters" referred to in Conditions 01 and 02 above, showing precise details of any gates, fences, walls or other means of screening or enclosure, to be erected AND, have been agreed in writing by the Local Planning Authority. Such details of screening or other means of enclosure as may be agreed in writing by the Local Planning Authority, shall be erected prior to the AND; to which they relate first being occupied and thereafter maintained in the approved form.

Archaeology full condition

6) No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the local planning Authority."

Arboricultural

7) No development shall commence, before an accurate measured survey of the site, to a scale of not less than 1:500, showing the position, spread, girth, condition and species of all existing trees, shrubs and hedgerows on the site relative to the layout to be submitted in accordance with the reserved matters referred to in condition 1 above, has been submitted to the Local Planning Authority concurrently with the submission of the “Reserved Matters” referred to in conditions 1 and 2 above. The submitted details shall include an assessment of the affects of the proposed layout upon those trees, shrubs and hedgerows.

Drainage

8) Surface water shall be discharged from the site at a rate no greater than 18.8l/s.

Drainage

9) A minimum of 2342 cubic metres of surface water storage shall be provided on the site to accommodate the 1 in 100 year storm, inclusive of climate change.

Surface water drainage scheme

10) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

- Details of the permeable surfaces, swales and detention basins described within the FRA;
- details of flow routes and pathways across the site;
- consideration of where surface water may flow during exceedence events; and
- details of how the scheme shall be maintained and managed after completion.

Details of estate road

11) Prior to the commencement of the development details of the road junction shall be submitted to the county highway authority. The development shall be implemented in accordance with such details as may be agreed by the county highway authority. The junction shall be constructed with clear to ground visibility in both directions as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

Provision of site accommodation / works

12) Prior the commencement of the development, details shall be submitted to the local planning authority for the provision of an area within the curtilage of the site and clear of the highway for the purposes of loading / unloading / reception and storage of building materials and the manoeuvring and parking of all vehicles including construction traffic associated with the duration of the implementation of the development.

Provision of construction wheel cleaning facility

13) Prior to the commencement of the development details shall be submitted to the local planning authority for a wheel cleaning facility to be provided within the development site and adjacent to the egress onto the highway. The wheel cleaning facility as may be agreed, shall be provided at the commencement of the development and maintained for the duration of the construction period.

Details of estate roads

14) Prior to the commencement of the development details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage shall be submitted to the local planning authority. The development shall be implemented in accordance with such details as may be agreed.

Unbound surface material

15) No unbound material shall be used in the surface treatment of any vehicular access within the first 6m of the highway boundary.

Submission of means to prevent surface water discharge onto the highway

16) Prior to the commencement of the development details shall be submitted to the local planning authority showing the means to prevent to the discharge of surface water from the development onto the highway. The development shall be implemented in accordance with such details as may be agreed prior to the access becoming operational and shall be retrained at all times.

Provision of car parking to standard

17) Vehicle / cycle and powered two wheeler parking shall conform to the current parking standards document "Parking Standards Design and Good Practice " September 2009 Essex County Council / Essex Planning Officers Association. Vehicular hardstandings shall have minimum dimensions 2.9m wide and 5.5m deep. All single garages shall have a minimum width of 3m

and minimum depth of 7m. All double garages shall have a minimum width of 5.5m and minimum depth of 7m

Provision of travel information / marketing scheme

18) Prior to the occupation of the proposed development the developer shall be responsible for the provision and implementation of a Travel Information and Marketing Scheme for sustainable transport, to be approved by Essex County Highway authority. Such scheme as may be approved shall include 10 day travel vouchers for bus travel with the applicable bus operator for each residential household.

REASON FOR DECISION

The proposal is considered to outweigh the demonstrable harm to any development plan interests given that it within a general location for development specified in the emerging Core Strategy, would contribute to the required five year housing land supply, and would provide the means to secure a new access for the King Edmund School relieving pressure on the existing access and neighbouring road network and enabling the school to expand and improve. The proposal would not significantly affect the character and appearance of the area, the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets.

Relevant Development Plan Policies and Proposals

Rochford District Replacement Local Plan (2006) as saved by Direction of the Secretary of State for Communities and Local Government and dated 5th June 2009 in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004.

HP 8, LT 5.

Rochford District Council – Local Development Framework Core Strategy Submission (September 2009)

Policies GB 1, H1, H2, H4.

Planning Guidance

Supplementary Planning Document 2 Housing Design (January 2007)

Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010

Standard C3,

The Essex Design Guide (November 2005)



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