

15/00362/OUT

OUTLINE PLANNING APPLICATION (WITH ALL MATTERS RESERVED) FOR THE ERECTION OF RESIDENTIAL DEVELOPMENT WITH ASSOCIATED OPEN SPACE, LANDSCAPING, PARKING, SERVICING, UTILITIES, FOOTPATH AND CYCLE LINKS, DRAINAGE AND INFRASTRUCTURE WORKS AND PRIMARY SCHOOL. PROVISION OF NON-RESIDENTIAL FLOOR SPACE TO PART OF SITE, USES INCLUDING ANY OF THE FOLLOWING: USE CLASS A1 (RETAIL), A3 (FOOD AND DRINK), A4 (DRINKING ESTABLISHMENTS), C2 (RESIDENTIAL INSTITUTIONS), D1A (HEALTH OR MEDICAL CENTRE) OR D1B (CRÈCHE, DAY NURSERY OR DAY CENTRE).

LAND NORTH OF LONDON ROAD AND SOUTH OF RAWRETH LANE AND WEST OF RAWRETH INDUSTRIAL ESTATE, RAWRETH LANE, RAYLEIGH.

APPLICANT: COUNTRYSIDE PROPERTIES (UK) LTD.

ZONING: SER1/Metropolitan Green Belt

PARISH: RAWRETH

WARD: DOWNHALL AND RAWRETH

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1 PLANNING APPLICATION DETAILS

- 1.1 This application is an outline application with all matters reserved. Access, appearance, landscaping, layout and scale would all therefore be matters reserved for consideration in a Reserved Matters application that would follow, if outline permission were granted.
- 1.2 The key matters for determination at the outline stage are the acceptability of; the principle of residential development of the site, the quantum of residential development proposed, the principle of other proposed land uses, including potential for uses falling within use classes A1, A3, A4, C2, D1a and /or D1b, the proposed primary school location and other planning considerations, including issues such as flood risk, drainage and ecology.
- 1.3 The key plan for determination at this outline stage is the Parameters Plan, which shows the areas of the site intended for residential and other uses, including areas that would form open space. If approved, this plan would form the basis for the working up of a detailed site layout at the Reserved Matters stage.
- 1.4 The application is accompanied by an Environmental Statement.
- 1.5 This application is for the same form of development as was proposed in an earlier application reference 14/00627/OUT. This earlier application was refused planning permission in a decision dated 9 February 2015 for the following reasons:-
1. The National Planning Policy Framework (NPPF) requires provision of outdoor sports facilities to be based on robust and up-to-date assessment of need. The proposed development would provide inadequate outdoor sports provision, which would not accord with the NPPF requirements for such.
 2. The submitted Flood Risk Assessment is inadequate as it lacks information relating to and fails to take account of recent flooding events that have taken place downstream in Church Road, Rawreth. The assessment also does not properly take account of the impact of the removal of a section of culvert. Appropriate arrangements for the maintenance of sustainable urban drainage features have not been demonstrated. It has not therefore been demonstrated that the proposed development would adequately address the risk of flooding from and to the proposed development.

3. The proposed development provides no certainty that highway works to improve the Rawreth Lane/Hullbridge Road junction, which are required to mitigate the impact from the development, would be delivered. Without appropriate mitigation to this junction the development would increase congestion and result in a loss of residential amenity.
 4. There is a lack of physical space to expand existing secondary schools in Rayleigh and as a consequence the impact from the development on secondary school provision could not be satisfactorily mitigated.
- 1.6 Supplementary information has been submitted with the current application, which seeks to demonstrate how the above reasons for refusal have been overcome.
 - 1.7 This report first focuses on whether the above four reasons for refusal of the earlier application have been sufficiently addressed.

2 THE SITE

- 2.1 The application site is shown edged red on the submitted location plan and is an irregularly shaped area of some 46 hectares extending from Rawreth Lane to the north to London Road to the south. The site is located to the western edge of Rayleigh and abuts existing residential and industrial development to the eastern boundary. To the south, west and north, the site largely borders open agricultural land featuring sporadic development.
- 2.2 The site is currently arable farmland save for a small parcel to the north-eastern corner (0.4ha), which is separated by the road serving the nearby industrial estate; this small parcel is vacant and overgrown containing a number of trees and hedges to the boundaries. A public right of way runs close to the eastern boundary of the parcel of land in the north-east corner of the site. The wider site is crossed by two rows of electricity pylons towards the western boundary orientated north-south and a water course, the Rawreth Brook, traverses the site from east to west. The topography of the site varies from its highest point at some 26 metres Above Ordnance Datum (AOD) in the north-east corner to the lowest point at some 11 metres AOD towards the southern boundary.
- 2.3 A weather-boarded barn, which is part of a cluster of farm buildings including the farm house at Rawreth Hall, is a Grade II Listed Building and is located some 150 metres to the north-west of the site. The farm house is included on the Council's Local List.
- 2.4 Following the adoption of the Allocations Plan in February 2014 the application site (save for the part due west of the eastern most overhead electricity pylon line) is allocated for residential development as part of a wider site and subject to Policy SER1. The strip of land included in the application site, which lies west of the eastern most electricity pylon remains designated as Metropolitan Green Belt (some 9.8ha).

- 2.5 The whole of the SER1 site allocation is identified to provide up to 550 dwellings with associated open space. The site forms a large proportion of the SER1 allocation. Although no specific number of dwellings has been proposed in the proposal description the supporting documentation identifies that a quantum of 500 dwellings is expected to be provided on the application site.
- 2.6 An illustrative master plan showing all of the land within the SER1 allocation has been submitted with the application to indicate how the proposed development would relate to the parcels of land, which would remain to be developed.
- 2.7 The submitted Parameters Plan identifies areas of the application site for each proposed use, including:-
- residential development (15.11ha)
 - primary school (1.12ha)
 - health provision (0.15ha)
 - non residential use (0.38ha)
 - outdoor sports facilities (1.61ha)
 - open space (22.38ha)
 - public amenity space (0.62ha), local green space (0.15ha) and allotments (0.3ha).

3 PLANNING HISTORY

- 3.1 There is no planning history relating to the application site.

4 CONSULTATIONS AND REPRESENTATIONS

Rawreth Parish Council

- 4.1 With reference to the above Planning Application Rawreth Parish Council would reiterate all the points made in its letters dated 15 October 2014 and 15 December 2014, both addressed to Rochford District Council concerning application 14/00627/OUT, as these representations remain unchanged and are still very relevant; accordingly both these representations are attached for your reference (these are re-produced below).
- 4.2 The Infrastructure for the proposed development and surrounding existing roads is woefully inadequate and no reassurance has been made by the amended plans. There is no co-ordinated solution to the access and transport infrastructure problems caused by the many developments to the east of the District and although this is not the sole responsibility of Countryside it does

need to be resolved through ECC and through the developers who are proposing and building these developments. The wider effect that these developments will cause to the already congested roads in the whole of the Rochford District need to be considered and calculated through appropriate reports and any improvements that are deemed necessary and are agreed should be completed before any of the houses on the developments are occupied.

- 4.3 Council is also of the same opinion where drainage and flooding is concerned, the developer has not made sufficient provisions to take account of the nature of the site, which has a steep slope on the northern side and the planned balancing ponds will not hold the amount of water that is required of them. Council is also extremely concerned about the effects that this site will have on other areas of the Parish, which are already severely affected by flooding on a regular basis, run off from this site will naturally flow into other areas of the village, which lie further down stream and already sit at the heart of a major brook and river system. No risk assessment has been conducted to take account of the village lying on a fluvial and tidal flood plain, nor has the historic flooding of the Parish been taken into account.
- 4.4 Council also notes that within the documents supplied with the application, Flood Risk Assessment Addendum, page 5 of 33, 2.2 Tidal Influence on Flood Risk states that a “ fluvial modelling completed in 2007 for the South Essex Flood Risk Study accounted for the tidal influence of the River Crouch on flood risk from the Rawreth Brook, under Paragraph 4.2.3 of the FRA outlined that although the tidal extent does not reach the Application Site, there is likely to be an effect on the discharge of fluvial water within the Rawreth Brook as a result of tide locking, it further states that ...the hydraulic modelling undertaken by AECOM has examined the influence of the tidal down stream boundary on the flood risk across the Application Site. The original 2007 model and the updated AECOM model utilised a down stream boundary that simulates the tidal cycle of the River Crouch over a 48 hour cycle. In order to examine the influence this boundary has on the flood risk at the Application Site, the tidal variation was removed and replaced with a static water level (equivalent to low tide). This resulted in a negligible difference in flood depths within the river channel and across the flood plain at the Application Site. This demonstrated that the Application Site is not affected by the tidal down stream conditions. The Environment Agency (correspondence dated 13 April 2015, Reference AE/2014/118172/02-L01) has acknowledged that the analysis completed as part of the fluvial modelling, to determine the tide locking at the Application Site, demonstrates there to be minimal influence on flood depths across the Application Site.” Council would ask the question why a “static water level” (equivalent to a low tide) has been used in the modelling when the most seen, reported and experienced risk to the Parish as a whole, and in particular, Church Road, has always been experienced when there is a high tide, which, in Council’s opinion will only be made worse and a greater risk will exist with the development of this site.

- 4.5 The Council would also question the Highways modelling that has been submitted as part of the application, as it is woefully inadequate and is clearly not accurate. The modelled figures for traffic represent only a fraction of the actual surveyed amount and are therefore meaningless.
- 4.6 The Council still strongly opposes this development and has previously urged the planning department to seek further clarification, risk assessments, reports and assurances regarding infrastructure and flooding to not only the proposed site but neighbouring roads, land and properties. These requests went un-actioned and therefore nothing has changed to satisfy the Council regarding any of the points and objections raised.

Previous Consultation Responses

- 4.7 The Council still has very grave concerns about the effect that developing the land will have on an area that already suffers from flooding. Whilst Council notes that balancing ponds, basins and swales have been accounted for, the Parish of Rawreth is very unique in that it suffers from fluvial, tidal and surface water flooding and the Council does not feel that adequate notice has been taken of these factors and the correct information gathered and analysed. The Parish has suffered from the “one in a hundred years” event three times within eighteen months, however the advice given to the developer from the Environment Agency asks them to work on the one in a hundred years scenario only; this is proven to be ineffective. Vast areas of the Parish are cut off for days when these events happen, properties flood, roads are impassable and lives are devastated through loss and fear of it happening again.
- 4.8 The Council would like to re-emphasise that the Rawreth Brook is influenced by tidal flow and this is a major contributory factor to flooding in the Parish.
- 4.9 The Council would also like to re-emphasise that in addition to water from the immediate area draining into Rawreth Brook, water from Bowers Gifford also drains into it via the Benfleet Brook, a very significant factor that has been overlooked.
- 4.10 The Council is concerned that all the technical work is being done up stream of the site, but none is planned for down stream, Council believes this is because it is assumed there is no adverse effect down stream, which is totally unacceptable and incorrect.
- 4.11 The Council also considers that the roads and infrastructure in the Rawreth area are completely inadequate to accommodate this proposed development as they are already full to capacity. The A127, A1245, A129 London Road, Rawreth Lane and Watery Lane just cannot take any more traffic and the proposed development will increase traffic to a completely unsustainable level. On numerous occasions this year and last year incidents within and on the outskirts of the Parish have brought traffic to a standstill for hours along London Road, Rawreth Lane, Watery Lane/Beeches Road and the Hullbridge

Road. It took some residents 1¼ hours to proceed along Rawreth Lane and into Hullbridge – a distance of 1½ miles. We strongly recommend that an independent traffic survey and assessment should be done before any approval of this scheme. Without a long term solution to existing transport needs then this and any new developments are unsustainable.

- 4.12 The Council considers access to the site to be inadequate too; the access point is to and from Rawreth Lane, a road already over congested. Failure to improve the infrastructure at the access point and on surrounding roads will only add to the problems already experienced. The overall traffic flow to and from the development means congested roads will not improve and existing residents will only be inconvenienced more, which Council doesn't consider acceptable. It is assumed by Countryside that most traffic will exit via London Road and that is where they will spend money to "improve" traffic flow; there will be very little improvement to Rawreth Lane, or the Rawreth Lane/ Hullbridge Road junction. There appears to be too much reliance on the Hullbridge development financing any improvement on Rawreth Lane.
- 4.13 Below is a copy of a traffic survey undertaken by Rawreth Parish Council in 2010; this survey is woefully out of date as traffic has increased since it was taken, but it still gives an idea of the traffic volumes that use Rawreth Lane and Beeches Road on a daily basis.
- 4.14 Rawreth Parish Council - Traffic Survey 25 March 2010.

Location Beeches Road, held between the hours of 7am and 7pm.

	WESTBOUND	EASTBOUND
7-9 AM	732	333
9-11 AM	250	322
11-12 PM	130	147
12- 1 PM	131	140
1-2 PM	128	150
2-3 PM	118	195
3-4 PM	120	247
4-5 PM	131	384
5-6 PM	171	595
6-7 PM	111	335
	2022	2848

- 4.15 The odd statistic from the figures show east bound traffic is running at about 220 vehicles per hour whilst west bound is averaging at only about 170 vehicles per hour. This may be because the congestion on Rawreth Lane encourages more cars going east.
- 4.16 There were considerable numbers of over weight vehicles, of mainly large transit type with double wheels or long wheel base.
- 4.17 Rawreth Parish Council - Traffic Survey 25 March 2010.

Location Rawreth Lane, Recreation car park, held between the hours of 7am and 7pm.

Easterly	Westerly
7 - 8am - 460	7 - 8 am - 800
8 - 9 - 565	8 - 9 - 910
9 - 10 - 515	9 - 10 - 605
10 - 11 - 457	10 - 11 - 496
11 - 12 - 518	11 - 12 - 520
12 - 1 - 460	12 - 1 - 515
1 - 2 - 550	1 - 2 - 495
2 - 3 - 607	2 - 3 - 526
3-4 - 740	3 - 4 - 555
4- 5 - 821	4 - 5 - 594
5 - 6 - 801	5 - 6 - 665
6 - 7pm - 685	6 - 7pm - 536
Total 7179	7217

- 4.18 The Council also considers the provision for a primary school to be unnecessary, given that the Parish School of St Nicholas could easily be extended to accommodate any future need. Council feels that the space allocated for a school would be better utilised as a doctors' surgery as the existing surgeries in the area will not cope with a development of this size.
- 4.19 The Council is extremely concerned that inadequate risk assessments and calculations have been undertaken with regard to flooding, and the effect of flooding on the Parish and surrounding area that, together with the lack of

assessment with regard to increased traffic movement and flow, leaves the Council in no doubt that there will be an extreme lack of infrastructure to support this development.

Rayleigh Town Council

- 4.20 The Town Council objects to this application on the grounds of not enough information having been provided for outline planning permission to be approved as the access and infrastructure arrangements have not yet been agreed. Suitable infrastructure is not in place. Members believe that the local area cannot support an extra 500 houses.

Hullbridge Parish Council

- 4.21 We are concerned with the inadequate infrastructure and traffic problems. Rawreth Lane, Watery Lane, Lower Road, A129 London Road, A1245 and A127 are already at capacity and often have incidents/delays, which has a knock on effect to the whole District and surrounding areas; this would be exacerbated by this proposed development.

Mark Francois (MP)

- 4.22 In my capacity as the local Member of Parliament for Rayleigh and Wickford I am writing to register my objections, which are in essence the same as for the original application, which the Council refused in January 2015.
- 4.23 As I argued at the recent General Election, I believe that major house building should only take place in the constituency if and when the necessary accompanying infrastructure has been assured.
- 4.24 I do not believe that the revised application provides the necessary guarantees regarding contributions from the developer, which would be required to improve the local infrastructure in order to account for the new development.
- 4.25 Specifically the revised application still does not guarantee the funding required to undertake improvements to the highway network to account for the increased likely traffic such as the need to significantly upgrade the mini roundabout at the junction of Rawreth Lane and Hullbridge Road into a larger more traditional roundabout.
- 4.26 In addition, I have previously raised issues with regard to flood risk and additional surface water run off and again I am not convinced that the revised application guarantees sufficient resources to address these issues either.
- 4.27 As before, I declare an interest as a resident of the local area.

Highways (ECC)

- 4.28 Our position remains as per the attached consultation response and our recently submitted Statement of Common Ground in respect of the appeal.
- 4.29 Essex County Council as Highway Authority comprehensively assessed all the submitted material supporting the aforementioned planning application for 475 residential units to the west of Rayleigh, within the SER1 allocation site. Mayer Brown was appointed to carry out a transport assessment on behalf of Countryside Properties UK and following a scoping meeting with ECC it was agreed for robustness to test the total allocation of SER1 plus 10% (605 units). In addition a spreadsheet model was provided to develop trip assignment and understand the cumulative impact of the development. This document was independently checked by ECC.
- 4.30 The model focused on the strategic network in the vicinity of the site, including the A129 London Road, Rawreth Lane and the A1245 Chelmsford Road. The analysis concluded that the junction operations would meet the tests set out in NPPF. The means of access to the development shall be from priority junctions with ghost right turn lanes. These access arrangements have been assessed and prove to accommodate the proposed level of right turn movements without impeding the flow of vehicles on both London Road and Rawreth Lane.
- 4.31 It was agreed with the developer to identify a series of measures that could also alleviate congestion and queuing along the London Road corridor. Following further assessment, including camera monitoring, a package of measures were developed:-
- Introducing a two lane merge for traffic exiting the Chelmsford Road roundabout to London Road eastbound
 - Amending the signalised junction at Victoria Avenue/London Road
 - Introducing ghost right hand turn lanes for eastbound traffic on London Road
 - Signalising the Down Hall Road/London Road junction
 - Introducing box junction road markings at the London Hill/Station Hill priority junction
 - It was subsequently agreed with the developer and to meet the test of reasonableness and being justified and relevant, a selection of the improvement measures would be undertaken at their expense and secured through the section 278 process. This forms part of a wider strategy of the Highway Authority that would enable any outstanding improvements to be funded and provided by alternative means, including

any further development identified in the SER1 area or London Road Corridor.

- For Rawreth Lane, whilst the detailed analysis of the Rawreth Lane/Hullbridge Road junction has shown that the SER1 proposals make a limited impact in terms of existing queuing, it was agreed with the developer to make a proportional contribution towards the implementation of ECC developed proposals to mitigate the operation at this junction. This would form part of a funding package that would be supplemented from alternative sources, most notably funding secured from other development areas in the Rayleigh/Hullbridge area.
- In order to reduce the number of trips made by car from the development and in line with sustainable transport policy an extension to an existing bus service from Rayleigh railway station to the development has been agreed and secured for 5 years offering a 30 minute frequency at peak times and 1 hourly at weekends. This service will be supported by the provision of 12 month season tickets for bus travel to all eligible occupiers of the development. In addition the site will be supported by a travel plan and 'Smarter Choices Campaign'.
- From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following mitigation and conditions:-
 - All housing developments in Essex that would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to the Advance Payments Code, Highways Act, 1980. The developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits, which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.
 - 1) Prior to commencement of the development, the priority junction with ghost right turn lane on Rawreth Lane shall be provided with a clear to ground visibility splay with dimensions of 4.5 metres by 180 metres to the east and west, as measured from and along the near side edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times. As shown in principle on Mayer Brown drawing No. CP.Rayleigh-junction 2.1.
 - 2) Prior to occupation of the 150 dwelling or 5 years from the commencement of development, the priority junction with ghost right turn lane on London Road shall be provided with a clear to ground visibility splay with dimensions of 4.5 metres by 120

metres to the east and west, as measured from and along the near side edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times. As shown in principle on Mayer Brown drawing No. CP.Rayleigh-junction 2.1. The link road through the development shall be a minimum of 6.75m wide with associated footway/cycleway provision.

- 3) Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including construction traffic, shall be provided clear of the highway.
- 4) The gradient of the any proposed vehicular access/garage drive/hard standing shall be not steeper than 4% (1in 25) for the first 6 metres from the highway boundary and not steeper than 8% (1in 12.5) thereafter.
- 5) There shall be no discharge of surface water onto the highway.
- 6) No development shall take place, including any ground works or demolition, until a construction method statement has been submitted to, and approved in writing by, the local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:-
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and under body washing facilities
- 7) Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
- 8) Prior to occupation of the proposed residential development, the developer shall provide and implement a residential Travel Plan including payment of a £3000 Travel Plan Monitoring fee to ECC. The plan is to be monitored annually, with all measures reviewed to ensure targets are met. The developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for every household for sustainable transport, to include season tickets for bus travel approved by Essex County Council.

- 9) Prior to the occupation of the 150 dwelling a bus service linking the development with Rayleigh railway station along the link road shall be provided to ensure the sustainability of the development. The service will operate between 0700 and 2100 hours Monday to Friday with a minimum frequency of every 30 minutes and hourly on a Saturday and Sunday between 0900 and 1800 hours for a period of 5 years.
- 10) Prior to first occupation, highway works along the London Road corridor have been provided entirely at the developer's expense. This includes the:-
 - a. Signalising and associated works of Down Hall Road/ London Road junction,
 - b. Improved road markings and associated works at the London Hill /Station Hill priority junction,
 - c. Signal upgrade at Victoria Avenue/London junction to include, but not limited to, the provision of MOVA, associated enabling works and signal head upgrade.
 - d. Improvement of the existing public footpath number 23 up to its boundary with the St Nicholas Primary School and the creation of a new extension to this existing footpath into the site.
- 11) Prior to 50th occupation, a contribution of £250,000 (Two hundred and fifty thousand pounds) to be provided entirely at the developer's expense for highway infrastructure improvements at the Rawreth Lane/Hullbridge Road/Hambro Hill junction.

Further Consultation

- 4.32 In relation to conditions 1 and 9 ECC has confirmed it accepts these as prior to 50th occupation.

Minerals and Waste Planning Authority (ECC)

- 4.33 No objection.

Engineering (RDC)

- 4.34 Public foul sewer passes through the site east to west.
- 4.35 Classified main river ditch through the site east to west and two existing ponds on the site, together with possible feeder ditches.

Environment Agency

Fluvial Flood Risk

- 4.36 The proposed development consists of residential units, non residential floor space, a school, and a health centre. According to Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance (PPG) this development is classified as 'more vulnerable'. According to our Flood Map the site falls partially within Flood Zones 1, 2 and 3a. However, all development is proposed to be located outside of Flood Zones 2 and 3, falling wholly within Flood Zone 1.
- 4.37 The information submitted includes a Flood Risk Assessment (FRA) by URS, referenced 47065807, Rev 6, and dated September 2014, and an Addendum prepared by AECOM, referenced 47065807 and dated May 2015.
- 4.38 We are satisfied that the FRA and subsequent Addendum provide you with the information necessary to make an informed decision. We therefore have no objection to the application. Although we are not raising an objection you should ensure that you consider the development and its users to be safe for its lifetime prior to any approval.
- 4.39 Flood Risk Assessment: The important points from the FRA are: All residential, school and health care components of the development will be sequentially sited and located wholly within Flood Zone 1. AECOM has remodelled Rawreth Brook to include a 2 dimensional domain. This model has been reviewed and approved by the Environment Agency. According to the new modelling, the FRA Addendum and model report, the proposed residential areas are located outside of the 1 in 100 year climate change flood extent and the 1 in 1000 year flood extent. The proposed access road is located outside of the 1 in 100 year with climate change flood extent. We conclude that compensatory flood storage is therefore not required for this element of the scheme. The new modelling considers the tidal impact upon flood risk at the site. This analysis confirms that the influence of tidal levels does not affect the flood extent at the proposed development site. The Addendum to the FRA clarifies that the culvert located at grid reference (NGR 578801,192416) is no longer proposed to be removed. The proposed bridge crossing will be designed, in consultation with the Environment Agency, as per section 5.2.7 of the FRA, dated September 2014. Any works in, under, over or within 9 metres of the main river, Rawreth Brook, will require Flood Defence Consent from the Environment Agency. The FRA Addendum proposes to set finished floor levels 300mm above the design 1 in 100 year flood level (11.72m AODN) including the impacts of climate change. These points are expanded upon within the Flood Risk Technical Appendix.
- 4.40 Flood defence consent under the terms of the Water Resources Act 1991, and the Land Drainage and Sea Defence Byelaws for Anglian Region, prior written consent of the Environment Agency is required for any proposed

works or structures, in, under, over or within 9 metres of the top of the bank of Rawreth Brook designated a 'main river'.

- 4.41 The flood defence consent will control works in, over, under or adjacent to main rivers (including any culverting). The consent application must demonstrate that: there is no increase in flood risk either up stream or down stream access to the main river network and sea/tidal defences for maintenance and improvement is not prejudiced works are carried out in such a way as to avoid unnecessary environmental damage. Mitigation is likely to be required to control off site flood risk. We will not be able to issue our consent until this has been demonstrated.

Surface Water Management

- 4.42 Please note as of 15 April 2015 the Lead Local Flood Authority, Essex County Council, is the statutory consultee on surface water. We have therefore not reviewed the surface water element of this proposal.

Foul Water Disposal

- 4.43 The first presumption should be to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works. A private means of foul effluent disposal is only acceptable when foul mains drainage is unavailable. Anglian Water Services should be consulted regarding the available capacity in the foul water infrastructure. If there is not sufficient capacity in the infrastructure then we must be consulted again with alternative methods of disposal.

Sustainability

- 4.44 Climate change is one of the biggest threats to the economy, environment and society. New development should therefore be designed with a view to improving resilience and adapting to the effects of climate change, particularly with regard to already stretched environmental resources and infrastructure such as water supply and treatment, water quality and waste disposal facilities. We also need to limit the contribution of new development to climate change and minimise the consumption of natural resources.
- 4.45 Opportunities should therefore be taken in the planning system, no matter the scale of the development, to contribute to tackling these problems. In particular we recommend the following issues are considered at the determination stage and incorporated into suitable planning conditions:-
- Overall sustainability: a pre-assessment under the appropriate Code/BREEAM standard should be submitted with the application. We recommend that design Stage and Post-Construction certificates (issued by the Building Research Establishment or equivalent authorising body) are sought through planning conditions.

- Resource efficiency: a reduction in the use of resources (including water, energy, waste and materials) should be encouraged to a level which is sustainable in the long term. As well as helping the environment, Defra has advised that making simple changes resulting in the more efficient use of resources could save UK businesses around £23bn per year.
- Net gains for nature: opportunities should be taken to ensure the development is conserving and enhancing habitats to improve the biodiversity value of the immediate and surrounding area.
- Sustainable energy use: the development should be designed to minimise energy demand and have decentralised and renewable energy technologies (as appropriate) incorporated, while ensuring that adverse impacts are satisfactorily addressed.

- 4.46 These measures are in line with the objectives of the NPPF, as set out in paragraphs 7 and 93-108. Reference should also be made to the Climate Change section of the draft National Planning Practice Guidance, in particular: “Why is it important for planning to consider climate change?” and “Where can I find out more about climate change mitigation and adaptation?”
<http://planningguidance.planningportal.gov.uk/blog/guidance/>

Technical Appendix – Flood Risk

New Modelling

- 4.47 AECOM has undertaken detailed hydraulic modelling of Rawreth Brook. This builds upon the existing 1 dimensional (1D) 2007 model undertaken by JBA Consulting, for the Environment Agency, and incorporates a 2 dimensional (2D) flood plain. This allows the flood plain to be represented in more detail. The draft model was submitted to us for review under pre-application advice. We provided comments on this and requested some amendments, which have been included in the final model. The FRA Addendum refers to a ‘draft model’. Since the Addendum was produced the final model and model report have been issued. We requested the final model information, which was submitted to us on 6 July 2015. We have reviewed the final model and model report undertaken by URS, referenced 47065807 and dated July 2015, and are satisfied that our previous comments have been taken into account and that the model is appropriate. The new final modelling outputs are outlined in the technical summary of the model report referenced above on page 1. The modelling shows that the flood extents across the site have been reduced in comparison to the 2007 modelled flood extents. The new model demonstrates that flooding from the main river Rawreth Brook remains in channel for the lower return period flood events. In the 1 in 100 year event, extents are reduced on the application site, but flooding is expected on the land up stream of the A1245. Figure 5-3 Revision 1 contained within the model report illustrates that extent of the design (1 in 100 year inclusive of climate change) flood in relation to the proposed development areas. It can be seen that the development is sequentially located outside of this flood extent. This is

confirmed in the technical summary of the model report, which states that the proposed development is outside the flood extent of the 1 in 100 (Flood Zone 3) and 1 in 1000 (Flood Zone 2) year events. It is therefore wholly located within Flood Zone 1.

- 4.48 Compensatory storage is required for any land raising within the 1 in 100 year flood extent of Rawreth Brook, including the impacts of climate change. According to the FRA, dated September 2014, the road will be raised above the design flood level. However, the new modelling makes it clear that this ground raising will be outside the 1 in 100 year climate change flood event extent. We conclude that compensatory flood storage is therefore not required.
- 4.49 Section 4 of the FRA Addendum suggests that finished floor levels for the buildings will be set 300mm above the design 1 in 100 year flood level, including the impacts of climate change. This is a precautionary approach as the development will be wholly located within Flood Zone 1.
- 4.50 In our previous discussions and our last response, referenced AE/2014/118306/01-L01, we highlighted that tide locking is known to occur down stream of the application site at Church Road, Rawreth. It was suggested that this was modelled in order to establish the impact this could have on the site. The new modelling has undertaken an analysis in order to examine this issue. We note that a simulation was run using a normal depth boundary in place of the tidal boundary. It is understood that this identified that there is minimal influence upon flood depths across the site, which confirms that the site is not affected by tidal conditions. This is discussed and summarised in section 2.2 of the FRA Addendum.
- 4.51 It is understood, from previous meetings and the FRA previously submitted (dated September 2014), that it was proposed to investigate the removal of a culvert to the west of the development. We originally raised concerns that this may impact on flood risk and it should be modelled. However, section 2.4 of the FRA Addendum states that this culvert is a field crossing, which is required by the landowner for access purposes. It is understood therefore that the culvert will not be removed.
- 4.52 As part of the planning application, a bridge crossing is proposed. Section 5.2.7 of the FRA, dated September 2014, states that the bridge will be designed in line with Environment Agency guidance as follows: Bridges are preferred to be a clear span structure. The bridge abutments should be set back (minimum of 1 m) from the top of the bank of the water course. The soffit level of the bridge should be set a minimum of 600 mm above the 1% (1 in 100 year) modelled fluvial flood levels (11.72 mAODN) including allowance for climate change. Open parapets/hand rails may be appropriate to allow some flow over the deck in case the bridge opening becomes blocked or in an extreme flood event. We received confirmation via email from AECOM on 22 July 2015, that this is still the case in the new planning application and Flood Defence Consent will be obtained from us. We await further detail of the

bridge proposals, which will be reviewed by us as part of a Flood Defence Consent.

- 4.53 Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements). You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions. We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.
- 4.54 Flood recovery measures (including flood proofing and other building level resistance and resilience measures). We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing. Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective. Further information can be found in the Department for Communities and Local Government publications 'Preparing for Floods' and 'Improving the flood performance of new buildings'. Whether insurance can be gained or not it is vital that those ultimately owning any new developments are able to access insurance. Insurance is generally a prerequisite for the vast majority of mortgages, and therefore underpins local housing markets. If insurance is not available, a property could become impossible to buy or sell; therefore it is important that a new development is insurable from a flood risk perspective. The guidance note produced by the Association of British Insurers (ABI), which complements the NPPF, includes a number of key recommendations. One of these is to ensure that flood risk is mitigated to acceptable levels. The ABI recommends that a risk of no more than a 1 in 100 year annual probability, inclusive of climate change, is necessary to give developments a good chance of accessing flood cover at a competitive price. Preference is given to flood avoidance (i.e. raised floor levels) over flood resistance and resilience measures. This advice should be used to influence the design of the development and used in helping to inform your decision. You may wish to

give consideration to the availability of insurance and wider implications on the development, of tidal flooding up to and including the 1 in 100 year return period event inclusive of climate change. The guidance note can be viewed on the ABI's website.

- 4.55 We suggest the following points are addressed by the applicant to limit the development's impact on the environment and ensure it is resilient to future climate change.
- 4.56 Over the next 20 years demand for water is set to increase substantially yet there is likely to be less water available due to a drier climate and tighter controls on abstraction. To address this new development should be designed to be as water efficient as possible. This will not only reduce water consumption but also reduce energy bills as approximately 24% of domestic energy consumption in the UK goes to heating water (DTI 2002).
- 4.57 Simple solutions such as dual flush toilets, water saving taps and showers, water butts and appliances with the highest water efficiency rating should all be included in the development. The use of grey water recycling and rain water harvesting will achieve a higher efficiency for the development and should be installed wherever possible.
- 4.58 The pay back following investment in water saving devices is often higher in commercial units than residential due to the higher frequency of use. Simple measures such as urinal controls or water less urinals, efficient flush toilets and automatic or sensor taps are therefore very effective. Likewise investment in water recycling schemes is also more viable in business settings. Further advice is available on our website at:-

<http://www.environment-agency.gov.uk/business/topics/water/32070.aspx>.

- 4.59 We also recommend that developers consider using equipment on the Water Technology List, a directory of products which have met an approved water efficiency eligibility criteria. Businesses that invest in these products may also be eligible for tax savings through Enhanced Capital Allowance (ECA).
- 4.60 Any submitted scheme should include detailed information (capacities, consumption rates, etc) on proposed water saving measures. Where rain water recycling or grey water recycling is proposed, this should be indicated on site plans.

Waste and Resource Management

- 4.61 The applicant is strongly advised to prepare a site waste strategy which takes account of the requirements of the Waste Framework Directive 2008/98/EC transposed into UK law as the Waste (England and Wales) Regulations 2011. Compliance with Article 4, the Waste Hierarchy, is a legal obligation. Any site waste strategy should include aspirations for zero waste to landfill, the need for waste prevention, and recycling targets. The strategy should show that all

possible measures will be taken to reduce construction and demolition waste produced during the course of the construction, and how this will be achieved, such as preventing the over ordering of materials, reducing damage to materials before use by careful handling and segregating waste on site into separate skips. The strategy should be made available to all staff and contractors so they are aware of what is required.

- 4.62 Waste should be designed out during the property design phase to ensure that during the construction and during demolition at the end of life, minimal volumes of waste result. The developer should consider how they will incorporate recycled/recovered materials into the building programme, including the use of secondary and recycled aggregates, and re-use of any on-site demolition waste.
- 4.63 The applicant should consider how the design of the development will incorporate facilities to allow for easy recycling by the residents. Careful thought should be given as to how recycling will be made easy for residents of multi occupancy buildings and for the provision for recycling on the move. Facilities like these will increase recycling as well as reduce litter.

Net Gains for Nature

- 4.64 Landscaping proposals should demonstrate that thought has been given to maximising potential ecological enhancement. Paragraph 9 of the NPPF sets out that planning should seek positive improvements and includes an aim to move from a net loss of biodiversity to achieving net gains for nature in line with the Natural Environment White Paper (2011). In determining planning applications Local Authorities are asked to conserve and enhance biodiversity and encourage opportunities to incorporate biodiversity in and around developments (para.118). This presents an opportunity to provide multi-functional benefits - providing open space for residents/workers, sustainable transport links, wildlife/ecological value, climate change resilience, improved water quality and flood risk management.
- 4.65 Green Infrastructure, defined as a network of new and existing multi-functional green space and features, such as ecological corridors or other appropriate planting, should therefore be considered as part of the development. Such measures can provide the range of benefits outlined above, including for example providing shade to the built environment to reduce over heating, and intercepting rain fall and reducing flood risk. But there is evidence that the inclusion of such features can also provide further economic benefits, such as encouraging inward investment, increasing property values and increasing visitor spending in an area. More information on this, and green infrastructure in general, is available on the Natural England web pages:-

<http://www.naturalengland.org.uk/ourwork/planningdevelopment/greeninfrastructure/default.aspx>

- 4.66 Incorporating green and/or brown roofs and walls can be a particularly effective measure. They provide valuable urban habitats, increased energy efficiency of buildings and attenuation of rain water. Research from the journal 'Environmental Science and Technology' claims that green walls deliver cleaner air at street level where most people are exposed to the highest pollution. They can also add to an attractive street scene if designed well – a good example of this is the Transport for London Green Wall near Blackfriars station.

Additional Useful Resources

- 4.67 In April 2012 we took on full responsibility for the Government's Climate Ready support service, which provides advice and support to businesses, the public sector and other organisations on adapting to climate change. The aim is to ensure businesses and services assess how they will be impacted by a changing climate so that they are both resilient and can thrive in the future. The Climate Ready pages of our website (<http://www.environment-agency.gov.uk/research/137557.aspx>) provide information, including guidance on carrying out impact assessments and evaluating adaptation strategies.
- 4.68 The UK Green Building Council has also published a series of documents to help Local Authorities and developers to understand sustainability issues. These documents are available on their website at:-
<http://www.ukgbc.org/content/advice-planners-and-developers>.
- 4.69 The most recently published technical guidance to the Communities and Local Government's 'Code for Sustainable Homes' also provides useful guidance:
http://www.planningportal.gov.uk/uploads/code_for_sustainable_homes_techguide.pdf

Urban Design (ECC)

- 4.70 The following response is based on the submitted illustrative master plan and supporting documentation.
- 4.71 The illustrative master plan sets out a development framework, which is arranged around three main development areas, each area subsequently designed around accessible green nodes, green spaces and green corridors.
- 4.72 The main link road and access into the site has, in most parts, been suitably considered. The route of the link road would benefit from a slight realignment or alternatively a greater amount of strategic landscaping around the location of the existing pylon is directly in the sight line of both directions of traffic flow, which will create a very poor vista stop at the entrance into the site.
- 4.73 The access and movement plan indicates the key footpath and cycle routes throughout the site area only and does not demonstrate how these connect through to the wider area, off site. These need to be plotted on plan to demonstrate how the strategic connections have been considered.

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- 4.74 In some instances the permeability of pedestrian and cycle routes between the development parcels (and school site) could be improved or extended to provide leisure routes that avoid the main spine road.
- 4.75 The land use and density is appropriate for the rural edge location of the site. The rationale behind locating the non residential uses onto the isolated parcel of land at the north-eastern edge creating a community hub opposite the school site is suitably considered. Depending on the uses, this location provides a greater opportunity to encourage walking and cycling.
- 4.76 The location of the school is suitable to serve the new development and surrounding community.
- 4.77 Existing development along the frontage of Rawreth Lane follows a traditional linear pattern with buildings parallel to the road frontage. The proposed development adopts a set back frontage from the road due to noise levels; however, the proposals should reflect the positive characteristics of Rawreth Lane and the surrounding community. The Rawreth Lane frontage is an important gateway into the site and this will require a considered approach to landscaping, built form and green infrastructure.
- 4.78 Footpaths, cycleway and amenity areas will need to be overlooked and this should be considered as each parcel of development is designed in greater detail.
- 4.79 The design and access statement includes an analysis of the existing materials and development form related to the context of the surrounding area, including Rochford and Rayleigh. I would expect to see these development/design principles borne out in the detailed master plan layout. There needs to be a clear synergy between the design and access statement analysis and the indicative/illustrative master plan; that said, the latest indicative master plan appears to have a large proportion of detached units. The enclosure of space/streets will need to be carefully considered to avoid unsatisfactory suburbia. The balance between the number and location of detached dwellings and continued frontage is a key factor in achieving a townscape that addresses Essex Design Guide principles.
- 4.80 I would recommend that detailed layout plans for each different parcel/or phases of development to be prepared and agreed with the LPA before reserved matters applications. This would be a condition on the outline.
- 4.81 More information and analysis is needed to be provided regarding the landscape visual impacts of the development, including:-
- mapping the important views into the site
 - mapping the important views throughout/out of the site

- mitigation measures to address any negative effects the development has on the countryside
 - specifying the boundary and edge treatments
- 4.82 Landscape frame work for development should be informed by this analysis and should include sections showing the topography and relationship between buildings and spaces.
- 4.83 Given the high risk for areas of the site to flood, I would recommend a considered and integrated approach to planning for SuDS systems. The attenuation basins provide opportunities to create wildlife areas, as well as an engineered SuDS function, but there is a greater opportunity to integrate SuDS further throughout the site. The Flood Risk Assessment concludes that the site is at a high risk of flooding from surface water sources; paragraph 5.3.15 of the Flood Risk Assessment begins to suggest options to help mitigate this risk.
- 4.84 I would recommend Essex County Council's SuDS Design and Adoption Guide as a starting point to consider designing SuDS systems into the master plan from an early stage.
- 4.85 The outline master plan has been carefully considered both in the local area and site context. There are a number of minor points to be considered, many of which will be addressed at the detailed design stage.

Education Provision (ECC)

- 4.86 Our position remains as per the original consultation response (see below) and our recently submitted Statement of Common Ground in respect of the appeal.
- 4.87 The residential element of a development of this size is estimated to generate the need for up to 45 early years and childcare (EYandC), 150 primary school and 100 secondary school places. The non residential element of the development would generate the need for additional EYandC places, the number of which would be dependant on the number of employees (0.04 EYandC places per employee).
- 4.88 With regard to EYandC provision, I am informed by Essex County Council's EYandC Sufficiency and Sustainability Team that there is 1 pre school and 1 day nursery within walking distance of the proposed development. The latest information and data indicates that both are at full capacity. It is therefore clear that there will not be sufficient pre school provision to meet the needs of the proposed development. In order to facilitate the EYandC expansion required in the area, land and finance will be required for a new provision.
- 4.89 The School Pupil Place Planning Team is currently monitoring primary pupil numbers in the Rayleigh area. In September 2014 an additional Reception

class was required at Glebe Primary School and following movement into the area over the summer holiday period, and the early part of the school year 2014-15, several other year groups now have little surplus places. Further, the non denominational primary schools within reasonable walking distance of the development have a capacity of 1,715 places and are forecast to have a deficit of 2 places by the school year 2018-19. It is therefore clear that additional places will be required within the Rayleigh area with a development of this size. The scope to expand existing primary schools in the vicinity of this development is limited and subsequently land for a primary school site is required to ensure that there would be sufficient school places to meet demand within the Rayleigh area in the future, particularly in view of the Rawreth industrial estate also being allocated in the Local Development Framework Allocations for future residential development.

- 4.90 At secondary level the proposed development is located within the priority admissions area for the Swayne Park School. This school has a capacity of 1,240 places. The school is forecast to have a deficit of 9 places by the school year 2018-19. The Fitzwimarc School is also forecast to have a deficit of 22 places by 2018-19. A contribution will therefore be required in accordance with the formula set out in ECC's Developers' Guide to Infrastructure Contributions (2010).
- 4.91 Essex County Council has undertaken a Land Compliance exercise to investigate the suitability of the land that the applicant has indicated for education use as part of their application. The study has concluded that, with some modification to the indicative plans provided, the site can be rendered suitable. A number of works will, however, need to be completed (to ECC's specification and satisfaction) by the owners at their expense to bring the site into line with the criteria set out in Essex County Council's Education Contributions Supplement (published July 2010).
- 4.92 A number of obligations will need to be included in the section 106 agreement with regard to the education site, which will have to be agreed with ECC.
- 4.93 The actual establishment of any new school is subject to the outcome of statutory consultation. The section 106 agreement should thereby grant ECC an option to take transfer of the land, at nominal cost (usually £1). The option period should open on the occupation of 50 homes on the development and close ten years thereafter or, if later, on completion of the development.
- 4.94 In addition to land, developer contributions to design and build the new primary school and EYandC facilities are required. The level of contribution should be based on the cost of a notional 210 place primary school with 56 place EYandC provision costing circa £4.6m.
- 4.95 Since the maximum number of pupils forecast from 500 homes is lower than these indicative capacities a pro rata contribution should be paid by the developer. The appropriate pupil product formulae are set out in ECC's Developers' Guide to Infrastructure Contributions (2010). The estimated total

education contribution, based on 500 qualifying houses with two or more bedrooms and the employment land uses outlined in the application, would amount to just over £5.1m (index linked from April 2014 using the PUBSEC index).

- 4.96 I have one further developer contribution request to draw to your attention, from ECC's Youth Service. Rayleigh has limited social opportunities for older children and two pieces of infrastructure are suggested to serve this development. Firstly a 'youth shelter' should be provided in a location in the public eye, but away from conflicting/noise sensitive occupants. Secondly skate board facilities would be a welcome amenity for children that have outgrown traditional play area facilities.
- 4.97 Given that a complex legal agreement will be required, involving several obligations in relation to the land to be transferred, ECC expects to be fully involved in the negotiation of its terms and will provide a template agreement to speed up the process. Precise triggers can be discussed to ensure development viability is not called into question but, in the absence of a guarantor/bond, pro rata contributions should be made prior to the dwellings to which amounts pertain being occupied.
- 4.98 The contribution requested takes into account potential 6th form pupils and could be used on 6th form provision if additional 6th form places were required; the Education Purpose would be places for children 11 to 19 years of age.

Health and Safety Executive

- 4.99 As the proposed development does not lie within the consultation distance of a major hazard site or major accident hazard pipeline, there is no need to consult HSE on this application, and HSE therefore has no comments to make.

Waste and Recycling (RDC)

- 4.100 We would require the developer to pay for the provision of three bins at £168 per property.
- 4.101 We would like to request that when layout plans are available they are sent through to recycling for feedback to ensure they are compliant with appendix 1 of the local development framework development management submission document.

Essex Bridleways Association

- 4.102 Essex Bridleways Association submitted lengthy comments relating to the previously refused application and these comments still apply as the applicant has not considered these points raised in this re-submission.

4.103 Our main comment relates to the provision of a north-south bridleway link between London Road and Rawreth Lane, together with a link from this bridleway to the residential road network to the east of the site to enable equestrians and cyclists to access the bridleways at Sweyne Park.

4.104 Again, we reiterate our keenness to have discussions with the developer/planning officers prior to full application with regard to this proposal.

Essex and Suffolk Water

4.105 No response received relating to consultation on the current application.

4.106 No objection raised in relation to the earlier application.

Highways England

4.107 No objection.

Lead Local Flood Authority (ECC)

4.108 In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards, as set out in the following documents:-

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C697)
- BS8582 Code of practice for surface water management for development sites.

4.109 Having reviewed the Flood Risk Assessment and Drainage Strategy and the associated documents that accompanied the planning application, we object to the granting of planning permission. The drainage strategy submitted with this application does not comply with the above policy documents. In particular the FRA fails to:-

- Restrict to appropriate run off rates: the ECC SuDS Guide requires run off to be restricted to the 1 in 1 year rate for all events up to the 1 in 100 plus climate change. Evidence should be provided if this is not considered feasible and the proposed run off rate should be as close to the 1 in 1 year rate as possible to the extent that it does not make the site unfeasible. The FRA suggests that run off will be restricted to the 1 in 30 year rate for all events up to the 1 in 100 plus climate change. Run off rates would, as a minimum, be required to restrict to equivalent rates below the 1 in 30 and to the 1 in 30 for all events up to the 1 in 100 plus climate change, otherwise events below the 1 in 30 year will be unattenuated.

- Provide long term storage: if restricted to the 1 in 1 year run off rate, long term storage is not needed as run off is restricted to the lowest feasible run off rate. If run off is restricted to equivalent Green field rates up to the 1 in 30 year rate, long term storage is required to account for the additional volume of run off being generated from the developed site compared to the Green field site and this should be allowed to discharge at a greatly reduced rate to minimise the impact on the receiving environment (generally 2 l/s/ha).
- Demonstrate that there would be appropriate storage available: in order to show that the surface water drainage strategy is deliverable, the applicant should demonstrate that the required space can be set aside for the volume of storage identified in the FRA. A description should be provided as to how this can be achieved and volumes labelled on an appropriate plan.
- Account for urban creep: a 10 per cent allowance for urban creep should be applied to the impermeable areas used to calculate the required storage, in accordance with BS8582.
- Account for run off onto the site from surrounding areas: run off flowing onto the site is proposed to be routed away from buildings. This is likely to enter the on-site drainage system which would therefore be overwhelmed as it is only designed to cater for rainfall landing on the site. Therefore additional storage capacity should be demonstrated to be provided, based on estimated flows onto the site. Otherwise exceedance routes should be demonstrated showing that the additional volumes flowing onto the site would not enter any properties during a 1 in 100 year plus climate change event.

4.110 We also have the following advisory comments:-

- At the detailed design stage, further evidence of the feasibility of infiltration will be expected to be provided, for example extracts of geological mapping and site specific infiltration tests, in accordance with BRE 365.
- Whilst we have no further specific comments to make at this stage, attached is a standing advice note explaining the implications of the Flood Water Management Act (2010).

Second Consultation Response

4.111 Further to the Revised Drainage Strategy dated 5 September and received on 16 September, we are able to revise our consultation response in relation to the proposed surface water drainage strategy for the above mentioned planning application.

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- 4.112 As the Lead Local Flood Authority (LLFA) this Council provides informal advice on SuDS schemes for the larger sites (over 1ha). We are a statutory consultee on surface water from 15 April.
- 4.113 Having reviewed the Flood Risk Assessment and Drainage Strategy and the associated documents which accompanied the planning application, we support the granting of planning permission, subject to a condition, the detail of which is being discussed with the Local Planning Authority.
- 4.114 The Green field run off rate has been calculated using the industry standard Micro Drainage software, which picks up site characteristics based on the location of the site.
- 4.115 The storage calculations are also based on the contributing impermeable areas with an allowance for urban creep and the applicant has taken the highest value in the range to ensure the design is conservative.
- 4.116 The run off rate for the 1 in 1 and 1 in 10 year event have been appropriately calculated based on the proportionate impermeable area in each catchment.
- 4.117 PLEASE NOTE: Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.

Anglian Water

- 4.118 There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice, should permission be granted: “Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developer’s cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.”
- 4.119 The foul drainage from this development is in the catchment of Rayleigh West Water Recycling Centre that will have available capacity for these flows.
- 4.120 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.
- 4.121 The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option.

- 4.122 Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to water course and then connection to a sewer.
- 4.123 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable as the Flood Risk Assessment states that infiltration tests have not yet been carried out and a discharge consent to the water course is yet to be granted. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.
- 4.124 We request a condition requiring a drainage strategy covering the issue(s) to be agreed.
- 4.125 The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent. It is an offence under section 118 of the Water Industry Act 1991 to discharge trade effluent to sewer without consent. Anglian Water would ask that the following text be included within your Notice, should permission be granted: “An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local water course and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.”
- 4.126 Anglian Water would therefore recommend the following planning condition, if the Local Planning Authority is mindful to grant planning approval:-
- No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding.

Archaeology (ECC)

- 4.127 An assessment of the cultural heritage has been submitted as part of the EA with the planning application. This notes the previous archaeological

investigations that have been carried out on this site, consisting of geophysical survey, followed by targeted evaluation trenches of identified anomalies. A programme of full excavation has been suggested for the Roman farmstead, which was identified in the southern part of the site, which will allow preservation by Record. There is still the potential for other related archaeological features to survive in areas not so far covered by detailed geophysical survey or trial trenching, which is also noted in the EA, and any mitigation strategy submitted will require a programme of work to record these deposits.

4.128 The following recommendations are in line with the National Planning Policy Framework.

RECOMMENDATION: A Programme of Archaeological Investigation

1. No development or preliminary ground works can commence on those areas containing archaeological deposits until the satisfactory completion of field work, 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 field work, 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.

Further Recommendations

- A recognised professional team of archaeologists should undertake the archaeological work. The District Council should inform the applicant of the archaeological recommendation and its financial implications. An archaeological brief can be produced from this office detailing the requirements of the work.

Further Consultation Response Received (in respect of earlier application)

- As Countryside has already undertaken a second phase of targeted trial trenching evaluation, as well as limited open area excavation within that phase, the first element of the phased condition recommended to Rochford District Council will be confirmed as undertaken.

Arboriculture (RDC)

4.129 See response on earlier application which read as follows:-

- It appears that tree preservation orders 01/82, 20/95, 26/09 are either off the site or are to be incorporated in the green space design. The

remaining trees that are not subject of TPO, but included within the arboricultural constraints and impact assessment, are to be incorporated into the green space design also. I therefore have no objection to the outline proposal.

- Further detail will be required as part of the full application with regard to trees.
- I would recommend the following by way of condition.
- No (works or) development shall take place until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Planning Authority. The scheme shall include:-
 - a. A plan that shows the position, crown spread and root protection area in accordance with paragraph 5.2.2 of BS5837 of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on the plan.
 - b. Details of each retained tree in a separate schedule in accordance with paragraph 4.2.6 of BS5837.
 - c. A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work. All tree works shall be carried out in accordance with BS3998, 1989, 'Recommendations for Tree Work'.
 - d. Details and positions of the Ground Protection Zones in accordance with section 9.3 of BS5837.
 - e. Details and positions of Tree Protection Barriers identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping) in accordance with section 9.2 of BS5837. The Tree Protection Barriers shall be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are re-positioned for that phase.
 - f. Details and positions of the Construction Exclusion Zones in accordance with section 9 of BS5837.
 - g. Details and positions of the underground service runs in accordance with section 1 1.7 of BS5837.
 - h. Details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area of any retained

tree, including those on neighbouring or nearby ground in accordance with paragraph. 5.2.2 of BS5837.

- i. Details of any special engineering required to accommodate the protection of retained trees (e.g. in connection with foundations, bridging, water features, surfacing) in accordance with section 10 of BS5837.
- j. Details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the root protection areas of retained trees.
- k. Details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No Dig" construction. Details of the working methods to be employed for the access and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc.) on site.
- l. Details of the working methods to be employed for site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity
- m. Details of the method to be employed for the stationing, use and removal of site cabins within any root protection areas in accordance with paragraph 9.2.3 of BS5837.
- n. Details of tree protection measures for the hard landscaping phase in accordance with sections 13 and 14 of BS5837.
- o. The timing of the various phases of the works or development in the context of the tree protection measures.

Reason: To ensure that retained trees are protected from damage in the interests of visual amenity and to comply with policies

Strategic Housing (RDC)

4.130 No response has been received in relation to current application. Response received in relation to previous application as follows:-

- The affordable dwellings should be tenure blind and integrate well into the layout of the scheme. The provision of 35% affordable housing would meet a substantial part of the affordable housing need in the District.
- We would ideally aim for 80% of the affordable homes to be rented (i.e. social rent and/or affordable rent) and 20% intermediate housing (e.g. shared ownership). Based on a proposal for 500 homes, 175 (35%) should

be affordable. Our review of housing needs in Rayleigh/Rawreth identifies the following need for affordable housing:-

Social/Affordable rented homes (140 units):

1-bed – 55% (77 units), 2-bed – 40% (56 units), 3-bed – 4% (6 units),

4-bed – 1% (1 unit)

Intermediate homes (35 units):

1-bed – 31% (11 units), 2-bed – 32% (11 units), 3-bed – 34% (12

units), 4-bed – 3% (1 unit)

- We would recommend a further review of property types prior to commencement on site, if permission is approved, as the above figures can change significantly over time. Any affordable housing provision should be included in a S106 agreement (which should include delivery triggers, nomination rights and other relevant matters). The Nomination Agreement should ideally be prepared at the application stage in conjunction with the developer's preferred RP (Housing Association). The agreement should stipulate that the Council receives 100% of all initial nominations and at least 75% of nominations thereafter.

Natural England (summarised)

- 4.131 No objection. Based on the information provided, it is not likely to have significant effects on the Crouch and Roach Estuaries Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), and Ramsar (internationally important wetland) site.
- 4.132 In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.
- 4.133 The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority, i.e., the consultation does not include a Habitats Regulations Assessment.
- 4.134 In advising your authority on the requirements relating to Habitats Regulations Assessment (HRA), and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice:-
- the proposal is not necessary for the management of the European site;

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- the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment.
 - When recording your HRA we recommend you refer to the following information to justify your Council's conclusions regarding the likelihood of significant effects:-
 - The proposal site lies 2.2km to the south of the Crouch and Roach Estuaries SPA. Based on the rationale presented in the Environmental Statement (9.36-9.38, 9.95-9.99) and the assured provision of the significant quantum of green space (22.38ha being 48% of the red line site), it can be reasonably concluded that additional recreational pressures attributable to the proposed development are unlikely to have a significant effect. Furthermore, as part of the HRA assessment of the Rochford District Council Core Strategy, planning policies CLT5, 7 and 9 are designed to provide new open space and alternative recreational opportunities as mitigation for recreational pressure.
 - This application is in close proximity to the Crouch and Roach Estuaries Site of Special Scientific Interest (SSSI), Thundersley Great Common SSSI and Hockley Woods SSSI. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which these sites have been notified. We therefore advise your authority that these SSSIs do not represent a constraint in determining this application.
 - We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:-
 - local sites (biodiversity and geodiversity)
 - local landscape character
 - local or national biodiversity priority habitats and species.
- 4.135 Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geo conservation group or other recording society and a local landscape characterisation document) in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

- 4.136 We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.
- 4.137 This application provides opportunities to incorporate features into the design that are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes (such measures are recognised and promoted in the Environmental Statement). The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF.

Essex Police

- 4.138 No response received in relation to current application.

Environmental Health

- 4.139 The Environmental Health Team reports that if Members are minded to approve the application, the following conditions should be attached to any consent granted.
- 4.140 No adverse comments to this section except to note that the BS4142 assessment of noise from RIE appears to overlook the appropriate correction expected for character of noise(s).
- 4.141 The reserved matters application will have to consider and provide commentary on all mitigation matters raised, in particular: premises layout and orientation; glazing specifications; acoustic bund/structure; and detailed proposals for non residential elements of the development.
- 4.142 The report fails to comment on the impacts the development scenarios will have at the junction of Rawreth Lane and Hullbridge Road, where the traffic assessment indicates that there will be additional queuing of vehicles. The report refers to the Council's 2013 Progress Report, not the 2014 version. The applicant is advised that there is an ongoing process to declare an Air Quality Management Area in Rayleigh town centre. The reserved matters application will have to provide further detail about the air quality impacts in and around the proposed AQMA and the Rawreth Lane/Hullbridge Road junction. Hambro Parade junction.
- 4.143 Additional comments; Due to the applicant's contribution to the junction improvement, I am happy to leave the air quality issue as it is.

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- 4.144 Rayleigh AQMA – I request that the applicant provides an updated AQ assessment with the Reserved Matters application, which quantifies the effect of the development upon the AQMA.
- 4.145 Suggested condition - By way of future proofing properties, this is an ideal development to require all dwellings to have an electric (car) charging point in each garage. Whilst I appreciate that there is no specific policy to require this, it is a low cost measure for developers.
- 4.146 The report's conclusions are accepted as to the nature of the soil on the site.
- 4.147 The provision of compliance certificates for any material brought onto site should be made to the Local Planning Officer prior to material being used on site.
- 4.148 Any previously contaminated or asbestos containing material discovered should be notified to the Local Planning Authority immediately. A remediation scheme should be drawn up to address the contamination discovered.

Sport England (summary of response)

- 4.149 The site is not considered to form part of, or constitute a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184), therefore Sport England has considered this a non statutory consultation. However, the consultation does fall within the definition of major housing development upon which Sport England should be consulted, as set out in the Government's planning practice guidance.
- 4.150 Summary: An objection is made to the suitability of the outdoor sports facility provision proposed for meeting current and future playing pitch needs, together with the lack of detail about how issues such as site management, ancillary facilities, access and maintenance will be considered. Objection is also made to the lack of proposals for indoor sports provision. It is requested that consideration is given to these matters before any outline planning permission is granted and that if planning permission is forthcoming, a section 106 agreement and/or planning conditions are used to address these matters.
- 4.151 Sport England has assessed the application against its adopted planning policy objectives. The focus of these objectives is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to meet the needs of local communities. The occupiers of any new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should be required to contribute towards meeting the demand they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust

evidence base such as an up to date Sports Facility Strategy, Playing Pitch Strategy or other relevant needs assessment.

- 4.152 This requirement is supported by the Government's National Planning Policy Framework, which states:-

“Within the overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan making and decision taking. (Principle 12 is) that planning should:-

Take account of and support local strategies to improve health, social, and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.” [Paragraph 17]

“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:-

Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses, and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.” [Paragraph 70]

- 4.153 The planning application is a re-submitted outline planning application for a residential urban extension to the west of Rayleigh and covers the majority of the SER1 allocation in the Council's adopted Allocations Plan. It is proposed that the development would accommodate up to 500 dwellings which would generate an estimated population of up to 1,250 people according to the submitted Environmental Statement.

- 4.154 The original application (14/00627/OUT) was refused permission earlier in 2015 and one of the reasons for refusal was that inadequate outdoor sports provision was made, which would not accord with NPPF requirements. The current planning application is substantially the same as the original application although the applicant has sought to address this reason for refusal by preparing an open space and playing field assessment. This assessment has been used to help inform our response to the current application.

- 4.155 The submitted master plan indicates that an area of outdoor sports provision is proposed to the south of the development adjoining the site of Rayleigh Sports and Social Club. An illustrative master plan has been provided, which identifies that this area could be laid out as two mini soccer pitches. In this context, I would wish to make the following comments on particular sport related aspects of the planning application.

- 4.156 The development proposes 1.61 hectares for outdoor sport which is indicatively shown on the master plan for accommodating two mini soccer pitches. In terms of assessing the adequacy of outdoor sports provision proposed in major new residential development, in accordance with Government policy (paragraph 73 of the NPPF) it is expected that new provision to meet the needs generated by such development should be based on robust and up-to-date assessment of needs. Such assessments would usually incorporate quantitative standards of provision or alternative approaches to calculating provision which would inform the scale of provision required to be made by new development.
- 4.157 Sport England is not of the view that there is an up-to-date and robust local basis for informing and assessing the quantity of outdoor sports provision proposed within the development as none of the policy and evidence base documents are considered to be suitable. I would comment on them as follows:-
- 4.158 Rochford Open Space Study (2009) – the assessment of needs from which a standard of 1.8 ha of playing field per 1000 population was recommended was based on assessing the existing supply (in hectares) of playing fields against the existing population at the time to derive a hectare per 1000 population figure (1.6 ha per 1000) and then increasing it to account for an unquantified need for additional pitches (to reach the recommended 1.8 ha per 1000 population). This is a very crude methodology which does not account for the range of playing pitch supply and demand issues that need to be taken into account to robustly assess pitches such as what the pitches are used for, when they are used, how frequent the pitches are used, pitch quality (especially carrying capacity), pitch availability to the community at peak times, the demand from different types of users, latent demand, displaced demand, etc. The standard in this study was not adopted or incorporated into the Council's core strategy or development management DPDs. The applicant has sought to update the assessment in the 2009 study by accounting for more recent supply changes to demonstrate that pitch availability has increased and therefore a surplus of provision in the area may exist. However, the methodology is the same so it will therefore have the same deficiencies as the original study. Therefore Sport England could not give any weight to its findings.
- 4.159 The Rochford Playing Pitch Strategy (2012) SPD which has been adopted and forms part of the local development framework did not include standards or alternative proposals for how new residential development should make provision. While the strategy was partially based on Sport England's recommended methodology at the time, a number of concerns were raised about the methodology, which were not addressed before the strategy was completed. Furthermore, while published in 2012, the supply and demand data that the strategy was based on was collected in 2009/10 so is now more than 5 years old and no longer considered to be up-to-date. Sport England recommends that playing pitch assessments are reviewed every 3 years (or 5

years if the data has been monitored annually). Recent consultations with sports governing bodies (such as the Essex County FA and ECB) and Rayleigh Sports and Social Club has identified that the findings of the strategy do not reflect current playing pitch needs in the Rayleigh area, which validates our concerns about the methodology and the age of the strategy.

- 4.160 RDC's Core Strategy does not include standards for outdoor sport and the Site Allocations DPD (policy SER1) does not provide guidance on the quantity and nature of outdoor sports provision to be made in the London Road North development. It should be noted that Sport England made representations on policy SER1 when the plan was being prepared, which requested that the policy make specific provision for outdoor sport to be made within the development to provide clarity on this matter and to help avoid uncertainty about what should be provided when a planning application was submitted.
- 4.161 Consequently, Sport England is not of the view there is a robust basis for informing how much outdoor sports provision should be made within the development in quantitative terms. The only published standard is the 1.8 hectare per 1000 population one from the 2009 open space study. While Sport England does not consider that the basis for the standard is robust, if applied to the development a need for 2.25 ha of outdoor sports provision would be required. If 1.61 ha is proposed within the development, this would suggest a potential shortfall if the Council used this standard. However, as Sport England is not satisfied with the evidence base that the standard is based on it is not possible to confirm that the development would actually be deficient in provision although it is acknowledged that the Council may seek to apply it in the absence of an alternative.
- 4.162 Sport England's advice for deriving a robust local standard or an alternative approach to informing the quantity of outdoor sports provision in a residential development would be to prepare a new assessment of needs based on Sport England's current Playing Pitch Strategy guidance. It is not considered to be possible to rectify the issues with the existing documents for the reasons set out above.
- 4.163 It is acknowledged that it is unlikely that the above advice would be pursued by the Council or the applicant just for the purposes of informing the quantity of outdoor sports provision to be made by an individual development. Therefore, the pragmatic alternative that is recommended on this occasion is to assess the level of provision proposed in relation to whether a suitably sized playing field would be provided, which is responsive to meeting current local playing pitch needs (based on consultation with stakeholders) and which is sufficiently flexible to meet needs as they change in the future.
- 4.164 Notwithstanding the concerns raised above about the robustness of RDC's Playing Pitch Strategy, it concluded that additional junior and mini football pitches were required in the Rayleigh area to meet current needs, as well as cricket and rugby pitches. The strategy also concluded that new football pitches should mainly be mini or junior pitches and that the focus should be

on providing them on the western side of the district (i.e. Rayleigh). In principle, the proposal to provide a new playing field as part of the development that could indicatively accommodate two mini soccer pitches would appear to be a positive response to the strategy recommendations. However, the following issues should be considered and addressed before the area proposed for outdoor sport is fixed through any outline planning permission and before any confirmed master plan is prepared as part of a reserved matters submission:

- 4.165 Local football needs: While the proposals for providing a playing field suitable for mini soccer pitches respond to the general findings of RDC's playing pitch strategy, consideration needs to be given to whether the pitches will be suitable for meeting the needs of the expected users of the pitches in the local context. As the new playing field is proposed to adjoin the Rayleigh Sports and Social Club site so that they would have the potential to connect to the club's existing playing field it would be expected that the football clubs (principally Rayleigh Town FC and Rayleigh Boys FC) that operate from the site would be the most likely users of the new pitches. I have consulted the FA and Essex County FA who have advised that there is a shortage of football pitches in the area and that the pitches that are available do not have long term security of tenure. Rayleigh Sports and Social Club has specifically advised that Rayleigh Boys FC now need a senior pitch to meet the pitch needs of older age groups within the club while Rayleigh Town FC is looking to create 2 Saturday teams for U-21 and veteran sections. This would not have been accounted for in the RDC strategy. In this regard Rayleigh Sports and Social Club has therefore advised that the new playing field should be designed to accommodate a senior football pitch because this would provide the flexibility to be responsive to current and future needs.
- 4.166 Flexibility to meet current and future needs: While providing a playing field suitable for mini soccer pitches may be responsive to some of the current pitch needs, sites designed specifically for such pitches can in practice be insufficiently flexible to meet needs for other football pitch types when demands change over time. This is because mini soccer pitches are the smallest football pitch size and the land use parameter plan and indicative master plan show a linear shaped playing field, which may not be large enough (in terms of width) to accommodate alternative football pitch types. While this area may be suitable for mini soccer pitches, it may not be for senior or junior football pitches. In practice most new playing fields for football that are constructed are flexibly designed so that they are suitable for meeting senior, junior and mini football pitches, rather than just mini football for these reasons. The FA and ECFA have raised concerns about the lack of flexibility that this would create.
- 4.167 Local cricket needs: RDC's playing pitch strategy identified that there were also cricket pitch needs in the area. Rayleigh Fairview Cricket Club, which is based on the adjoining Rayleigh Sports and Social Club site, has advised that an additional cricket pitch is required for meeting the cricket club's needs. At

present, the cricket club has to hire pitches outside of the district for meeting its 3rd and 4th team home fixtures due to lack of capacity on the site during peak periods. While there is latent demand for more junior cricket teams, the lack of available pitches on site is preventing the club from setting up more teams and off site pitches are too expensive to hire for this age group. The increase in membership of the cricket club associated with the proposed development would exacerbate this situation. It would therefore be expected that consideration be given to providing an additional senior cricket pitch as part of the new playing field. This would allow the cricket club to expand its junior teams, as well as meet its adult pitch needs on its home ground. I have consulted the England and Wales Cricket Board (ECB) and the Essex County Cricket Board who have also advocated that an additional senior cricket pitch is provided to meet the needs of Rayleigh Fairview Cricket Club.

- 4.168 Integration with Rayleigh Sports and Social Club: The proposed location of the playing field adjoining the Rayleigh Sports and Social Club site is welcomed as this offers potential for the new playing field to be designed as an extension of the club's existing facilities, rather than as a stand alone facility. Sport England, the sports governing bodies and the club would prefer the site to be integrated into the Rayleigh Sports and Social Club site, rather than planned and managed as a stand alone site. Without the site being fully integrated there is a high risk that the new playing field would not be sustainable to manage in practice and would become unsuitable for playing pitch use. The FA/ECFA have advised that unless there was some certainty that the proposed playing field would be integrated into the club site, they would prefer new football provision to be made in the form of a small artificial grass pitch being provided on the club's site, rather than within the development, in order to provide some certainty that sustainable facilities which respond to local needs would be provided.
- 4.169 To address these concerns, consideration of the issues outlined above, together with consultations with sports stakeholders, should be undertaken before outline planning permission is granted to inform whether the size and layout of the proposed playing field is suitable and flexible for meeting local needs and how needs for sports other than football can be met. Based on the information available, Sport England would advocate that the area proposed for the new playing field in the master plan is designed so that it is large enough in terms of area and shape for accommodating a senior cricket pitch with the out field area suitable for accommodating a senior football pitch (the out field could also be used for mini and junior football pitches). Advice on football and cricket pitch dimensions can be provided upon request. This would help meet the needs of the clubs that are based at Rayleigh Sports and Social Club and future proof the site, as set out above. It is considered that a site of 1.61 hectares could potentially be large enough to accommodate a cricket pitch and a range of football pitches (in the cricket out field area), if designed appropriately. It may not therefore be necessary to increase the overall space proposed for playing fields, but instead amend its configuration so that it can accommodate a range of pitches. It is essential that this is

considered at the outline planning stage, as once the formal open space element of the land use budget and land use parameter plans is fixed through an outline planning permission it is likely to be difficult to retrospectively make significant amendments at reserved matters stage.

- 4.170 As it has not been demonstrated that the playing field proposed for meeting the additional needs generated by the development would be suitable for meeting local needs and due to the concerns about the flexibility of the proposed playing field, Sport England would therefore object to the application. However, I would be prepared to review this position if the issues outlined above could be satisfactorily addressed.
- 4.171 It will be essential that the level of outdoor sports provision that is proposed is secured through a planning obligation and an indicative range of pitches that it could accommodate is agreed so that a clear framework is provided for reserved matters applications to avoid disputes at a later date about the scale and nature of outdoor sports provision. It is advocated that a land use budget is prepared and secured as part of any planning permission, which confirms that the proposed level of provision will be provided specifically for outdoor sports use in order to provide clarity and to secure this provision in practice. It would not be acceptable if provision proposed for sport was also intended for meeting other conflicting open space needs such as children's play, green corridors, allotments, etc, as these are usually incompatible with the use of open space for formal sport.
- 4.172 As the submitted master plan does not form part of the planning application and there is limited information provided in the planning application about the proposed playing field other than its size and location it is not possible to provide informed comments on detailed matters such as the design/layout, pitch quality, ancillary facilities, site management, etc. at this stage. However, it will be important for any outline planning permission to make provision for these issues to be considered and addressed at the reserved matters stage in order to ensure that the new playing field is fit for purpose in practice. Several issues will need to be considered in the detailed planning and design of the site to ensure that the two sites can operate effectively in practice:-
- 4.173 Master Planning: At present, while Rayleigh Sports and Social Club is a Council owned site it is leased to the club and managed by the club for formal sports use only (like a private sports ground). It is not a public open space. If the new playing field is intended to be a public open space with unrestricted public access this will present a challenge in terms of connecting and integrating the two sites from both a management and a practical perspective. Consideration will therefore need to be given to the options for master planning this space at an early stage in order to ensure that practical and sustainable arrangements are put in place to manage the site. As well as options for managing the new playing field as public open space, the option of incorporating the new playing field into the club's existing site (with secure boundaries) should also be considered although there would be a need to

review the community access arrangements for the use of club's facilities. Rayleigh Sports and Social Club have advised that they would like the new playing field to be incorporated within the club's existing site and for the club to manage the playing field for the community although they would not want unrestricted public access.

- 4.174 Access from Rayleigh Sports and Social Club: Consideration would need to be given to how the new playing field would be conveniently and safely accessed by pedestrians from the club's site. At present, the sites are separated by a mature hedgerow and if the new playing field is to be used as public open space there is likely to be a need for a gated access arrangement to be introduced between the two sites;
- 4.175 Ancillary Facilities: If the two sites are to be connected it would be appropriate for the Rayleigh Sports and Social Club's ancillary facilities, such as changing and parking, to be used to support the new playing field. As well as the need to create a pedestrian access through the club site to facilitate this, there will be a need to secure enhancements to the club's pavilion facilities because some of the existing facilities are dated and in need of investment to sustain their use. If they were required to support additional use associated with new pitches this would place further pressure on these facilities. It should be noted that if a standalone playing field was provided as part of the development, it would be an essential requirement to provide the appropriate ancillary facilities. It is therefore considered justified and reasonable (in the context of meeting the requirements of the CIL regulations) to enhance the club's existing facilities in lieu of providing new facilities.
- 4.176 Playing Field Management and Maintenance: Consideration will need to be given to the management of the new playing field at an early stage as there are a number of options that will need to be considered if the new playing field is to be integrated with the Rayleigh Sports and Social Club site or if it is managed as a standalone public playing field site. Consultation is recommended with Rochford District Council, Rayleigh Town Council, Rayleigh Sports and Social Club etc. to help inform the management arrangements. In this regard, Rayleigh Sports and Social Club have advised that they would be willing to consider managing the new playing fields for the community. However, this would be subject to a number of issues being satisfactorily addressed such as the length of the club's lease, improvements to clubhouse facilities, maintenance contributions etc. In addition, Sport England would expect provision to be made for securing maintenance contributions to cover the costs of maintaining the new playing field for a long term period regardless of who manages the facilities.
- 4.177 As well as the above issues, reserved matters would need to make provision for the submission and approval of the layout of the new playing field, an agronomist's (sports turf consultant) feasibility study and playing field specification to inform the design and construction of the playing field (to ensure that an acceptable quality playing field is provided in practice).

4.178 It is therefore requested that a section 106 agreement or planning conditions make provision for securing the following:-

- **Master Plans:** Any planning permission will need to make provision for an overall site master plan and (if applicable) sub-area master plans to be submitted and approved before any reserved matters applications are submitted in order to allow an informed assessment to be made of the acceptability of the proposed location, siting and layout of the outdoor sports facilities as it is not possible to provide informed comments at this stage based on the Land Use Parameter plan. The master plans would be expected to clearly identify the areas within the development that are proposed for outdoor sport and a proposed playing pitch layout should be provided as part of the master plan(s) in order to demonstrate the range of playing pitches that could be accommodated in practice and the relationship with the adjoining Rayleigh Sports and Social Club facilities.
- **Ancillary Facilities:** Details of the ancillary facilities (changing, parking, vehicular access) that would support the use of the playing field for formal sport. On the presumption that the development would be planned so that formal sports users would use the ancillary facilities available at the Rayleigh Sports and Social Club site, details should be provided of how the existing facilities would be enhanced to support the use of additional pitches in the development. A feasibility study of the club's existing facilities would need to be prepared to inform this. In the event that the club's facilities are not proposed to be used, details of new facilities that would be provided within the development will need to be submitted and approved.
- **Rayleigh Sports and Social Club Access:** Details of the proposals for providing pedestrian access between the new playing field on the application site and the adjoining playing fields on the Rayleigh Sports and Social Club site. As set out above, this information is required to ensure that appropriate access arrangements are proposed to connect the two sites which account for providing safe access for pedestrians without compromising the security of the club site.
- **Playing Field Quality:** The submission and approval of a ground conditions assessment to assess the ground conditions of the site in order to identify the issues and constraints that would need to be addressed. A related sports pitch specification will need to be prepared based on the assessment which will set out how the site will be prepared and designed for playing pitch use. Sport England's guidance note "Natural Turf for Sport" (2011) provides detailed advice on what should be included in a site feasibility study, and how new playing pitch sites can be planned, designed, managed and maintained to maximise their quality. This document can be downloaded from Sport England's website at www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/natural-turf-for-sport/ . I would expect the design of the playing

pitches, in terms of dimensions, orientation, drainage measures etc. to accord with “Natural Turf for Sport” in order to ensure that high quality outdoor sports facilities are provided.

- Sport England has developed a schedule of model planning conditions for local authorities to use which are on our website at www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/. It is requested that model conditions 10a and 11 be imposed to address the above matters.
- Playing Field Management and Maintenance: It will be necessary to secure the proposed playing field together with arrangements for its future maintenance and long-term management/tenure through a planning obligation with provision for a detailed scheme to be submitted at a later date.
- Phasing: The design and access statement provides some limited detail about phasing but at this stage there is insufficient information to allow informed comment. It will be essential that phasing strategies are required to accompany a master plan in order to provide clarity about the delivery of the community infrastructure to support the residential development which includes the new playing field. Sport England would expect the new playing field to be phased appropriately to allow it to be available before the majority of new residents move into the proposed development in order to avoid pressures being placed on existing nearby facilities which are already at capacity. I would request that the detailed phasing proposals are secured through a planning obligation or condition.

4.179 While reference has been made to some of the above issues being covered in the proposed section 106 agreement, as this is not available informed comments cannot be made. Unless the above matters were satisfactorily addressed through a section 106 agreement or planning conditions, Sport England would object to the planning application on the basis that these matters need to be submitted and approved at the reserved matters stage to ensure that fit for purpose outdoor sports facilities are provided in practice, which is necessary to ensure that the additional needs generated by the residential development are met. However, I would be prepared to review our position if it was confirmed that these matters will be addressed through a section 106 agreement and/or planning conditions, as advised.

Indoor Sports Facility Provision

4.180 A residential development of up to 500 dwellings will create significant additional demand for community indoor sports facilities such as sports halls, swimming pools, health and fitness centres etc. No on-site provision is proposed and no reference is made in the planning application to such provision. The development would therefore place pressure on existing facilities unless provision for the additional demands that it generates can be met. The policy context for the development to make provision for the indoor

community sports facilities that it generates is set out in Policy CLT1 (Planning Obligations and Standard Charges) of the RDC Core Strategy, which refers to the Council applying standard charges to development to secure financial contributions and as set out in Appendix CLT1, standard charges from residential developments are to be used to help secure expansions to leisure centres. Furthermore, policy CLT9 confirms that the Council will seek to enhance recreational opportunities at the Rayleigh Leisure Centre which is the closest leisure centre to the application site.

- 4.181 Sport England's Sports Facility Calculator is an established strategic planning tool which provides an estimate of the demand for community sports facilities for any given population, based on the local population profile. Demand is expressed in terms of swimming pools, sports halls etc. and in terms of the cost of providing the facility (allowing for regional variations in building costs). This tool can estimate how much additional demand for sports facilities a new housing development will generate and quantify the contribution (at current prices) that should be sought from developers. As an estimate, based on an increase in the residential population of 1,250 people, the residential population of the proposed development is estimated to generate a need equivalent to 6% of a 25m swimming pool, 8% of a four court sports hall and 2% of an indoor bowls centre. The current cost of providing these facilities at April 2014 would in total be £448,776. If the local planning authority or applicant wished to perform their own calculation or find out more about the Sports Facility Calculator, it can be downloaded from our website at <http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/sports-facility-calculator/>.
- 4.182 As indoor sports facilities are strategic facilities, it is not considered appropriate to provide indoor sports facilities on site as part of the development as the development would not be large enough to justify provision in this form. Instead, Sport England would expect a financial contribution to be secured, which would be used towards providing new, or improving an identified existing facility within the local area. Such projects should be informed by discussions with Rochford District Council.
- 4.183 As no proposals have been made at this stage for meeting the development's indoor sports facility needs, objection is therefore made to the planning application in its current form. However, I would be willing to withdraw this objection if it is confirmed that an appropriate financial contribution towards the provision or enhancement of off-site indoor sports facilities will be made in practice.

Primary School

- 4.184 The potential primary school would be expected to provide some sport and recreation facilities for meeting educational needs that could also be used by the community outside of school hours, such as the playing field and the school hall. While these facilities are principally for school use and would be designed for primary school aged children and should not be considered as a

substitute for dedicated community facilities, they would offer potential to complement the sports facilities proposed elsewhere within the development.

- 4.185 While there is limited detail of what would be provided on any school site, to ensure that the school's facilities are secured for community use in practice, I would request that any planning permission makes provision for securing the community use of the sports facilities provided on the school site. A formal community use agreement would be the appropriate mechanism for securing community use. Without a formal community use agreement being secured there would be no certainty that the facilities would be accessible to the community in practice after they have been built. Model condition 17 from our model planning conditions schedule is used as a basis for securing this through planning permissions. Further advice on this matter, including model community use agreements, can be provided upon request. Any planning permission should also make provision for full details of the design and layout of the school sports facilities to be submitted as part of reserved matters applications.

Historic Buildings Adviser (ECC)

- 4.186 A desk based assessment outlined three Listed Buildings (Barn approximately 40m east of Rawreth Hall, Witherdens Farm and Pearson's Farmhouse - all listed grade II), which could potentially be affected by the development.
- 4.187 Following a site visit, it was possible to discern that the intervening topology and housing development form a visual and associative barrier between Pearson's Farmhouse and the application site. Similarly, the intervening topology and the A1245 form a visual and associative barrier between the application site and Witherden's Farm. As such, it can be considered that the proposed development does not fall within the setting of the Listed Buildings, and as such they can be discounted from further analysis.
- 4.188 The development will, however, alter the setting of the listed barn, Rawreth Hall, a grade II Listed Building. The primary setting of the Listed Building is defined by the associated agricultural and residential buildings and surrounding vegetation. However, the visual setting of the building, and how the building is experienced, is also defined by the open landscape in which it is situated, and the proposed development will substantially encroach on this, leading to its setting being substantially altered. This wider space does, however, only play a minor role in defining the setting of the listed barn, and as such I would quantify the level of harm as minor. The development will therefore cause less than substantial harm to the Listed Building.
- 4.189 The harm must therefore be weighed against the public benefits derived from the mixed use development of the site. If it is decided that the application does produce public benefit then I would suggest that the harm to the Listed Building could be substantially alleviated by the appropriate landscaping of the site. I would therefore want it conditioned that a full landscaping plan be submitted prior to the commencement of works, although the illustrative

master plan would appear to suggest that the developer has engaged with the Listed Building constraint already.

Rayleigh Sports and Social Club (lease holder of RDC asset)

- 4.190 I am a member of the management committee of Rayleigh Town Sports and Social Club (RTSSC), which has sanctioned this representation made on its behalf as part of the consultation process on the above outline planning application, which has been made by Countryside Properties following the rejection by the Council of their previous application. It relates to the Open Space and Playing Field Assessment (OSPFA) supplied by Countryside Properties. This representation constitutes an objection to the above application because the OSPFA acknowledges that page 73 of the National Planning Policy Framework states that assessments of sports facilities should identify specific needs, yet this OSPFA talks in general terms and fails to address the specific needs identified by RTSSC and Sport England in the consultation on Countryside's original outline planning application. RTSSC therefore repeats its objections to Countryside's proposal on the grounds that the provision of pitches outlined in the application is inadequate, and greater provision should be made as an extension of the current RTSSC site.
- 4.191 The club has been consulted by Sport England in relation to the provision of sports pitches as part of this residential development because RTSSC is the main supplier of organised sports facilities in the area and represents most of the clubs that use those facilities. The following sports clubs constitute sections within RTSSC, which is also a social club for local residents with a total membership of over 600 people:-
- Rayleigh Town Football Club which has two teams that play in the prestigious Essex Olympian League that requires a ground to be up to a certain standard with regard to changing and spectator facilities. The club has another team that plays in the Mid Essex League.
 - Wheatleys Football Club which has one team in the Southend Sunday League and two teams that play on Sundays in the Southend Borough Combination Veterans League.
 - Rayleigh Boys Football Club, which is the largest junior club in the south of England with 22 junior teams, including two girl's teams, and, also, under 16, 18 and 21 teams. The club has 4 mini soccer pitches on the RTSSC site used by a dozen teams aged 8 and under.
 - Weir Sports Football Club which has one team that plays on Saturdays in the Southend Borough Combination Football League.
 - Rayleigh Fairview Cricket Club which has three teams that play on Saturdays in the Mid Essex Cricket League and a 4th team that plays occasional Saturday friendly matches. The club also has a team that plays fixtures on a Sunday in The Warsop League. It also has a thriving junior

section, thanks to the coaching it does in the local schools. It has teams in the South East Essex Junior League in the Under 11, 13 and 15 age groups.

- 4.192 RTSSC shares Sport England's view that the provision of 1.61 hectares of land as two mini soccer pitches would not meet additional local demand for pitches for organised sport arising from the population growth brought about by the 772 houses that are planned to be built north of London Road and on Rawreth Industrial Estate.
- 4.193 The land allocated for sports pitches is shown in Countryside Properties' master plan as adjacent to the north of the current RTSSC site, but it is not connected to the site. The club assumes that the intention is that it will be open to public access as there has been no discussion with the club about the 1.61 hectares of playing pitch provision.
- 4.194 Countryside Properties' OSPFA contends that the Playing Pitch Strategy identifies no current shortfall of cricket pitches on the basis of the fact that Rayleigh cricket club has acquired two more pitches. However, the OSPFA does not take into account the fact that these pitches are operated and needed by Rayleigh Cricket Club purely for its own teams and Rayleigh Fairview Cricket Club does not have access to these pitches. At the moment there is only one cricket pitch on the RTSSC site which means that Rayleigh Fairview CC has to hire a pitch outside of the Rochford District to accommodate its 3rd team's league fixtures and 4th team friendlies. The fact that there is only one pitch prevents the club from expanding the number of junior teams it puts out as it would be too costly to hire an additional ground for fixtures in the junior age groups. The additional membership of the club that will emanate from the new housing will mean that the club will be able to increase its 4th team fixtures and put out additional junior teams and another Sunday team to give people the opportunity to play organised cricket. Consequently RTSSC shares Sport England's view that an additional cricket pitch should be provided at the north end of the RTSSC site in and around the area currently allocated to the mini soccer pitches in Countryside's master plan. This view is also supported by The England and Wales Cricket Board and the Essex County Cricket Board.
- 4.195 The Playing Pitch Strategy suggested additional mini soccer pitches but this is now out of date in relation to local requirements as Rayleigh Boys FC have recently introduced teams at older age groups that require full size soccer pitches. Like the cricket club they have to hire some of their pitches outside of Rayleigh to meet the pitch requirements for these teams. As young footballers develop they need senior teams to play for when they pass the mini soccer stage and an additional pitch adjacent to the current RTSSC site would, in the view of Rayleigh Boys FC, be ideal for meeting the additional demand in their club for senior pitches.

- 4.196 Rayleigh Town FC is also looking to utilise the additional demand for soccer facilities by the creation of Saturday teams for Under 21s and Veterans. It is likely that a number of players could come from the new housing development which is what happened when Little Wheatleys Estate was built over 30 years ago. Weir Sports FC has also expressed an interest in forming another team to meet the increased demand for football teams.
- 4.197 RTSSC therefore shares Sport England's view that a full size soccer pitch should be provided on the outfield of the additional cricket pitch as an extension of the clubs facilities. The pitches would need to be provided on a fit for use basis as the club could not afford to develop these pitches. It is hoped that the Developer and the Council would accept Sport England's proposal that the pitches be prepared and designed on the basis of an agronomist report and the guidance in Sport England's paper -Natural Turf for Sport- so that the pitches are of the good standard required for teams that play organised sport at a high level. The club would maintain the new pitches at its own expense with no cost to the council, as is the case with its current site.
- 4.198 RTSSC would also want the Council to arrange for the Developer to provide appropriate ancillary facilities to enable RTSSC to meet increased usage of its site. This would involve extending the car park and providing enlarged dressing room facilities: for example the current cricket pavilion houses only two changing rooms whereas the size of the pavilion would need to be increased to meet the extra changing requirements for four teams. Similar increase in dressing room facilities would be needed for football. Additional football and cricket practice facilities would also be needed and it is hoped that the developer or council would allocate funds to improve the clubhouse as its current exterior is in need of renovation.
- 4.199 As suggested by Sport England, RTSSC would be willing to meet with the developer and council to discuss the nature and dimensions of new enlarged and enhanced facilities, and supports Sport England's proposal that the precise details of the additional facilities should be included in a S106 statement as part of the approval of the planning application. RTSSC believes that providing facilities for local people on the RTSSC site rather than causing them to obtain sports pitches away from their home area would facilitate greater community cohesion which is one of the aims set out in the Sustainable Strategy proposals at page 11 and 12 of the Rochford Local Development Framework Core Strategy Document. If the council proceeds with the provision of the sports pitches on a stand alone basis in accordance with Countryside's current master plan the club would not be able to allow access to this area through its site as this would not be reconcilable with RTSSC's status as a private members club and would raise security issues.

Neighbours

- 4.200 368 letters of objection received.

4.201 Summary of the comments received:-

Highways/Transport

- Cycle routes need to be improved throughout Rayleigh to lesson road traffic, not just within the new proposed development.
- Given size of development proposed and the need for access to and from the proposed school access onto main roads should be via roundabouts. It is hard to exit into Rawreth Lane even on a Sunday afternoon so during rush hour periods this would become either near impossible or just very dangerous.
- Countryside's own traffic predictions are completely incorrect and therefore much of their supporting evidence is suspect.
- The Transport Assessment has failed to take account of the impact on Downhall Road and failed to take account of construction traffic associated with the development.
- Concern with the amount of extra traffic that would end up joining the A127 at the Fairglen interchange which is already a major bottleneck.
- Years of building chaos causing yet more congestion.
- Can these improvements below be included in the planning application, with a firm legally binding commitment from ECC that they will be funded to serve this application and the others in the Allocation Plan:-
 - By pass to the north of Rayleigh and Hullbridge incorporating Watery Lane, Lower Road to Ashingdon with road straightening and widening to facilitate traffic flow.
 - Improvements to the Junctions at both ends of Rawreth Lane, with consideration to feeder lanes and or the creation of two proper roundabouts.
 - Improvements to the Junction of Downhall Road/Hambro Hill maybe with the installation of traffic lights.
 - Improvements to the Junctions on the A129 (London Road/Crown Hill) at Downhall Road/London Hill again consider a roundabout.
 - a change to traffic priorities at the top of Crown Hill and High street on to Eastwood Road, with the replacement of the zebra crossing with a Pelican Crossing and lights that are synchronised

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- a change to traffic priorities at the top of London Hill and the High Street onto Hockley Road and Websters way with the replacement of the zebra crossing with a Pelican Crossing and lights that are synchronised
 - Allow access to Love lane to allow a traffic flow to Spring Gardens Ridgeway and onto the High Road
 - Creation of new road off the carpenter arms roundabout into the new countryside development, and this should be a prerequisite for this application. This would allow construction directly into the development and no affect London road or Rawreth Lane.
 - Not enough consideration given to road safety along the London road as there will be too many junctions between the New BP garage and Victoria Ave, right turns need to be prohibited, but better still traffic should come through the EON development and onto Carpenters Arms Roundabout not onto London Road.
 - The traffic assessments seem to ignore the number of schools and child movements along the London Road which will be subject to construction traffic for many years, how can the council subject these children to these dangers.
 - Our roads do not work and 2700 extra houses (1300) in Rayleigh and Hullbridge are not being considered in the overall Traffic Assessments.
 - My prime concern is that there are insufficient jobs in the area to support this development therefore most of the families will be commuting (by railway or car) to jobs. The railway into London from Rayleigh is already dangerously overcrowded and struggles to cope with current numbers. It cannot accommodate additional people from this development and up/down the line.
 - The proximity of the development to Rayleigh Railway Station whilst seemingly positive will we believe have a negative impact on the existing rail facility. No additional parking is being provided, no additional train services are being provided to cope with the increased demand.
 - The proposal will impact on the high street with so many people trying to park which is hard enough on busy days.
 - The traffic assessment fails to focus sufficiently on Rawreth Lane, a road which is already too small to deal with current traffic. The assessment assumes that free buses will minimise traffic to Asda. But who will carry multiple bags of shopping on a bus, especially if you have children to manage? The assessment assumes a bus culture will develop? Even if it ever did, it would only last while free. So the assessment is based on poor assumptions and fails to deal with the exit from Laburnum Way into Rawreth Lane (difficult to get two clear lanes of traffic to allow a right turn.

This junction needs to be modified as part of this development to ensure a car has room to safely get half way across and wait for the a subsequent traffic gap to complete the right turn safely.

- Increased congested traffic flows means that carbon emissions in the locality will increase impacting on the health and well being of local residents. In addition congested traffic will impact negatively on the road safety of all road users: drivers, motorcyclists, cyclists, pedestrians, horse riders.
- A further dimension is added in respect of the proposed development of a large number of houses at Hullbridge, if this development is allowed even more vehicles would be using the already over crowded London Road/ Rawreth Lane/Hullbridge Road area.
- The proposed access points on both London Road and Rawreth Lane are not workable - T-junctions on to already busy roads, even with dedicated filter lanes, will not work and will create even more problems. Surely the obvious answer would be to create access from the Carpenters Arms roundabout. At the very least, construction traffic must be routed via here to minimise disruption to residents and other road users.
- What immediately jumps out about this project is the supposed traffic surveys completed and the idea that this development would cause no issues on the roads. Rawreth lane is a single track road not built to withstand or handle the amount of traffic it gets. When Watery lane floods it is the only way out of Hullbridge in this direction. The mini roundabout is diabolical to negotiate currently and backs up traffic constantly. Add all these new houses and there will be an increase in traffic using these roads which does mean more traffic. Rawreth lane will be impossible to get through in under an hour if not more at peak times.
- Access into and out of the development has also not been thought out, with all of this traffic that will be caused. Access will only exacerbate the issues.
- Although it is stated in the application that there may be a new bus route or the existing one will be diverted, anyone who uses the existing bus routes know that these are extremely unreliable and also do not extend past the hour of 7.30pm, meaning excessive traffic not only during rush hour but in the evenings and on a Sunday.
- The proposed road that runs through the new development (from Rawreth Lane to London Road) will also become a rat run.
- Substantial improvement to the local road network is necessary. "Rush hours" on London Road and Rawreth Lane are usually packed with traffic a situation which will only get worse when this development is completed. If there is a problem on the A127, London Road is adversely affected and if there is a problem in Watery Lane, Rawreth Lane is adversely affected.

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- I understand that the developers have agreed to contribute to the improvement of the Rawreth Lane/Hullbridge Road junction (no mention made in this latest application). However the amount they propose contributing is a fraction of the cost involved. Also to effect the necessary improvements large pieces of land would need to be purchased and the County Council would need to be involved as they have responsibility for roads and in the current financial climate, would not have the finances available to purchase the necessary land. All this would take time by which time the development would be up and running with all the associated problems.
 - There are no firm plans to alleviate the traffic problems on both Rawreth Lane and London Road, and no guarantee that road improvements will take place before the houses are built.
 - In my opinion the Council Site Allocation Plan is flawed in that it requires access from both London Rd and Rawreth Lane which are the principle northern access roads to Rayleigh and already very congested at peak times. If a principle access to the proposed development was provided direct from the Carpenters Arms R/B then traffic not travelling to/from Rayleigh could bypass the existing main access roads. This would also greatly benefit construction traffic both for ease of access and safety. Current access proposals show a limited feeder lane into a T junction from both Rawreth Lane and London Rd which look inadequate for traffic volume feeding 500 houses at peak times and present an obvious hazard on overused road systems. If a principle access route was proposed from the Carpenters Arms R/B then the junctions from Rawreth Lane and London Rd would carry less residential traffic and could even be restricted to buses and taxis only to promote use of public transport.
 - Further traffic will lead to air pollution with schools nearby.
 - This part of South East Essex is virtually a peninsular bounded by the River Thames, the River Crouch and the Thames Estuary. Major housing development in Rayleigh and Hullbridge will cause major road problems for the entire area. I do not object to house building but only with roads that are capable of coping with the extra traffic.
 - The traffic survey excludes any proposed statistics taking in traffic from a possible school. Bearing in mind school run time on the roads, has a massive impact.
 - Such a large development will cause major disruption in London Road and Rawreth Lane together with further traffic build up in Downhall Road and Hambro Hill which will then impinge on other residential roads as local road users turn these into 'rat-runs' as experienced recently on Exmouth Drive/Teignmouth Drive when road accidents in Rawreth Lane and Hambro Hill occurred.

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- The developers statement that the development will have a minimal effect on the mini roundabout at the Rawreth Lane/Hullbridge road intersection is at best optimistic and at worst thoroughly misleading.
 - The totally inadequate lane and junction proposed changes will do little to alleviate the problems experienced at peak times on the local roads currently let alone when the residents of the new development add to the traffic numbers.
 - Until access/exit from/to the A127, A1245, and A129 is improved, the idea of 1000+ more cars on these roads is ludicrous.
 - The traffic impact assessment is unrepresentative of the reality for the following reasons :-
 - The Original RDC Officers report included input from ECC ,which only identifies 3 of the 5 interdependent roads that form the circuit around the proposed site both Downhall Road and Hullbridge Road are not mentioned and will influence queuing.
 - The loading from 5 to 10 years of regular / slow / heavy site construction traffic has not been assessed - and is clearly going to be significant in terms of right hand turns.
 - The same Core Plan identifies two other simultaneous sites (the adjacent Rawreth Ind Estate - 230 units and Malyons Lane Hullbridge - 500 units) , the primary access for all three sites is Rawreth Lane / Hambro Corner / Hullbridge Road . Even to a layman it is obvious that this cumulative loading (in addition to existing traffic levels) will be unsustainable.
 - The Countryside proposal makes it clear that any proposed highway / junction works will not be carried out until 2-5 years into the project - which will therefore be coincident with all 3 sites peaking in terms of site traffic. This represents the worst possible time to operate temporary lights/ single lane traffic flows to facilitate works In the roads / junctions. This represents , at best , a lack of vision and at worst it represents negligence -any and all road works clearly need to be in place prior to any development site works starting. This (access related) is the only matter that is not reserved in the application and therefore absolutely critical to be re-reviewed before any approvals.
 - I live opposite Asda and do not want any more noise and pollution with extra refrigeration lorries. We have to put up with the 7 days a week from 7 am to 11pm. Put yourself in our position. Asda was not on the drawing board when Priory Chase was built.
 - The proposed 'ghost junctions' will result in compromising road safety. Both roads have speed limits of 40 mph are straight and have a no. of minor

access points. The effect of the ghost junctions will require vehicles to cross the ghost junction in order to turn right into a fast moving continuous traffic flow. Rayleigh Lawn Tennis club was refused permission to relocate to London Road due to perceived dangerous traffic conditions. The planned estate road that is suggested for Rawreth Estate Road opposite the Makro complex will require residents and the children accommodated at any new school to exit on a fast moving heavy industrial access road.

- Essex County Council traffic assessments are inadequate, out of date and unreliable; the last full assessment was undertaken in 2005. The new suggested assessment now being quoted should be regarded with caution when it suggests only 4 vehicles on average are queuing in Rawreth Lane. A full independent traffic assessment to be undertaken over an extended period of time must be commissioned to ascertain the full impact this development will occasion when combined with other proposed developments within the immediate area.
- Inadequate off-street parking for the new builds leads to parking on double yellow lines. I have previously complained to the council regarding such issues on Priory chase.
- Effect of construction traffic for the next 5 to 10 years has not been considered.
- No additional infrastructure is being provided to cope with the existing local shops namely, Tesco which can't cope now, and the parade of shops, where are these additional cars going to park?
- EU rules in Rayleigh Town Centre in carbon emissions from traffic are already being broken and this development will make the situation worse. This needs to be addressed before any houses are built.
- Residents from the proposed new homes will travel into town and use the railway station therefore more congestion will result on roads leading into the High Street and London Road with a knock on effect with other surrounding roads.
- Beyond Hatfield Road/Victoria Avenue junction there is only a footpath on one side of the road which is narrow. Years ago this was adequate but with the ever increasing development in the area and the addition of a store at the garage there is far more pedestrian use. There have been occasions when pedestrians have to walk in the road to avoid oncoming pedestrians.
- The 6th forms (only one at the moment) cannot take all the pupils that now have to stay on until they are 18, which means these children now have to commute to Benfleet/Southend or other schools' sixth forms to keep on with their education adding even more congestion to the roads.

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- Traffic is likely to be a serious issue in an already overcrowded road system which cannot be changed due to density of housing.
 - It should be noted that Hullbridge children travel to Rayleigh for Secondary Schools so more daily (rush hour) traffic via both Hullbridge Road and Downhall Road i.e., those not included in the Transport Assessment.
 - Traffic may be an issue but this is more to do with traffic management, traffic lights and how traffic is or isn't filtered through the high street.

Character/Over-Development

- I object to losing such a huge area of open countryside and this development would certainly ruin the character of the town. The green belt is supposed to separate towns from each other but this part of Essex is just becoming one sprawling mass of bricks, mortar and concrete.
- The proposed development will result in loss of view.
- A development of this size would be out of keeping with the character of the town.
- The Western part of Rayleigh is the only one left with a pleasant rural vista as we enter it - a housing development stuck in the middle of what is a really lovely area will destroy it and no amount of green space the developers say they will provide for residents will make up for the loss of natural habitat for the badgers and foxes (and other small mammals) that share that space.
- The design of this site is very poor. Houses will be crammed in leading to potential stress for residents thus likely to lead to a potential increase in mental health issues which will create a further burden on the NHS.
- Loss of a beautiful green entrance to our town.
- Rayleigh is busy enough. Go and build a new town like South wood ham ferrers.
- Rayleigh is becoming a poorly built legoland; more housing is destroying what little countryside is left.
- I feel this development will be the downfall of our beautiful town.
- I moved to Rayleigh to live in a rural town and to bring up my children in a less crowded environment.
- Rayleigh is a lovely town that I am proud to live in with my family, I feel my children will be safe here. This many more houses will totally change this town, it will become crowded beyond management.

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- Rayleigh is a wonderful town and with genuinely lovely people. By creating a larger town, there are fears that loss of community will be felt.
 - Rayleigh is known as a Market Town and we are slowly losing our identity and being swallowed up.
 - Rayleigh is a lovely town but the current trend of shops being fast food outlets and hairdressers, combined with this planning application for a new adjacent village leads us to believe that the area is going to change beyond all recognition.

Green Belt

- The loss of the greenbelt land and the view of the farm land are other reasons. I like looking at these fields and do not wish to look at a brick jungle on entering Rayleigh.
- Erosion of our green belt is unforgivable.
- The extension of the SER1 site to provide a 'green buffer' cannot be accepted as the application requires the construction of a substantial roadway which will have to accommodate access to some 500 properties and other services to include engineering for street lights and street furniture which is incompatible with the green belt principles. Attenuation ponds will further diminish the green belt status as they will require regular maintenance attended by commercial vehicles. Water management should be provided within the SER1 site.
- The green belt will be further reduced by the application with a request to build slip roads within the greenbelt boundary onto the two roads that straddle this site, Rawreth Lane and London Road. This incursion into the Green Belt will result in further acres of agricultural farmland being lost contrary to policies designed to protect food production.
- I also object to any building on green belt otherwise what is the point of designating green belt ?
- We need new houses, but not on green fields, why not on brown field sites?
- I object to the largest balancing pond/attenuation basin (Labelled 11 on page 8 of the Design and Access Statement 08/2014) being outside of the specific area of land that was allocated for the development (i.e. Policy SER1 in the Site Allocations Plan). SER1 was clearly shown and bounded in the Site Allocations Plan and in the Design and Access Statement and SER1 Illustrative Master Plan documents). To the extent that such an attenuation basin is essential to the planning application/Proposed Residential Area (given the existence of the Rawreth Brook flood zone), then it should be self-contained within the specific area of land shown under Policy SER1 by the Site Allocations Plan, not added on outside of SER1.

Taking such an attenuation basin into an adjoining field represents a further erosion and loss of Green Belt agricultural farmland.

- The use of additional land outside of SER1 was also not appropriately or adequately shown or indicated at the Site Allocations Plan stage. The entire development and all its supporting features/requirements should be contained within SER1. If it doesn't all fit within SER1, then reduce the scale of the development so it does. Similarly, I object to the green buffer extending to the West of the pylons on the north eastern boundary of the site. This is unnecessary, outside the scope/perimeter of SER1 and is further erosion/loss of agricultural farmland. The loss of this existing agricultural land to create new parkland (to allegedly ensure a stronger Green Belt boundary as was claimed in the Allocations Submissions Document) is unnecessary, contradictory and dishonest tautology. It is blatantly expanding the development site beyond its SER1 boundary (as is clear from both page 5 of the Design and Access Statement 08/2014 and also page 2 of SER1 Illustrative Master Plan 09/2014!) without good reason, justification or allowed given the agreed SER1 area.
- The proposed site is on green belt Land. If this land is built on it will permanently alter the area, green belt land will never come back. Green belt land should be preserved. Other sites exist and are currently occupied as dumping grounds.

Infrastructure

- I do not object to a smaller development as clearly new and affordable housing is required but this appears to be putting a strain on the area to the detriment of us the residents.
- There is a shortage of doctors in the area, with patients often unable to get appointments for several weeks.
- As a teacher at a local school I have huge concerns about the lack of secondary provision as well as general infrastructure issues.
- This area cannot cope with current traffic and drainage requirements. Changes to the infrastructure need to be made before any further development is carried out.
- Without guarantee of infrastructure being in place before there is no way the surrounding area will cope with the flooding and traffic it has now let alone extra.
- This development is going to cause a massive impact in the schools, doctors, high street, supermarkets and roads and none of it for the better.
- There are no firm plans regarding secondary school places.

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- A great development, but in the wrong place. Very poor infrastructure in the area around the site which cannot be rectified.
 - There may be a doctor's or dentist's surgery (no definite plans), but this does not consider the impact on waiting times for treatment at Southend hospital, which cannot cope with existing demand.
 - The loss of sporting facilities is a shocking neglect of this precious resource.
 - The proposal recognizes the impact on both Rayleigh Schools (Sweyne and Fitzwimarc) in respect of this proposal (SER1) which is a false impression . The same RDC Core Plan also nominates two further sites 230 units at Rawreth Industrial Estate and 500 units at Hullbridge, so the overall impact on school places is 2.5 times as much.
 - The 2 schools that serve Rayleigh well are both, currently, judged as "Outstanding" by Ofsted - they won't be if they are flooded with additional pupils, standards will fall as class sizes increase.
 - There is a large problem with a shortage of school places currently in Rayleigh, both at primary and Secondary level. This has been proved by many friends, who have been unable to send their child to a school in Rayleigh. By building 500 more houses, not only will the schools in Rayleigh be overfilled, but the surrounding areas will be plagued with this problem also.
 - Primary School - will this be an academy or state? What if the parent/child does not like this school, it will add more pressure to existing schools in Rayleigh that are already oversubscribed. Where will the teachers come from as there is already a national shortage of them with around 2700 less people taking up teaching training.
 - A new primary school within the development is unnecessary when St Nicholas primary school is extremely close and was originally sited and built with a view to be extended.
 - With the two secondary schools in Rayleigh both operating at capacity as it is, where are the children of the new houses, and indeed existing residents who will be pushed out of catchment, supposed to go? While primary school capacity is perhaps not as big an issue given additional potential capacity at St Nicholas', secondary schools must be considered by the developers and sufficient funding provided, again at the outset to allow Sweyne Park and Fitzwimarc to plan ahead in time.

Other Sites Available

- I suggest an alternative site such as the old HMP Bullwood Hall site or split into smaller groups of houses spread on the other vacant brownfield sites in the area.

Drinking Establishments

- Several drinking establishments have been granted planning permission in Rayleigh town over the years. Unfortunately this has only brought more crime to the area. Over the last few weeks, there have been two instances of shop windows being smashed due to fights or drunken behaviour.

Proximity of Industrial Estate / Air Quality

- The rationale was that the Heavy Industrial Site namely Rawreth Industrial Estate with its noise, fumes and hazardous waste complex etc which sits between the development site and existing residential areas would be relocated. This relocation is not underway. The local authority does not own land as yet to accommodate the Industrial uses. I understand business and property owners on Rawreth Industrial Estate have been given assurances that their operations will be safe from re-development for at least 20 years. This information was obtained after business owners demanded that the Courts removed the 'blight' that redevelopment suggestions was placing on investment. RDC are currently agreeing extensions to business premises in the planning process which is evidence of that determination on this Industrial complex. It is quite wrong to permit a school and residential homes to be built that will be subject to heavy sustain pollution and noise from this Industrial estate in the midst for over 20 years.
- This proposed development is not conducive to a healthy environment.
- I walk to the train station every day along Downhall Road and the traffic and pollution in the mornings is already bad. If this development goes ahead, there will be so many more cars on the road in this area which will make the air pollution even worse.
- The assessments in relation to air pollution, dust and dirt are questionable. The industrial estate is unlikely to relocate in a swift manner. An air monitoring unit was surprisingly removed from the industrial site just prior to the report commissioned in preparation for this application. It is therefore evident that the date used is that pertaining to other monitoring equipment not in the immediate area. Studies did not also include Nitrous Dioxide levels which are particularly harmful to children from vehicle fumes. The existing industrial estate would be in close proximity to a school. As a result of the development the industrial estate would be surrounded by housing and other development the development would create a static area where pollutants that currently dissipate across the present open fields will be trapped. They will be likely to cause health problems for the residents.
- As the owner of a business on the Industrial Estate neighbouring the proposed development site, I have serious concerns as to how businesses can continue to operate at this location. The existing residential development on the opposite side of the Estate (which itself was built long after the Estate itself) continues to give rise to complaints against several

businesses for various nuisance issues and it is difficult to understand how the Council can contemplate further planning permission which can only give rise to more complaints? If permission is granted, what does the Council propose that occupants of the Estate do? If the plan is to move us all as rumoured, where are all the people occupying the houses going to work? What of traffic and congestion issues?

Flood Risk

- We were flooded in August 2013 and despite assurances from all parties, again in July 2015. We do not have confidence in the existing drainage system and the ability of responsible agencies to maintain it effectively. Additional housing on an area of green belt land which currently helps to absorb excessive rain will obviously only add to the likelihood that flooding will continue to be an issue in Rayleigh and house prices will therefore be effected as well as the emotional distress flooding causes.
- Have the ditches and drains been cleared and measures taken to prevent further flooding? The drains in Bardfield Way that have been tarmac'd over certainly have not been cleared so have they in the roads where the flooding was, north of London Road?
- Having lived in Rayleigh all of my life, I know that these fields flood every year and this does not seem to have been recognised in the flood reports. Existing development has already had an impact on "upstream flooding" and common sense dictates that this will be accentuated with the addition of further housing and the reduction of the flood plain. Furthermore, the question of safety surrounding the proposed attenuation pools, especially for young children has not been addressed.
- Since building commenced on land previously occupied by Eon, the areas around Victoria Road have suffered from high levels of rain water (flooding) and believe that this development would only increase the possibility of increased damage.
- Rayleigh and West Rayleigh in particular has been the subject of more severe and more regular incidents of flooding in recent years , the impact of such a large site (500) and proposed adjacent site (230) is cause for concern, as follows:-
 - The original RDC Officers report included inputs from the consultees (EA and ECC), which states that the only available data for the key feature (the Brook) is 8 years out of date.
 - The input from the two consultees is conflicting in terms of design criteria (this is admitted within the text) and therefore a recipe for misinterpretation by designers.

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- ECC also admits that they are, as yet, not accredited as the SAB (SUDS Approval Body) and therefore not experienced in application of the role, which is of equal concern as Points 1 and 2 above.
 - A SUDS system on this scale would need to be holistic in scope in terms of collecting and storing release of water, there is no commitment to pre-installing the completed (and proven) system prior to occupation. In fact it is clear that habitation will take place in a phased manner (over years) - but no explanation as to how an incomplete site and system would be viable (and safe) or how piece meal completion would impact downstream or upstream.
 - Although this (Flood Design) is a reserved matter at this stage the consequences are potentially dire - it should be remembered that a recently completed adjacent site (straddling the same Brook) flooded during construction. A detailed SUDS system construction strategy should be a minimum requirement to establish the feasibility of this proposal - even at this stage.
 - It will not help the existing flooding problems that exist on the Victoria Road estate.
 - The Church Road area of Rawreth suffers from severe flooding and this will only increase if the development goes ahead. Despite this no consideration has been given to this area or the problems it already has even without the proposed development!
 - Drainage in this area is in crisis there has been insufficient money put into improving the current drainage problems so adding more homes can only make things worse. The flood report needs to be re-commissioned taking into account what occurred August 2013.
 - I was one of many who flooded in August 2013, and still nothing is being done to resolve this problem, it's just swept under the carpet whilst plans go ahead to make the situation worse.
 - As one of many who have been flooded out of their homes in August 2013 we have seen little or no improvement of the infrastructure to prevent this again, all this plan would do would be to worsen the current flood risk to the area. This is due to the land being paved over for building and also no improvement to take water away from the area especially at high tides, which has been a problem in the past.
 - The site of the proposed school is at risk of flooding. The positioning of the school is also inappropriate due to its positioning directly opposite a huge warehouse that has constant ingress and egress of heavy trade vehicles. Noise, pollution and road danger are a consequent concern.

- Although sufficient drainage has been considered for this particular development, it is not taking into account how building on this land has effects on the flooding of other areas of Rayleigh. Our drains did not cope with the amount of surface rain water, partly because they weren't cleared but also because there is becoming less open land, ditches etc for water to drain away naturally so the drains are being more and more heavily relied upon.
- Under NPPF Section 10 para 94 and 100; decision taking para 192 states that the population have a right to have crucial information i.e. up to date FRA and EIA statements of all decisions taken by LPA's this is to include water and sewerage issues. There is no current or relevant statements on the flood risk apparent in the area to be developed. The new limited statements do not take account of run-off and the situation down stream with the proven climate change and sea levels. A full unfettered risk assessment should be undertaken by the EA before any planning approval is granted on this site. A flood forum under the direction of the EA is currently collating evidence so as to form a considered judgement on water management in the immediate area. It would be sensible to await their report before proceeding. A case in law brought by the EA in 2013 (see Regina (Thames Water Utilities Ltd) v Bromley) established that Statutory consultees, developers and LA's can be criminally liable if flooding of surface water and foul water is caused to occur due to their failure to assess the necessary requirements of developments adequately at the planning stage.
- The methodology using the WinDes micro drainage software has some underestimates as to the level of SuDs required in comparison to other methods of calculation.
- Concern that the proposed SuDS system will not be adopted by one of the agencies.
- The flooding risks that people are mentioning I don't think are a problem.

Residential amenity

- My house (221 Kiln Road) borders the edge of the development with my ground floor bedroom inches from my boundary; a public footpath along the edge of my boundary will disturb my children's sleep, affect my privacy and decrease the security of my property.
- I object to the loss of view I will suffer from the development itself and also from the inclusion of 3 storey houses within the plans.
- I object on the grounds of the noise and disturbance that the construction and development will bring, including heavy construction traffic for at least 4-5 years (a timeframe indicated by the developer at one of the planning consultations).

Density

- The density of building planned is greater than the Core Strategy approval. The application is for some 500 dwellings on only two-thirds of the SER1 site which was allocated for 550 dwellings in total which would lead to an overall increased density. The SER1 site would therefore achieve more than the 550 total allocation. This increased density is unsustainable and would lead to a development that undermines the present status of the area. Other parcels of land in the SER1 allocation remain open to development proposals.

Affordable Housing

- The plan includes a large amount of affordable housing on the new development but rather than being occupied by young people already living in Rayleigh I suspect it will only add to the local population as it attracts the over spill from London as has been the case in many other areas in Essex. How do you intend to stop this?
- In principle I believe that the new housing is needed for the area. Having lived in the district all my life and now working full time, it is exciting that these new developments could give me the opportunity to live locally to my family and friends. We have zero affordable housing in the district despite having a young population. Affordable really should be affordable, i.e. shared ownership and private rent properties. The equity loan on the properties at Clements Gate in Hawkwell should never be deemed affordable. To get a mortgage on a property worth over £500,000 you need to be earning over £100,000 either as a couple or solo. That is a lot of money by any standards but would certainly take these properties out of the reach of young people.

Policy

- This poor application is the result of a poor core strategy and Rayleigh residents have been poorly represented and served by RDC.
- I object to the flawed planning policy which RDC has adopted enabling this application. The core strategy has identified this single area of Rayleigh as the only area suitable for development for the foreseeable future. RDC must now develop this site to ensure that its adopted core strategy remains viable, regardless of the pros and cons of any specific planning application.
- If this area is not developed, then RDC's core strategy is open to legal challenge, from other developers who may wish to develop areas outside of RDC's preferred North of London Road site, and RDC will have effectively lost control of what is built where in Rayleigh.
- This is the reason that RDC will fight tooth and nail to develop this area. Recall that RDC planning department recommended that the previous

application be allowed, despite the lack of provision of infrastructure, protection against flooding, increase in traffic, destruction of agricultural land etc.

- Even if this application is rejected, another will follow, unless the core strategy is changed. It is the only area RDC will allow development in Rayleigh for the foreseeable future.
- A better strategy would be to identify smaller, more numerous sites around and within Rayleigh for future development. This would provide the following advantages: if any one site fails to be developed, the whole strategy is not compromised, each development would integrate better into its neighbouring area and make better use of existing infrastructure, the impact of the future housing would be spread around the area of Rayleigh avoiding concentrating additional traffic, school places, etc into a single black-spot and smaller development plots could be actioned by local developers, as opposed to national developers, providing employment and opportunity to locals, i.e. the people that actually live in Rayleigh.
- This application should be rejected (again) and RDC's core strategy and allocations plan revised, to ensure that it is fit for Rayleigh's purpose, not RDC's convenience.
- Whilst I have no doubt that the number of new homes is necessary, my objection is to the fact that all housing development is to be concentrated into this single for Rayleigh. Other sites on the boundary and within the area of Rayleigh are available and serve better for additional housing, and would distribute the impact of providing this number of new homes across the large area of Rayleigh. Several sites were identified and "considered" during the process of developing Rochford's Core Strategy (now adopted) but were discounted.
- Other sites exist which: will not cause traffic chaos, do not have a record of flooding, will not remove from use productive agricultural land forever, enable smaller, local developers, not big, out of town national developers and integrate better with the existing infrastructure and built areas of Rayleigh. These points were raised during the process of constructing Rochford's core strategy and allocations plans but have not been adequately answered by Rochford. No amount of minor tinkering and re-submission of previously rejected plans will change this, as, the core strategy which enables this application is flawed. It's too big, and in a single concentrated area.

Consultation

- There is a duty to hold substantial consultations when greenbelt land is being developed. The requirement of a full 'public consultation' under the European Directive re Strategic Environmental Assessment should also be conducted on this extension of the original approved Core Strategy site.

Failure to do so would leave every protected green belt area under threat of creeping urbanisation on the edges of developments.

- The extent of the site to be developed includes a considerable extension to the SER1 site agreed in the Core Strategy being some 15 per cent greater in dimension. An Inspector had recommended extension to provide for roads and engineering works but despite Members of RDC agreeing to this in the modification put forward by the Inspector there has been no consultation or agreement with the residents of the District of Rochford as required.

Other Matters

- With this application, nothing has substantially changed, so it should be rejected for the same reasons.

Removal of Valuable Agricultural Land

- While I fully appreciate that new houses need to be built, this is not the correct area given the location and over capacity on the roads as it is. There are at least two other large developments likely to be coming up for approval in the area and the danger is that by treating each one in isolation, the bigger picture is being missed.

Loss of Wildlife

- Given that Point number 25 on page 12 of the SER1 Illustrative Master Plan (related to the plan on page 9 of the same document) makes specific reference to my property and is made to sound as if the "Green Buffer and strategic planting to protect the setting of Rawreth Hall, a grade II listed building" is for my benefit, then I can confirm here again (as I did during the consultation stage and my original objection) that I would like the strategic planting to be on the East side of the pylons and object to it being on the West side of the pylons. As the owner of the aforementioned building and as the developers claim this is for my benefit, I expect my views to be taken into account.
- Properties are being built for outsiders to move to West Rayleigh causing even more road congestion, pressure on school places and the NHS.
- The crime levels in Rayleigh have increased since additional development has started and I can see that this will only increase once this application has started.
- What guarantee is there that young people who live with their parents in Rayleigh will be able to afford these houses?
- Nothing much has changed from the original application and permission should still not be granted.

- Finally, the noise and light pollution levels in Rayleigh are awful as it is. By adding five hundred houses, in most of which the residents will drive two or more cars, these levels will only be increased, giving greater health risks to the residents of Rayleigh.
- Inadequate sewer system.
- Lighting - are the street lights still going to be switched off for the new residents?

5 MATERIAL PLANNING CONSIDERATIONS

Reason for Refusal No. 1 of 14/00627/OUT – Sports Provision

- 5.1 The reason for refusal of the earlier scheme relating to sports provision read as follows:-
- ‘The National Planning Policy Framework (NPPF) requires provision of outdoor sports facilities to be based on robust and up-to-date assessment of need. The proposed development would provide inadequate outdoor sports provision which would not accord with the NPPF requirements for such.’
- 5.2 The Local Planning Authority must determine the proposal in accordance with the adopted Development Plan which includes the Rochford District Core Strategy (2011), Allocations Plan (2014) and relevant policies in the Development Management Document (2014) taking account also of any other relevant planning policy and other material planning considerations.
- 5.3 In respect of sports provision it is therefore first necessary to consider the policy requirement for such.
- 5.4 Policy SER1 identifies specific requirements of the allocated site in west Rayleigh of which this application site forms a very large part. This policy does not contain any requirement that new outdoor sports facilities are provided on site.
- 5.5 Policies DM16 of the Development Management Plan and CLT10 of the Core Strategy set out the requirements to be met where new playing pitches are proposed but neither set out a specific requirement for playing pitches as part of major residential housing schemes. Policy CLT5 of the Core Strategy relates to open space and identifies that new public open space will be required to accompany new residential development and specifically mentions that a significant amount of new public open space will be required in relation to the residential development in the west of Rayleigh. This policy goes on to state that existing playing pitches will be protected and new ones promoted but again this policy does not contain a specific requirement that a certain amount or in fact any outdoor sports provision be provided as part of major residential development proposals.

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- 5.6 There is therefore no local planning policy requirement that the proposed development provide any outdoor sports provision.
- 5.7 National planning policy at paragraph 73 of the NPPF does require that planning policies be based on up-to-date assessments of the needs for sports facilities. The reason for refusal identifies the above-mentioned requirement but it is important to clarify that this requirement relates to plan making requiring that where local planning policies are developed in relation to provision of sports facilities these should be based on robust and up-to-date assessment of need. The NPPF does not contain a specific requirement that major residential or other schemes provide a certain amount or in fact any outdoor sports provision.
- 5.8 Local planning policy in the Core Strategy (2011) was informed by the 2009 Open Space Strategy which set out an assessment of quantitative sports provision for different sports uses in the District. The 2012 Playing Pitch Strategy provides further information on the type of playing pitches needed in the District and this is an adopted Supplementary Planning Document. Local planning policy relating to requirements for outdoor sports pitches is therefore based on assessment of local need and was based on up-to-date assessment at the time the relevant policies were being formed.
- 5.9 Whilst there is currently no up-to-date assessment of need in relation to outdoor sports provision in the District, the NPPF requirement is that policies are based on robust and up-to-date assessment not that individual planning applications are. The planning application would accord with relevant policy which was based on up-to-date assessment.
- 5.10 The applicant has submitted an Open Space and Playing Field Assessment in which they have sought to up-date the 2009 Open Space Study. The conclusion reached is that there continues to be a concentration of outdoor sports facilities to the western side of Rayleigh close to the application site. The 2009 study recommended a standard for outdoor sports provision of 1.8 ha per 1000 population and the applicant's updated study demonstrates that using this recommendation there would be a surplus of provision in the Downhall and Rawreth Ward, including allowance for the population that would result from the proposed development.
- 5.11 Whilst the applicant has sought to up-date the 2009 study there is no requirement for every planning application to be accompanied by an up-to-date assessment of outdoor sports provision to justify the amount of provision proposed.
- 5.12 Notwithstanding the lack of a policy requirement to provide outdoor sports provision the applicant has included provision of 1.6ha of land for use as football pitches. The amount of land could provide two mini or two junior pitches. The applicant has based the proposed provision on the most up-to-date assessment of need that the Council has available being the 2012 Playing Pitch Strategy. The land proposed for football pitches is immediately

adjacent existing sports pitches owned by the Council and currently run by Rayleigh Sports and Social Club which is considered an appropriate location. Although the 2012 study also identifies the need for additional cricket pitch provision it is considered that the sports pitch provision proposed is proportionate to the development proposed and that there is no planning policy basis for insisting upon a greater amount of provision to for example provide an additional cricket pitch.

- 5.13 In the course of the application the applicant commissioned a feasibility study in response to a request from Sport England, to provide further reassurance that the land set aside for the proposed sports pitches is suitable and to confirm capital costs for provision of the pitches and on going maintenance costs. The report recommends that a land drainage system is included in the design of the sports pitches as this would increase the durability of the pitch surface and reduce the likelihood of loss of fixtures on the pitches due to inclement weather conditions. The applicant has committed to providing the sports pitches with the land drainage recommended. The report also identifies the likely cost of on-going maintenance of the sports pitches to be £13,237 per annum. The applicant has committed to offering the sports pitches to the Council with a commuted sum of £130,237 to allow for 10 years worth of maintenance. The feasibility report also acknowledges that economies of scale may be attained if maintained as part of an adjacent sports facility.
- 5.14 The land for the new sports pitches would be offered to the Council with the commuted sum with the requirement that the developer fund the laying out of the sports pitches to the specification agreed (which could be two mini, two junior or one mini and one junior pitch as chosen by the Council) and provide ancillary car parking, a pedestrian link to the existing adjacent sports pitches and fencing/hedging; this is set out as a requirement of the s106.
- 5.15 Only in the event that the Council declined to accept the transfer of the land would the land revert to part of the wider open space at the site for use as an informal kick-about area.

CONCLUSION

- 5.16 Neither Policy SER1 nor any other local planning policy sets out a specific requirement that the proposed development include any provision for outdoor sports pitches. The application does however include a proposal for 1.6ha to provide for either two mini pitches or two junior pitches. The pitches would be located adjacent to existing pitches owned by the Council in a location suitable for the proposed use. There is no local or national planning policy that could be relied upon to insist on a greater amount of provision for outdoor sports pitches at the site.

Reason for Refusal No. 2 of 14/00627/OUT – Flood Risk

- 5.17 The reason for refusal of the earlier scheme relating to flood risk read as follows:-

- 5.18 'The submitted Flood Risk Assessment is inadequate as it lacks information relating to and fails to take account of recent flooding events that have taken place downstream in Church Road, Rawreth. The assessment also does not properly take account of the impact of the removal of a section of culvert. Appropriate arrangements for the maintenance of sustainable urban drainage features have not been demonstrated. It has not therefore been demonstrated that the proposed development would adequately address the risk of flooding from and to the proposed development.'
- 5.19 The applicant has submitted a Flood Risk Addendum (May 2015) and a further Revised Drainage Strategy (September 2015) with the current application to clarify matters relating to flood risk.
- 5.20 There is a clear requirement in the National Planning Policy Framework (NPPF) that development must be demonstrated to be safe from flooding for its lifetime and not increase flood risk elsewhere. There is also a requirement that priority is given to the use of sustainable drainage systems.
- 5.21 Since the determination of the earlier application at this site and since 15 April 2015, Essex County Council, as the Lead Local Flood Authority, now acts as a statutory consultee to the planning application process with regard to surface water and ground water flooding on all major applications. The Environment Agency continue to act as the statutory consultee in respect of fluvial and tidal flood risk. Both have been consulted on this application and have provided consultation responses. Whilst ECC initially raised an objection in respect of the proposed sustainable urban drainage (SuDS) proposal this objection has now been withdrawn following amendment of the proposed SuDS scheme for the site. The EA raises no objection subject to conditions.
- 5.22 The site is divided by the Rawreth Brook which is a tributary of the River Crouch and flows from south of Grosvenor Road (SE of the site) in a north-westerly direction. In addition there are several land drainage ditches within the site that flow to the Rawreth Brook.
- 5.23 The general slope of the site is downwards to the west and there is also a slope downwards from the north and south towards the centre of the site. The lowest point on the site is towards the west along the Rawreth Brook channel.
- 5.24 The bedrock geology is predominately the London Clay Formation which is a combination of clay, silt and sand.

Flood Risk to the Development

- 5.25 The Environment Agency (EA) flood risk mapping, maps flood risk from fluvial (river) and tidal (sea) sources and at this site is based on 2007 survey data. The EA flood mapping shows the majority of the site to be within flood zone 1 with the lowest risk from flooding with small parts of the site within flood zones 2 and 3 at higher risk, these areas are along the Rawreth Brook which bisects the site east-west.

- 5.26 Since the determination of the earlier application the applicant has commissioned further hydraulic modelling work to improve confidence in the flood zones mapped by the EA. The EA national flood zone mapping, based on spot heights from Ordnance Survey data does not, unlike the further hydraulic modelling undertaken, take account of the detailed topographic survey of the site. The results of this further modelling show that a lesser proportion of land within the site lies within flood zones 2 and 3 and demonstrates that the original EA modelling had overestimated flood risk to the site. This modelling work confirms that all of the proposed residential and other built development would be on land that is subject to the lowest level of flood risk, in flood zone 1. The development proposed including residential dwellings is an appropriate form of development in flood zone 1 and would not be subject to unacceptable risk from fluvial or tidal flood risk; the site would not be subject to risk from tidal flooding, the greatest extent of which is some 2km from the site.

Flood Risk to Surrounding Land

- 5.27 To be acceptable in flood risk terms the development must be demonstrated to not increase flood risk elsewhere.
- 5.28 Surface water currently runs off the site into the Rawreth Brook. As the site is undeveloped the rate of surface water run off is currently considered to be a green field run off rate. This is estimated based on the characteristics of the site using accepted modelling and varies according to the intensity of different rainfall events. The existing green field run off rates for the site have been estimated to be:-
- 1 in 30 year rate = 158.5 litres/second
- 1 in 100 year rate = 223 litres/second
- 5.29 Providing the site, once developed would have a surface water run off rate no greater than the existing green field run off rate, for different intensity rainfall events, the risk of flooding to surrounding land would not be increased as a result of the development and increased surface water entering Rawreth Brook and flowing down stream.
- 5.30 The applicant had initially proposed to restrict the surface water run off rate to the Rawreth Brook to the 1 in 30 year green field rate of 158.5 l/s, this would have achieved betterment on the current situation in high intensity rainfall events; during 1 in 100 year rainfall events surface water currently runs off the site at 223 l/s whereas this rate would be reduced once the site was developed to not exceed the 1 in 30 year rate of 158.5 l/s meaning during these higher intensity rainfall events more of the water falling on the site would be held in attenuation ponds at the site before entering the Rawreth Brook and the rate of discharge to the Brook would be lower.

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- 5.31 ECC as Lead Local Flood Authority questioned whether further betterment could be achieved in their original consultation response and in response to this the applicant investigated the possibility of restricting the surface water run off rate further.
- 5.32 The applicant now proposes to restrict the surface water run off rate from the largest attenuation pond to be provided on site to the 1 in 1 year green field rate. This pond would drain all of the development in phase 1 and part of the development in phase 3, the northern and central areas of the site.
- 5.33 Ponds 2 and 3 would drain the remainder of phase 3 and all of phase 2 and it is now proposed that the rate of surface water run off to the Rawreth Brook from these ponds be restricted to the 1 in 10 year rate.
- 5.34 The applicant has indicated that surface water discharge rate to the Rawreth Brook would likely be restricted to the above rates by a hydro brake flow control device which would be located downstream of each pond. These devices operate on the action of the discharge through the device creating a vortex in the flow which produces a back pressure that reduces the discharge.
- 5.35 As a result of the changes more rainwater falling on the site would be held on site in attenuation ponds before discharging to the Rawreth Brook. Water discharging to the Rawreth Brook would be at the lowest rate, 1 in 1 year, for all intensity rainfall events from pond 1, betterment would therefore be achieved in all rainfall events above 1 in 1 year events. In higher intensity rainfall events the degree of betterment would increase.
- 5.36 In the most intense rainfall event 1 in 100 years (plus an allowance of 30 per cent for climate change) even greater betterment would be achieved, water would be held on site in attenuation pond 1 and discharge from the site to the Rawreth Brook at a rate no greater than the 1 in 1 year green field run off rate. At present during rainfall events of such intensity surface water runs off the land at a higher rate calculated to be 223 litres per second. As a result of the development the lower rate would not be exceeded resulting in betterment on the current situation.
- 5.37 Although the lowest run off rate (1 in 1 year rate) would not be achieved from ponds 2 and 3 significant betterment would still be achieved here by restricting the outflow to the 1 in 10 year rate. The applicant has advised that amount of land take that would be required to enlarge ponds 2 and 3 to achieve the 1 in 1 year rate would not be feasible. The proposed surface water drainage scheme would however achieve substantial betterment on the current situation, reducing the rate of surface water flow to the Rawreth Brook and therefore down stream significantly in all but the lowest intensity rainfall events where the rate of discharge would even then not exceed the rate of run off that would arise from the existing undeveloped agricultural field. The proposal would comply with the NPPF policy requirement that the development would not increase flood risk elsewhere.

- 5.38 Water outfall to the Brook from pond 1 will always be restricted to the lowest run off rate of 1 in 1 year Green field rate. Water outfall to the Brook from ponds 2 and 3 will be restricted to the 1 in 10 year Green field run off rate except in rainfall events of lower intensity i.e. in the 1 in 1 year rainfall events, when water will not be able to leave ponds 2 and 3 and enter the Brook at the higher rate of 1 in 10 year Green field run off rate. This requirement forms part of the recommended planning conditions.
- 5.39 To achieve the lower surface water run off rates to the Rawreth Brook all three of the proposed attenuation ponds have been enlarged. A plan has been provided showing the area necessary to provide the enlarged ponds to cater for the increased volume of water to ensure that surface water run off rates can be restricted as proposed.
- 5.40 The calculated total volume of attenuation storage for pond 1 to achieve a discharge rate to the Rawreth Brook of no greater than 1 in 1 year green field rate is 5207 cubic metres. For ponds 2 and 3 the volume capacity to ensure the run off rate would not exceed the 1 in 10 year green field rate would be 2459 cubic metres and 2544 cubic metres respectively. These volumes have been based on the following assumptions:-
- A 60 per cent impermeable area within the developable areas of the site.
 - An amount of permeable surface and swales within Phase 1 (The permeable paved surfaces are within private ownership and the maintenance required of these areas can be controlled by condition being within the remit of a management company).
 - An allowance of 10 per cent for urban creep; i.e. up to 10 percent increase in impermeable area.
- 5.41 As a result of the volume capacity calculations, including swales and an amount of permeable surface in Phase 1, this would need to be made subject to planning condition.
- 5.42 The calculated attenuation pond volumes required to achieve the discharge rates proposed have been accepted by ECC following examination of the micro drainage calculations.
- 5.43 The plans provided showing the sustainable surface water drainage system are indicative at this stage and are supplied to demonstrate that the maximum volume of attenuation storage required to achieve the restricted surface water run off rates could in principle be accommodated at the site. A planning condition is recommended to require the detailed sustainable urban drainage system for each phase to be submitted and agreed prior to commencement of any development within the phase to which the drainage relates. The details submitted in respect of this condition would be agreed in consultation with ECC, as Lead Local Flood Authority.
- 5.44 It is also imperative that the sustainable urban drainage system is provided and maintained to ensure the effective working of the system for the lifetime of

the development to ensure that surface water run off rates to the Brook continue to be appropriately restricted to ensure that there is no greater risk of flooding downstream. A condition is recommended to require a detailed sustainable urban drainage system to be worked up although the indicative one provided at the outline application demonstrates that in principle the maximum amount of attenuation storage in ponds that would be necessary to ensure that the run off rates was appropriately restricted to the 1 in 1 / 1 in 10 year Green field rate, could be achieved. A condition would also require a detailed maintenance regime to be submitted and approved by the LPA and then carried out in perpetuity.

- 5.45 It is worthy of note that the existing green field run off rates for the site have been calculated taking into account the characteristics of the site using an accepted model. ECC accepts the rates that have been derived. These existing rates do not take into account the network of land drains that exist in the fields at present which would speed flow into the Brook increasing the existing green field run off rates above the derived rates. Albeit unquantified, the rate of run off from the developed site, restricted to the derived existing 1 in 1 year green field run off rate, would also therefore achieve a further degree of betterment as this derived rate is artificially low. The existing land drains (pipes of 100mm) will be taken out or cut off as a result of the development.
- 5.46 Also of note is that all three of the attenuation ponds would have a fairly low gradient and have been designed to accord with ECC's guidance, none would have a water level greater than 1 metre and this depth would only be achieved in the most extreme rainfall events, 1 in 100 year plus climate change. All of the ponds will be dry in periods of light or no rainfall and are not intended to be designed as permanent water features.

Tide Locking

- 5.47 The applicant has, in the Flood Risk Addendum, considered the issue of potential tide locking in which a tidal flooding event would cause flooding down stream in Church Road, Rawreth.
- 5.48 If unmitigated, surface water run off from the developed site could increase flood risk downstream in Rawreth, as surface water runs off the site to the Rawreth Brook which in turn flows downstream towards Church Road, Rawreth. However mitigation is proposed as has been detailed above; surface water run off would be restricted to the 1 in 1 year green field rate from pond 1 and to the 1 in 10 year green field rate from ponds 2 and 3. The surface water run off rate from the developed site would be no greater than the existing green field run off rate and significantly lower in times of extreme rainfall events i.e. 1 in 100 year events. Surface water run off would not increase downstream to Rawreth compared to the existing scenario as a result of the proposed development.
- 5.49 In addition, the applicant has recognised the importance of ensuring the development does not increase the risk of flooding down stream in Rawreth

and that being the case has agreed for a contribution of up to £200,000 being made available for flood alleviation works in Rawreth Parish, subject to a suitable scheme being agreed; this contribution is set out in the Heads of Terms of the s106 legal agreement towards the end of this report.

Conclusion

- 5.50 The proposed development would remain safe for its lifetime from flooding and would not increase flood risk elsewhere, indeed as a result of the proposed development the surface water run off rate from the site to the Rawreth Brook would be significantly reduced as a result of attenuation ponds on site which would hold back the water.
- 5.51 The EA raises no objection to the proposed development, subject to conditions which are duly recommended.
- 5.52 ECC, as Lead Local Flood Authority, initially raised objection on the grounds that greater betterment could be achieved and the proposed sustainable drainage system has been amended to achieve a greater degree of betterment. ECC raises no objection to the proposal, subject to the recommended conditions.
- 5.53 The reason for refusal of the earlier scheme has been overcome as a result of the submission of further information and an amended sustainable urban drainage scheme which achieves a greater degree of betterment reducing the rate of surface water flow down stream.

Reason for Refusal No. 3 of 14/00627/OUT – Highways

- 5.54 The reason for refusal of the earlier scheme relating to highways issues read as follows:-
- 5.55 'The proposed development provides no certainty that highway works to improve the Rawreth Lane/Hullbridge Road junction, which are required to mitigate the impact from the development, would be delivered. Without appropriate mitigation to this junction the development would increase congestion and result in a loss of residential amenity.'
- 5.56 A Transport Assessment has been submitted with the application, which contains results of traffic modelling undertaken by the applicants transport consultant the terms of which were agreed with Essex County Council Highways Authority.
- 5.57 The modelling has included consideration of the cumulative impacts from the proposed development together with the remainder of residential development allowed for in the SER1 allocation and other anticipated large scale development in the locality, namely the proposed residential development in Hullbridge and the residential redevelopment of Rawreth Industrial Estate.

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- 5.58 The methodology used involved establishing likely vehicle movements to and from the site using trip rates agreed for residential developments with Essex County Council. To assess a worst case scenario on the local highway network the morning and early evening peak vehicle movement times were considered, namely 8-9 am and 5-6 pm. The likely distribution of vehicle movements on the local highway network was then established based on journey type (work, school, leisure, shopping and other) using distribution survey data from the Department for Transport and analysis of the location of these journey destinations in proximity to the site.
- 5.59 The County Council has confirmed that it considers the Transport Assessment and the modelling to which it refers robust.
- 5.60 The resulting increase in vehicle movements arising from the proposed development on 4 existing junctions including the Rawreth Lane/Hullbridge Road junction were then considered in terms of the impact of the increase on the capacity of the junctions compared to the existing situation.
- 5.61 The Transport Assessment identifies that the modelled results show that the impact on the Rawreth Lane/Hambro Hill roundabout as a result of the proposed development would be 7 additional vehicles generated for this junction at the AM peak and 9 additional vehicles at the PM peak. The County Council accepts that this increase in vehicles to the junction would be considered minimal. This junction would however show a worsening in operation as a result of the cumulative assessment with the Hullbridge development.
- 5.62 The Transport Assessment acknowledges that ECC is developing both interim improvements and a scheme involving the creation of a larger roundabout at this junction and the previous scheme committed to making a proportional contribution of £250,000 towards implementation of these improvements as requested by ECC; the current scheme also commits to this contribution and this is set out in the heads of the s106 legal agreement.
- 5.63 The National Planning Policy Framework is clear that planning permission should only be refused on transport grounds where the impact from a proposed development would be severe. The increased traffic to this junction from the proposed development could not be reasonably argued to be severe and there is therefore considered to be no justification for requiring either a greater contribution or requiring that the new roundabout is delivered prior to any occupations at the site. ECC is clear in its view that the application proposal that is the subject of this application, would not alone, have an impact on the Rawreth Lane/Hullbridge Road junction that would require mitigation solely as a result of this proposal.

Reason for Refusal No. 4 of 14/00627/OUT – Secondary School Provision

- 5.64 The reason for refusal of the earlier scheme relating to secondary school provision read as follows;

- 5.65 'There is a lack of physical space to expand existing secondary schools in Rayleigh and as a consequence the impact from the development on secondary school provision could not be satisfactorily mitigated.'
- 5.66 Policy CLT3 of the Core Strategy relates to secondary education provision and identifies that developer contribution will be required for the purpose of expansion of Fitzwimarc and Sweyne Park Schools where appropriate.
- 5.67 Essex County Council (ECC) is the appropriate authority for statutory age education with duties to secure sufficient and diverse provision within the locality under the relevant legislation. In their consultation response ECC identified that the proposed development would generate a need for additional secondary school places and therefore seek a financial contribution in accordance with the formula set out in ECC's Developers' Guide to Infrastructure Contributions (2010). The applicant has agreed to the requested financial contribution which will be included in the s106 legal agreement.
- 5.68 ECC has provided confirmation that it is possible to expand The Sweyne Park School and/or The Fitzwimarc School to accommodate the additional demand for secondary school places that would be generated by the proposed development without the net loss of any playing fields i.e. additional accommodation could either avoid encroachment onto playing fields or any loss could be off-set by additional pitches or the use of off-site facilities. ECC has also confirmed that the requirements of the School Premises Regulations 2012, as they relate to the provision of outdoor space, can thereby continue to be met following such an expansion.
- 5.69 Given that the developer has agreed to the financial contribution which ECC as the appropriate authority for statutory age education has sought and considers would satisfactorily mitigate the impact of the proposed development on secondary school provision there is no policy or other basis on which to object to the proposed development on the grounds that secondary school provision would not satisfactorily be mitigated.

CONCLUSION ON REASONS FOR REFUSAL OF EARLIER APPLICATION

- 5.70 It is considered that the four reasons for refusal of the earlier application have been addressed and that there is no planning policy or other reason to refuse the current application on these grounds.

OTHER MATTERS

- 5.71 The following part of the report is almost exactly as per the consideration of the earlier proposal reference 14/00627/OUT as the principle of the development remains the same as do relevant planning policy considerations.

Principle of Residential Development

- 5.72 The proposed development has to be assessed against relevant planning policy and with regard to any other material planning considerations. In determining this 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.
- 5.73 The adopted Development Plan is the Rochford District Core Strategy adopted December 2011, the Allocations Plan adopted February 2014 and the Development Management Plan adopted December 2014.
- 5.74 The Allocations Plan was formally adopted following confirmation from the Planning Inspector conducting the examination that the Plan was sound and legally compliant. The Allocations Plan allocates specific sites and sets out detailed policies for a range of uses, including residential, employment, education and open spaces, and has been prepared in accordance with the general locations and policies set out in the adopted Rochford Core Strategy to accommodate the current housing and other development needs in the District.
- 5.75 A legal challenge to the adoption of the Allocations Plan was made to the High Court on 4 April 2014 under Section 113 of the Planning and Compulsory Purchase Act 2004 on grounds that the document was not within the appropriate powers and/or a procedural requirement had not been complied with. Several hearing sessions took place and the claim was dismissed by the High Court in a decision issued in December 2014. The Allocations Plan therefore proceeds as adopted.
- 5.76 The application site is within the general location of 'North of London Road', Rayleigh' referred to in Policy H2 of the Core Strategy as one of the general locations in the District where land would be released from the Green Belt to meet a rolling up-to-date five year supply of deliverable sites for residential development up to 2021. This general location was identified in Policy H2 to accommodate 550 dwellings between 2015 and 2021. The Allocations Plan which has subsequently been adopted identified a specific site within this general location known as SER1.
- 5.77 Save for a strip of land towards the western boundary, the application site falls within the SER1 allocation. Policy SER1 sets out the policy requirements of development within this allocation which is expected to accommodate 550 dwellings, consistent with Policy H2 of the Core Strategy.
- 5.78 Following the adoption of the Allocations Plan the land designated as SER1 is no longer subject to the former Green Belt designation. The principle of the proposed residential development is therefore accepted, in accordance with Policy SER1.

- 5.79 Whilst a number of objections have been received from members of the public which argue that this site is not the most suitable for residential development it is considered that objection could not be reasonably be made to the principle of residential development of this site, particularly given the policy support for the site, which has emerged as one of the preferred sites to contribute to the districts identified housing supply following public consultation and rigorous scrutiny by an Inspector at the Examination In Public.

Quantum of Residential Development

- 5.80 Whilst the proposal description does not specify a number of dwellings to be provided, the Design and Access Statement states that up to 500 would be envisaged. The Parameters Plan identifies the areas of the site where residential development would take place. Twelve areas of varying size are identified in total amounting to a total area of land of some 15.11ha. This total area of land would be sufficient to accommodate some 500 dwellings including capacity to accommodate all the necessary detailed layout requirements such as parking bays to the preferred bay size and minimum garden areas.
- 5.81 As the application site does not include all of the land within the SER1 allocation there is potential for other planning applications to come forward on the remaining parts of the allocation which have the potential to result in proposals which would cumulatively result in more than the 550 dwellings on the allocated land as a whole. Any subsequent applications would have to be determined at a future date on planning merit. Policy SER1 does, however, allow for a degree of flexibility in the quantum of dwellings the allocated site could accommodate providing that the need for any additional dwellings to maintain a five-year land supply can be demonstrated and any additional dwellings be shown to compensate for a shortfall of dwellings predicted to be delivered within the location identified in the adopted Core Strategy.
- 5.82 The current proposal for some 500 dwellings on the application site would accord with Policy SER1 and the total area of land shown designated for residential development on the Parameters Plan could accommodate the proposed quantum whilst meeting necessary detailed layout requirements. The proposed quantum of development, namely some 500 dwellings could not therefore be reasonably be resisted on the basis of future applications on other parts of the allocation which might propose numbers over 550.

Infrastructure Provision

- 5.83 Policy H2 and Policy SER1 prescribe the infrastructure requirements which must be delivered in order to ensure that the new residential development is comprehensively planned; these are as follows;
- New Primary School;
 - Local highway capacity and infrastructure improvements;

- Public transport infrastructure improvements and service enhancements, including a link between Rawreth Lane and London Road;
- Link and enhancements to local pedestrian/cycling and bridleway network;
- Link to green grid greenway No. 13;
- Public park land to provide a buffer between the built environment and the A1245;
- Youth and community facilities;
- Play space; and
- Sustainable drainage system.

5.84 The proposal would deliver all of the identified infrastructure improvements, as discussed in detail under the sections below, save for a link to green grid greenway no. 13. Essex County Council as lead on the green grid strategy which seeks to connect new communities with existing neighbourhoods has been contacted in an effort to understand progress on the development of the green grid green ways and in particular No. 13 but no response has been forthcoming. In the absence of this, the network of footpaths and cycle paths that would be created around the site is considered sufficient in terms of linking the new community to the existing and no further provisions are sought in respect of the green grid greenway.

Principle of Proposed Non-Residential Development

5.85 Non residential development is proposed in the form of land for health care provision, land for a primary school and land for non residential use for the purposes of either: Use Class A1 (retail), A3 (food and drink), A4 (drinking establishments), C2 (residential institutions), D1A (health or medical centre) or D1B (crèche, day nursery or day centre).

Land for a Primary School

5.86 1.1ha of the site has been identified in the Parameters Plan for provision of a primary school in accordance with the requirement for this in Policy SER1. The land for the school is sited towards the eastern boundary in the northern part of the site. This part of the site is at the lowest risk of flooding (flood zone 1) and is a relatively flat part of the site. Essex County Council (ECC) accepts the proposed position of the school site following the completion of a land compliance study subject to certain works being undertaken to prepare the land in advance of transfer to the County Council.

5.87 ECC has confirmed that the proposed development would generate a need for additional early years and childcare, primary and secondary school places having considered the proposal, looking at existing capacity and forecasts.

- 5.88 The County Council seeks the option of having the land to provide a new primary school at the site transferred to them (if this option is eventually formally favoured over expansion of existing provision) and a pro rata financial contribution towards primary, early years and childcare and a financial contribution to secondary provision.
- 5.89 These requirements are consistent with Policies CLT2 and CLT3 of the Core Strategy as well as SER1 of the Allocations Plan, which seek to ensure that impacts on access to education arising from development are properly mitigated. The applicant has agreed to the above heads of terms with details to be finalised in the s106 legal agreement.

Land for Health Care Provision

- 5.90 The applicant has identified an area of the site for healthcare provision which is located in the north-eastern part of the site and extends to an area of 0.19 hectares.
- 5.91 NHS England was consulted on the previous proposal and identified the need for a financial contribution of £164, 581.82 (calculated by NHS England's standard formula based on 500 dwellings) to mitigate the impact that the proposed development would have on primary health care services, having regard to the capacity of existing GP practices in the vicinity of the site.
- 5.92 NHS England explained that funding would not allow the NHS to develop a new primary care facility on the site at present. However, NHS England was satisfied with the applicant's proposal to market the land for 2 years and would not then require the financial contribution, provided that a health care facility, incorporating primary health care provision open to the general public, was built as this would then satisfactorily mitigate the impact on existing primary care services that the development would have.
- 5.93 The identified financial contribution would have to be paid (for use in capital projects to enable NHS England to upgrade or expand existing primary care facilities in the vicinity of the site) if no new facility were developed on the site within a certain time frame or if a new facility were not to incorporate an element of primary health care provision open to the general public.
- 5.94 Subject to the above s106 requirements, the proposed development would not result in increased pressure on existing primary healthcare facilities as satisfactory mitigation would be secured.
- 5.95 As noted above, there remains a possibility that the land set aside for health care provision could be developed for health care purposes, which would not be required to mitigate the impact that the proposed development would have on primary health care services (in this case the financial contribution would be paid). Whilst there is no requirement in Policy SER1 or any other local planning policy requirement for land for health care purposes to be provided at the site, the provision of a more general or private health care facility at the

site would sit comfortably alongside the proposed residential development having the possibility to serve day-to-day needs of at least some of the residents of the site. Incorporating the potential for a health care use at the site would add to the mix of residential and other land uses proposed, something identified as preferable in national planning policy. No objection is raised in relation to the proposal to include the land set aside for health care use including the possibility of a more general health care use not just limited to primary health care use open to the general public.

Land for Non-Residential Use in the North-East Corner

- 5.96 Any of the following uses are proposed in the far north-east corner of the site including; Use Class A1 (retail), A3 (food and drink), A4 (drinking establishments), C2 (residential institutions), D1A (health or medical centre) or D1B (crèche, day nursery or day centre).
- 5.97 The principle of small scale A1 retail units within the SER1 designation has already been accepted, as identified in Policy SER1. Some of the proposed uses have the potential serve day-to-day needs of residents at the site and in the wider vicinity. The other proposed uses would provide facilities within walking distance of a significant number of residential properties and help to create a mixed, sustainable development which national planning policy more widely seeks to create.
- 5.98 Concern has, however, been raised in a number of the neighbour representations received regarding the proposed non residential uses and impact on residential amenity, particularly with regard to the proposal for A4 drinking establishments.
- 5.99 Some five residential properties on Laburnum Way have a boundary close to the eastern boundary of the parcel of land in the north-eastern corner of the site where non residential uses are proposed. The residential boundaries are, however, separated from the application site boundary here by a planted strip containing a number of trees and a public right of way footpath.
- 5.100 D1A, D1B or C2 uses are unlikely to create a level of noise and disturbance which would be unreasonably harmful to residential amenity such as to warrant such uses unacceptable in this location, in principle.
- 5.101 A3 and A4 uses may give rise to increased potential for noise and disturbance as patrons leave which might be expected later into the evening than would be the case with the other proposed uses.
- 5.102 All of the proposed uses would introduce a need for access for vehicles and car parking provision at the site and would introduce traffic movements closer to the western boundaries of the closer residential properties and the associated noise than currently exists. Detailed layout of any specific proposal would however be considered at the Reserved Matters stage where additional landscaping and or fencing could be required to mitigate the impact on

adjoining residents. Given this and the context of the site on a relatively busy road, the increased noise and disturbance from vehicles accessing any new facility on this parcel of land would not be objectionable such as to resist any of the proposed uses.

- 5.103 In order to encourage the integration of the parcel of land proposed for non residential use (north-east corner) and the wider site a footpath and footway should be provided to a suitable pedestrian crossing across the industrial estate road. The provision of a footpath and footway would be something for consideration in the Reserved Matters application which would consider layout for that phase directly opposite the north-eastern corner. A planning condition is recommended to ensure the provision of a suitable crossing.
- 5.104 Each of the proposed uses would have different requirements in terms of layout and parking. These, together with detailed matters of design and access, would be matters for determination at a later Reserved Matters application stage.
- 5.105 There is a policy requirement for all non residential buildings to meet the BREAAAM very good rating and a planning condition is recommended to require any non-residential buildings at the site.

Small Scale Retail (A1)

- 5.106 Policy SER1 identifies that the provision of small scale retail (A1) units in the form of neighbourhood shops should be explored and if considered to be viable should be well designed and integrated into the development of the site. The provision of neighbourhood shops would complement the residential development of the site; however this is not identified as a specific requirement of the site under Policy SER1 and therefore has to be viewed as desirable rather than essential.
- 5.107 The proposal includes A1 retail as a possibility and therefore recognises that this use may be viable at the site. The proposed A1 retail does not specifically refer to 'small scale', neighbourhood shops as indicated in Policy SER1, however, as this is a desirable rather than essential element of Policy SER1, this could not be insisted upon. The land set aside for possible A1 retail is not centrally positioned within the development site but in the far north-east corner. This position does however take into account the constraints of this corner of the site which is separated from the main site by the road serving the industrial estate. It should be noted that this part of the site immediately borders existing residential development and as such would be considered better integrated taking account of proposed and existing residential development. Given this and that the possibility of A1 retail is desirable rather than essential the degree of integration into the proposed development site is considered acceptable. There would not be grounds to insist on a more centrally positioned site for the possible A1 retail.

Density

- 5.108 The developable area of the site for residential use would be an area of some 15.11ha. It is necessary to consider whether this area could reasonably accommodate the some 500 dwellings proposed at an appropriate density, in a way that would achieve the high standard of design and layout required of new residential developments in order to create a high quality place to live.
- 5.109 Policy DM2 requires that residential development must make efficient use of the site area in a manner that is compatible with the use, intensity, scale and character of the surrounding area, including potential impact on areas of nature conservation importance, and the size of the site. The policy goes on to stipulate that the density across a site should be a minimum of 30 dwellings per hectare, unless exceptional circumstances can be satisfactorily demonstrated.
- 5.110 500 dwellings on a site of 15.11ha would result in an average density of 33 dwellings per hectare (dph), which would exceed the policy minimum and is considered to be acceptable given the context of the site and the policy considerations.
- 5.111 By way of comparison in the locality, the average density for the area immediately to the east of the site around Laburnum Way is some 45 dph.
- 5.112 The submitted density plan shows proposed variation in density across the site with three density bands proposed; the highest band at 34-38 dph, the mid-band at 29-34 dph and the lowest band at 25-29 dph. It would not be imperative that the detailed plans worked up at the Reserved Matters stage adhered rigidly to these density bands, however, some variation in density across the wider site would be needed to ensure that that in design terms the whole site did not appear homogenous and this would be secured by the suggested planning condition relating to density. Variation of other factors such as architectural detailing, house type, external facing materials and layout will also add to the creation of place and provide opportunity for variation across the site.
- 5.113 It is concluded that a residentially developable area of 15.11ha could accommodate 500 dwellings at an appropriate density and that a detailed overall design and layout could be worked up, which would achieve the necessary high standard of design and layout including the required sizes for amenity spaces and parking standards.

Design

- 5.114 Policy CP1 requires new housing developments to achieve high quality design and layout. Good design is that which contributes positively to making places better for people and takes the opportunities available for improving the character and quality of an area and the way it functions. Places exhibiting good design should be visually attractive, safe, accessible, functional,

inclusive, and have their own identity and maintain and improve local character. They should also be well integrated with neighbouring buildings and the local area more generally in terms of scale, density, layout and access and relate well to the surroundings.

- 5.115 At this outline stage the applicant is required to demonstrate how the proposal would integrate with the surrounding context. The applicant has considered this in the submitted Design and Access Statement.
- 5.116 As this is an outline application, detailed design and layout is not a matter for consideration at this stage. The submitted parameters plan does however show how the proposed residentially developable areas would fit with the proposed areas of open space.
- 5.117 Essex County Council Urban Design Team has provided comments on the outline proposal and in respect of access these comments are generally supportive. The suggestion that in some instances the permeability of pedestrian and cycle routes between the development parcels could be improved or extended to provide leisure routes that avoid the main spine road can be developed at the Reserved Matters stage.
- 5.118 It was also noted that the rationale behind locating the 'non residential' uses onto the isolated parcel of land at the north-eastern edge was not clear with the suggestion that these uses (as yet to be identified) may be better located/integrated around the higher density blocks, adjacent to the school and healthcare facility as depending on the uses, being centrally located provides a greater opportunity to encourage walking and cycling. Officers also acknowledged the rather isolated position of the proposed non residential use but considered this acceptable, given the site constraints and proximity to other surrounding residential development, which in this context makes the location less isolated.
- 5.119 In terms of frontages the urban design advice received noted that the existing development along the frontage of Rawreth Lane follows a traditional linear pattern with buildings parallel to the road frontage and suggested that the new development should reflect this characteristic though the form of development along the boundary. The Rawreth Lane frontage was acknowledged in the urban design advice as being an important gateway into the site and that this area would require a considered approach to landscaping, built form and green infrastructure. These are all matters that can be addressed in detail at the Reserved Matters stage.
- 5.120 That footpaths, cycleways and amenity areas will need to be overlooked to ensure the safety of users and that this should be considered as each parcel of development is designed in greater detail was also highlighted and this is again something that would be considered in detail at the Reserved Matters stage.

- 5.121 The urban design advice also highlighted that the enclosure of space/streets will need to be carefully considered to avoid unsatisfactory suburbia with the balance between the number and location of detached dwellings and continued frontage a key factor in achieving a townscape which addresses Essex Design Guide principles. This is something that would again be considered in detail at the Reserved Matters stage.
- 5.122 Comments in relation to the need for more information relating to the strategic landscape and views have been discussed with the applicant and more detail relating to this would be provided at the Reserved Matters stage.
- 5.123 Any Reserved Matters application would be subject to its own consultation and allow for the acceptability of the proposed detailed design, layout and appearance to be interrogated further and for relevant policy relating to details matters of design to be taken into consideration.

Scale

- 5.124 Scale is a matter reserved for consideration in a Reserved Matters application that would follow, if outline consent were approved, however, the applicant has provided scale parameters.
- 5.125 The proposed dwellings would be up to 3 storeys with the upper height parameter for 3 storey buildings indicatively proposed at 12.5 metres and for 2.5 storeys at 11 metres. The acceptability of exact height and massing of buildings would be considered in more detail as part of Reserved Matters applications.

Affordable Housing

- 5.126 The proposal would comply with Policy H4 of the Core Strategy, providing 35 per cent affordable housing in each phase (Reserved Matters application). This requirement would form part of the s106 legal agreement, which would also include clauses to require appropriate delivery triggers, appropriate housing mix (i.e. no. of 1, 2, 3 and 4 beds), nomination rights, the affordable dwellings to be tenure blind, reasonably located and to a 80 per cent (affordable rent)/20 per cent (intermediate) split, in accordance with the requirements of the Council's Strategic Housing Department's requirements.

Dwelling Types

- 5.127 Policy H5 of the Core Strategy requires that new housing developments contain a mix of dwelling types to ensure that they cater for and help create mixed communities. As the application is in outline, the precise mix of dwelling types is not yet known and is a matter that would be considered at the Reserved Matters stage; however, the applicant has confirmed their commitment to providing a mix of dwelling types.

New Dwellings: Sustainability

- 5.128 The Sustainability Statement submitted with the application highlights the changes to standards relating to building sustainability, which the Government proposes to make following the Housing Standards Review conducted in 2013.
- 5.129 Since the determination of the earlier application a Ministerial Statement was issued on 25 March 2015, which announced changes to the Government's policy relating to technical housing standards. The changes seek to rationalise the many differing existing standards into a simpler, streamlined system and introduce new additional optional Building Regulations on water and access, and a new national space standard.
- 5.130 Planning permissions should not now be granted requiring, or subject to conditions requiring, compliance with any technical housing standards other than for those areas where authorities have existing policies on access, internal space, or water efficiency.
- 5.131 The Council has existing policies relating to all of the above, namely access (Policy H6 of the Core Strategy), internal space (Policy DM4 of the Development Management Plan) and water efficiency (Policy ENV9 of the Core Strategy) and can therefore require compliance with the new national technical standards, as advised by the Ministerial Statement (March 2015).

New Dwellings – Minimum Space Standards

- 5.132 Until such a time as existing Policy DM4 is revised, this policy must now be applied in light of the Ministerial Statement (2015), which introduced a new technical housing standard relating to internal space standards. Consequently all new dwellings are required to comply with the new national space standard, as set out in the DCLG Technical Housing Standards – Nationally Described Space Standard March 2015; a condition is recommended to require this.

Lifetime Homes/Wheelchair Adaptable Properties

- 5.133 Policy H6 of the Core Strategy requires all new dwellings to meet the Lifetime Homes Standard, which seeks to ensure that homes can be easily adapted to meet the changing needs of homeowners throughout their lifetimes. This policy also requires at least 3 per cent of new dwellings to be built to full wheelchair accessibility standards.
- 5.134 Until such a time as existing Policy H6 is revised, this policy must now be applied in light of the Ministerial Statement (2015). Consequently 3 per cent of the new housing would be required to achieve the optional building regulation requirement relating to wheelchair access (Part M) unless such a proportion is demonstrated to threaten the viability of the development in which case a

lower proportion may be considered; a condition is recommended to achieve this.

- 5.135 Local Authorities will not be able to require that new houses meet other building standards such as Lifetime Homes, once changes to the Building Regulations are in force. Having regard to this, a condition requiring that the development meets the Lifetime Homes Standard (other than in respect of wheelchair accessibility as detailed above) and Code for Sustainable Homes Standard Level 4 (save for in respect of water and energy efficiency as detailed below) is not recommended.

Water and Energy Efficiency

- 5.136 Until such a time as existing Policy ENV9 is revised, this policy must be applied in light of the Ministerial Statement (2015) which introduced a new technical housing standard relating to water efficiency. Consequently all new dwellings are required to comply with the national water efficiency standard as set out in part G of the Building Regulations (2010) as amended. The proposed optional requirement is to ensure that new dwellings are designed so that their estimated average water consumption would be no more than 110 litres per person per day which is equivalent to Code Level 3. A condition is recommended to require compliance with this Building Regulation requirement.
- 5.137 Government advice is also that local Planning Authorities can continue to be able to apply policies requiring development to comply with energy efficiency standards that exceed the energy efficiency requirements of the current Building Regulations until the proposed zero carbon homes policy has been put in place, which is anticipated to be towards the end of 2016 and equivalent to Code Level 4. Policy ENV9 currently requires all new dwellings to meet Code Level 4 as a minimum, including in relation to energy efficiency. A planning condition to require this is therefore recommended, consistent with Government advice.

Renewable or Low-Carbon Energy

- 5.138 Policy ENV8 requires developments of 5 or more dwellings to secure at least 10 per cent of their energy from decentralised and renewable or low-carbon sources unless this is not feasible or viable.
- 5.139 The applicant has identified Solar Photovoltaic (PV) or Solar Thermal Hot Water Systems as the most suitable renewable energy technologies for the proposed development and a planning condition is recommended to require compliance with the above policy unless it is demonstrated that this would not be viable or unless provision of such would be at the expense of provision of a higher specification energy efficient building fabric (to meet code level 4 with regard to energy efficiency) in which case a report demonstrating the case shall be submitted to and agreed in writing by the Local Planning Authority.

Open Space/Landscaping

- 5.140 There is a specific requirement that the Policy SER1 site deliver a minimum of 4 hectares of natural/semi-natural green space and this policy acknowledges that majority of this would be provided on the site within the area at risk of flooding. The Parameter Plan shows that an area of natural/semi-natural green space in excess of some 11 hectares, well in excess of 4 hectares would be provided. A large portion of this would be provided in the area around the Rawreth Brook which would link to ribbons of the open space which would extend along the western, northern and eastern boundaries.
- 5.141 Six local green spaces are also proposed within the residentially developable areas, the location of which will be finalised at the Reserved Matters stage. Soft landscaping would also be incorporated into the detailed layout of each residentially developable area. Overall, the outline Parameters Plan shows potential for the amenity green space and for appropriate landscaping to be well integrated into the site.
- 5.142 At this outline application stage, precise details of the proposed strategic and localised landscaping have not been provided but would be worked up and submitted for consideration at the Reserved Matters stage. A planning condition is also recommended which will ensure delivery of the open space in accordance with an agreed timetable as the residential development progresses. The s106 legal agreement will contain provision to ensure that the open spaces throughout the site are properly maintained.
- 5.143 In addition Policy SER1 contains a requirement for the provision of an area of public park land to the west of the site to provide a buffer between the built environment and the A1245. Policy SER1 specifies that the public parkland to the western boundary should be provided in the green belt, which it would be. The park land to the western boundary would equate to some 8.9 hectares in the Green Belt. National planning policy also identifies that parkland would not be an inappropriate use of green belt land as it would maintain openness and support the aims of the green belt.

Play Space

- 5.144 Policy SER1 contains a requirement that a minimum area of 0.07 hectares for play space be provided. An area of 0.07 hectares is proposed within the amenity green space which would be located centrally within the northern portion of the site with the precise location of the play space within this area to be finalised at the Reserved Matters stage. Policy SER1 does require that play spaces be appropriately distributed across the site to enable the local community to access them easily. It is therefore recommended that a planning condition be imposed to require a total minimum of 0.07 hectares for play space and in addition to the play space to be provided in the amenity green space as proposed, a further play space is provided at the site in a location to be agreed.

Ecology – Protected Sites and Species

- 5.145 Policy DM27 requires consideration of the impact of development on the natural landscape including protected habitat and species. National planning policy also requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity, providing net gains in biodiversity where possible.
- 5.146 Local Authorities are required under The Conservation of Habitats and Species Regulations (2010) to carry out an ‘appropriate assessment’ in respect of any plan or project which would not be directly connected to the management of the site for nature conservation and would either alone or in combination with other plans or projects would be likely to have a significant effect on a European Site of conservation importance. The purpose of an ‘appropriate assessment’ is to assess the implications of a proposal in respect of the site’s conservation objectives.
- 5.147 Natural England has, however, confirmed that in its view, the proposed development would not be likely to have significant adverse effect on the designated sites in proximity to the application site, stating that; the proposal site lies 2.2km to the south of the Crouch and Roach Estuaries SPA. Based on the rationale presented in the Environmental Statement (9.36-9.38, 9.95-9.99) and the assured provision of the significant quantum of green space (22.38ha being 48% of the red line site), it can be reasonably concluded that additional recreational pressures attributable to the proposed development are unlikely to have a significant effect. Consequently it is not necessary for an ‘appropriate assessment’ for the purposes of the Habitat Regulations to be carried out.
- 5.148 Based on the information provided, Natural England advises that the proposed development is not likely to have significant effects on the Crouch and Roach Estuaries Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), and Ramsar (internationally important wetland) site which are nearby.
- 5.149 The site is an area of arable farm land on which there are a number of ponds, ditches, hedgerows and trees and in addition there is a brook that bisects the site. Part of the eastern boundary is also immediately adjacent to an area of woodland. The site therefore offers the potential for habitat that supports protected species.
- 5.150 The submitted ecological report includes results of a walk over site survey for protected species and a series of surveys for bats and great crested newts.

Bats

- 5.151 One of the trees within the site boundary was considered to have medium potential to support roosting bats. This tree is positioned mid way along and close to the western boundary of the site. This tree is indicated to remain sited

in the area of the site to provide public open green space along the western boundary. Evidence of bats using the site for foraging and commuting was also recorded. The report recommends that all tree and shrub planting at the site should comprise native species of UK origin including Field Maple, Dogwood, Hazel, Goat Willow and Elder and should provide substantial hedgerow corridors providing links across the site. In addition, any grassland should be created through the use of grassland seed mixes in the interests of preservation and enhancement of habitat for foraging bats. The recommended soft landscaping condition incorporates these requirements and subject to this it is considered that in respect of bats the proposed development would comply with local and national policy which seeks to conserve and enhance biodiversity and would not likely result in harm to this protected species. The report recommends the provision of bat boxes as a measure of ecological enhancement and this has been incorporated into the landscaping condition.

Great Crested Newts

- 5.152 Targeted presence/absence surveys of ponds in and near to the site have been undertaken. The results found two ponds outside the site boundary but close to it, one near to Rawreth Hall and one at the nearby sports club, support great crested newt populations. As newts can travel up to 500m from a pond to forage, the site could support great crested newts and a mitigation scheme is required to ensure that great crested newts are not harmed during construction; a planning condition to require this is recommended.

Badgers

- 5.153 No badger activity was recorded on site although a badger sett was identified in the woodland east of the eastern boundary of the site. The Parameters Plan shows that a strip of open green space would be provided within the site immediately adjacent that area of adjoining woodland where the badger sett is located. The developable area of the site closest to the badger sett on adjoining land would be some 15 metres away. No mitigation is deemed necessary in respect of badgers.

Birds

- 5.154 Thirteen species of bird were confirmed as breeding in the survey work undertaken at the site and in the wider survey area, 2 of which include skylark and house sparrow which are listed as UK BAP species. The report advises that if existing hedgerows and scattered trees are to be kept no further mitigation would be required. However, a small section of existing hedgerow and some trees are to be removed to facilitate the proposed development. A condition is therefore recommended to require all felling and removal of hedgerows to be undertaken outside of the bird nesting season. The report recommends the provision of bird boxes as a measure of ecological enhancement and this has been incorporated into the landscaping condition.

Habitat

- 5.155 The report identifies the importance of the hedgerow to the eastern boundary as a Biodiversity Action Plan hedgerow and advises it remain. The majority of this hedgerow would remain and indeed some is located outside the site boundary. A small section would be removed although it is considered that this would be adequately compensated for in the wider soft landscaping of the site.

Water Voles

- 5.156 The activity of water voles was recorded in a ditch to the west of the site. This area of ditch would not be affected by the proposed development and the water course within the site which may support water vole would remain. No mitigation is therefore required in respect of this species.
- 5.157 The site has ecological value, however several planning conditions are recommended to require mitigation and measures to avoid harm to ensure that the proposed development would not impact adversely on protected species or habitat of ecological value. This approach is consistent with both national and local planning policy which advises that planning permission should only be refused if significant harm resulting from development cannot be avoided, adequately mitigated or as a last resort compensated for. Several ecological enhancements would also be sought.

Trees

- 5.158 Policy DM25 requires that development seeks to conserve and enhance existing trees and woodlands and Policy DM26 seeks to protect existing hedgerows of importance. An arboriculture implications assessment has been submitted with the application which identifies existing trees and hedgerows on and close to the site and discusses the implications of the proposed development on these.
- 5.159 A linear hedgerow/woodland area borders a significant part of the sites eastern boundary alongside the boundary with the industrial estate, residential properties on Grosvenor Road and wraps around the boundary with sports ground. The woodland area is subject to a Tree Preservation Order. Open space is proposed adjacent to this linear hedgerow/woodland such that the proposed development would not adversely impact on the longevity of the hedgerow or individual trees within it, save for a small section of hedgerow which would be adjacent to a section of the proposed link road in relation to which it is proposed that a small section of the existing hedgerow is removed.
- 5.160 A line of trees and fragmented hedgerow which includes a number of hedgerow trees runs along sections of the Rawreth Brook, which bisects the site east-west. The tree constraints plan indicates that a small number of existing trees would be removed to facilitate the proposed development, namely the link road section which would bridge over the brook.

- 5.161 The third fragmented linear hedgerow feature including hawthorn, blackthorn and crab apple runs along the sites northern boundary and features four individual trees. Two of these trees are Oaks which the Tree Constraints Plan indicates can remain with crown lifting works to 4m to enable sufficient visibility splay for the proposed access to the site off Rawreth Lane. The other two trees are an Ash and a Field Maple which are of low quality and would be required to be removed to facilitate provision of the proposed access.
- 5.162 Within the site there are three isolated individual trees and a small cluster of trees and a single tree on the southern boundary. The three individual trees within the site are Oaks all of which can remain without the proposed development adversely affecting the Root Protection Areas and therefore having any harmful impact on the longevity of these trees. The small cluster of trees is around a small pond and of low quality. These would need to be removed to facilitate the provision of the attenuation basin. The single tree on the southern boundary is a field maple of poor quality identified as obstructing the footpath and also therefore proposed for removal.
- 5.163 The north-eastern corner of the site indicated for non residential use contains a mix of Blackthorn, Hawthorn and Bramble with Field Maple and Oak and including a single Apple tree. The report indicates that the trees in this area would be felled to facilitate the proposed development. Given the small size of existing specimens it is considered that a new planting scheme could be developed for this area at Reserved Matters stage which could satisfactorily compensate for the trees lost.
- 5.164 The report identifies the dense linear hedgerow some 3 metres wide which runs adjacent to the eastern boundary of the north-eastern corner of the site which includes four good quality Oak trees. The importance of this hedgerow as a screen between the site and the existing residential properties to the east is acknowledged. The north-eastern corner could be developed without adverse impact on the linear hedgerow and trees within it which lie outside the application site with ground works in the vicinity of the trees and hedgerow controlled by planning condition.
- 5.165 The Council's Arboriculture Officer considered the submitted tree survey and report and raises no objection, subject to conditions. In the context of the wider site in which a significant amount of new open space including additional tree planting is proposed, the proposed removal of hedgerow/trees as described above is not objectionable and would accord with Policy DM25 subject to planning conditions which are recommended to require a detailed Arboricultural Method Statement and Tree Protection Plan for each phase and to require details of the proposed tree/hedgerow planting in the open spaces throughout each phase.

Archaeology

- 5.166 This application is accompanied by an archaeological assessment of the site undertaken by Wessex Archaeology Ltd, the scope of which was agreed with

ECC Historic Environment. The assessment includes the results of a desk-based evaluation of the archaeological record and historic landscape in the vicinity of the site, the results of field walking, geophysical survey and trial trenching of areas of the site. On site surveys were carried out in 2012 and 2013.

- 5.167 Field walking results revealed a fairly low-density spread of material across the site and included ceramic roof tiles and shards of pottery mainly of medieval and post-medieval date.
- 5.168 Geophysical survey was carried out over 4 areas of the site (Areas A and B in the northern part of the site, Area C in the central area of the site and Area D in the SE part of the site). Anomalies were found which were suggestive of possible archaeological interest, the most significant of these were clustered in an area in the SE part of the site where a complex of ditches, which appeared to possess internal features was found, indicative of a settlement site.
- 5.169 Area D in the SE part of the site was then subject to a scheme of trial trenching with 15 trenches excavated in and around this area. Archaeological features were found in 14 of the 15 trenches including a number of enclosures and several deep occupation layers where iron tools, coins and pottery were found. This SE area of the site was as a result of the finds identified as an area of intensive domestic occupation activity on an enclosed farmstead ranging in date from the 1st Century AD to the 4th Century AD. Further mitigation was recommended by the consultants who carried out the fieldwork in the area of this likely farmstead involving a discrete area of excavation to ensure the preservation of the archaeological remains by record in advance of the development.
- 5.170 Trial trenching has also taken place across the wider site with a total of 23 other trenches investigated in September 2013. Archaeological features were identified in 6 of the 23 indicative of settlement activity being undertaken in pockets during the late Iron-age Romano-British period. No further intrusive site investigation was recommended in the wider site by the team that undertook this further work.
- 5.171 Essex County Council Historic Environment team has been consulted on the proposed development and recommends mitigation which can be controlled by planning condition. It is therefore recommended that a number of planning conditions be imposed on the grant of any outline consent as detailed at the end of the report. This approach to mitigating the impact of the proposed development on the archaeological heritage asset at the site is consistent with the assets significance and both national and local planning policy.

Historic Buildings

- 5.172 A weather boarded barn, which is part of a cluster of farm buildings at Rawreth Hall to the west of the site is a Grade II Listed Building. The farm

house is also included on the Local List. The proposed development would be of sufficient distance from this heritage asset such that it would not result in harm to the setting.

Contamination

- 5.173 A report examining contamination risk at the site based on consideration of desk top data and the results of intrusive site investigations accompanies the application. This report assesses the overall risk of contamination affecting the site as being low. The Council's Environmental Health Department are satisfied with the investigations carried out and conclusions of the report and raises no objection, subject to several planning conditions which it is recommended are imposed. One to require remediation in the event that any contaminated material or asbestos is discovered during ground works and one to require compliance certificates are provided for any material to be brought to the site for use as subsoil, topsoil or backfill.
- 5.174 Policy ENV11 advises that the presence of contaminated land is not in itself a reason to resist development but requires that sites are subject to thorough investigation and that necessary remediation is carried out. Subject to the recommended conditions, the proposal would comply with this policy.

Noise

- 5.175 National planning practice guidance requires that noise needs to be considered when new development would be sensitive to the prevailing acoustic environment or when new developments may create additional noise. This relates to requirements in the NPPF which require that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and mitigate impacts including through the use of conditions.
- 5.176 A noise impact assessment which includes the results of noise monitoring undertaken at points around the site to assess baseline noise from traffic and the nearby industrial estate accompanies the application.
- 5.177 A specific noise survey was undertaken to assess noise arising from the industrial estate the results of which found that the noise emanating from this source would not be significant above the monitored background noise level and would be within an acceptable level. However, the Council's Environmental Protection Unit noticed that with the need to adjust the results to take account of the type of noise generated from the industrial estate, the noise increase would be significant at around 10 decibels such as to likely result in noise complaint. The Council's Environmental Protection Unit recommends a planning condition to require the submission of an updated noise report, which acknowledges this likely noise impact and identifies appropriate mitigation by way of acoustic bund/barrier, glazing specifications and consideration of minimising noise impact through layout and orientation. Subject to this and another condition to require a noise impact assessment in

relation to any plant and equipment relating to non residential use at the site, the noise that future residents of the proposed development would be subject to would be acceptable.

- 5.178 The report concludes that the change in noise arising from the development which would mainly be through increase vehicle movements associated with the residential development would have no perceivable effect on nearby sensitive receptors. i.e. nearby residential properties. The Council's Environmental Protection Unit is satisfied that the proposed development would not generate noise of an unacceptable level.
- 5.179 The submitted noise assessment acknowledges that the proposed development has the potential for noise impacts from construction vehicles and plant during the construction phase although states that a site specific Construction Environmental Management Plan will be implemented to minimise impacts. With this proposed mitigation in place, noise from the construction phase would be low magnitude and temporary.

Air Quality

- 5.180 Policy ENV5 states that new residential development will be restricted in Air Quality Management Area (AQMA), however this site does not fall within an AQMA and the proposed residential development of the site is therefore acceptable in this regard. This policy also requires that proposed development will be required to include measures to ensure that it does not have an adverse impact on air quality. The proposed development would not be in close enough proximity to the only identified AQMA in the district, in Rayleigh High Street, such as to warrant the requirement of any mitigation in relation to this. Proposed highway improvements that would be required in relation to the proposed development along London Road and the financial contribution to a new roundabout at Rawreth Lane/Hambro Hill are intended to reduce queuing and improve the operation of the highway network to the benefit of air quality. The proposed development would comply with Policy ENV5.

Highways/Access to the Site

- 5.181 As has already been detailed in relation to the highways reason for refusal above, a Transport Assessment accompanies the application in which the impacts on the local highway network from the proposed development have been assessed.
- 5.182 The resulting increase in vehicle movements arising from the proposed development on 4 existing junctions have been considered in the Transport Assessment terms of the impact of the increase on the capacity of the junctions compared to the existing situation. The junctions assessed were:-
- Chelmsford Road/London Road
 - Rawreth Lane/Industrial Estate Access

- Hullbridge Road/ Rawreth Lane
- Chelmsford Road / Rawreth Lane

5.183 Model results show that the Chelmsford Road/London Road roundabout junction would operate below capacity in all tests (i.e. as a result of likely vehicle movements arising from the proposed development together with all associated cumulative development) in the AM peak period and that the proposed development would have a negligible impact at this time. Results also show that this junction is reaching capacity and would slightly exceed capacity in the PM peak period with the likely vehicle movements arising from the proposed development. The primary cause of queuing observed in the PM peak period is as a result of eastbound traffic on the London Road. The applicant has undertaken a specific analysis of London Road which identifies that the cause of queuing originates from the London Hill/Station Road junction and is exacerbated by the Downhall Road/London Road junction which operates above capacity and by vehicles attempting to turn right at several points along London Road and holding up traffic behind. The applicant has identified several mitigation measures which could be implemented to the London Road corridor that could alleviate congestion and queuing. Of these, ECC have identified those mitigation measures that would be required of the developer which would meet the test of reasonableness and be justified and relevant in relation to the proposed development, namely:-

- Signalising and associated works of Down Hall Road/London Road Junction,
- Improved road markings and associated works at the London Hill/Station Hill priority junction,
- Signal upgrade at Victoria Avenue/London junction to include but not limited to the provision of a Microprocessor Optimised Vehicle Actuation (MOVA) (a proactive self optimising control system for Traffic Signals), associated enabling works and signal head upgrade.

5.184 These improvement measures would be undertaken at the developer's expense. It is recommended that a planning condition be imposed to require these works to be complete prior to the 50th occupation at the site. These measures would form part of a wider strategy of the Highway Authority that would enable any outstanding improvements to be funded and provided by alternative means, including any further development identified in the SER1 area or London Road corridor.

5.185 Model results show that the Rawreth Lane/Industrial Estate access would continue to operate below capacity as a result of the proposed development and in the cumulative development scenario and consequently no mitigation is proposed here.

- 5.186 Model results show that the Chelmsford Road/Rawreth Lane junction would operate below capacity in both peak periods. However, on site observations indicate queuing on Rawreth Lane can lead to delays in traffic seeking to turn right. EEC does not require any mitigation to this junction as enforcement signals are already in place.
- 5.187 The applicant has also indicated a number of proposals to encourage trips to and from the site by means other than the private car, namely:-
- Provision of an extended bus service to and from the site to ensure provision of a bus service linking the development with Rayleigh railway station along the link road with the service to operate between 0700 and 2100 hours Monday to Friday with a minimum frequency of every 30 minutes and hourly on a Saturday and Sunday between 0900 and 1800 hours for a period of 5 years. There is a fall back requirement that the applicant pay ECC a financial contribution of £540,000 for use in the provision of a bus service in the event that reasonable endeavours cannot secure provision of the extended service;
 - Provision of 12 month season tickets for bus travel to all eligible occupiers of the development (maximum of 2 per property);
 - Provision and implementation of a residential Travel Plan in the interests of ensuring that the proposed development seeks to encourage use of sustainable transport means;
 - Provision and implementation of a Residential Travel Information Pack for every household for sustainable transport.
- 5.188 It is recommended that these requirements be incorporated into the s106 legal agreement/conditions, as set out in the draft Heads of Terms/conditions below. The development would then meet the requirement of Policy SER1 in terms of public transport infrastructure improvements and service enhancements.
- 5.189 ECC Highways Authority has also identified that improvements should be made to a section of the existing public footpath number 23 up to its boundary with the St Nicholas Primary School. This footpath runs from the Rawreth Lane Industrial Estate road along the northern boundary of the industrial estate to Stirling Close going on to link to the footpath network in Sweyne Park and would likely be used by future occupants of the site to access on foot facilities to the east of the site, including Sweyne Park and the leisure centre. A condition is recommended to require details of specific works to be agreed and completed by the developer prior to the 50th occupation. This complies with the requirement of Policy SER1 that the development provide enhancements to the local pedestrian network.
- 5.190 Policy SER1 also requires that the development of this allocated site provides a link and enhancements to the cycle and bridleway network. A planning

condition is recommended which would require the provision of a cycle/bridleway network in the open space at the site.

- 5.191 The Council's adopted Parking Standards also requires that properties be provided with secure cycle storage provision and sufficient on site parking and that visitor parking also be provided across the site. There would be sufficient space to accommodate cycle and vehicle parking in accordance with the adopted standards in the proposed residentially allocated area of the site. Given this, the detail of where these spaces would be provided in the layout would be a matter that would be considered at the Reserved Matters application stage.

Site Accesses

- 5.192 Two priority junctions with ghost right hand turn lanes are proposed into the site, one onto Rawreth Lane and one onto London Road. The London Road junction includes a filter road to left turn into the site. ECC has considered the details of these proposed junctions and is satisfied that they would accommodate the proposed level of right turn movements without impeding the flow of vehicles on both London Road and Rawreth Lane. ECC recommends that conditions be imposed to require these junctions to be provided in accordance with the submitted details and with sufficient visibility splays with the Rawreth Lane junction. A condition is recommended to require the Rawreth Lane junction to be provided prior to the 50th occupation and the London Road junction provided prior to the 150th occupation the latter of which would correspond with the timeframe for delivery of the link road through the site.
- 5.193 Policy SER1 identified that a secondary non strategic vehicular access could be explored from the site to London Road to serve a southern portion of the site. A planning condition is recommended to allow potential for a secondary access to be incorporated into the detailed layout of the southern portion of the site to enable access via third party land to London Road in the event that adjoining third party land were also developed as part of the remainder of the SER1 allocation.
- 5.194 It is not considered necessary to impose the condition suggested by ECC that would require the link road through the development to be a minimum of 6.75m wide with associated footway/cycleway provision as the detailed plan of that part of the link road access to be considered at this outline stage already demonstrates that the road would meet this required width. The remainder of the link road would be dealt with under a Reserved Matters application at which stage the width of this remaining section would be for consideration.
- 5.195 ECC has also recommended the imposition of several additional planning conditions, which deal with other highway related matters. With some amendments, several planning conditions are recommended that address these matters where reasonably required. Timings for the delivery of various

highway related matters in the s106 and recommended conditions have changed in some instances from the timings initially set out in the County Council's consultation response, but revised timings have all been agreed by the County Council.

Public Right of Way

- 5.196 A public right of way footpath runs alongside western boundary of the north-eastern most corner of the site. This could remain unaffected by the proposed non residential development in this part of the site. Detailed plans submitted at the Reserved Matters stage would consider the relationship of the development here to this right of way.

Residential Amenity

- 5.197 At the outline stage a detailed site layout is not for determination so specific relationships between existing buildings and proposed dwellings cannot yet be considered in detail; this would be a matter for consideration in the later Reserved Matters application.
- 5.198 However, the Parameters Plan shows areas of the site proposed for residential development and other uses. In respect of the proposed residential development, this would all be sufficient distance from existing residential properties so as not to likely give rise to concerns relating to unreasonable impact on residential amenity.

Outdoor and Indoor Sports Provision

- 5.199 The NPPF at Section 73 acknowledges that opportunities for sport can make an important contribution to health and wellbeing of communities and identifies that planning policies should be based on robust and up-to-date assessments of the needs for sports facilities.
- 5.200 The acceptability of the proposed outdoor sports pitch provision has already been discussed above in relation to the reason for refusal relating to this matter of the earlier scheme.
- 5.201 No financial contribution towards improvement of existing facilities serving the sports ground to the south of the site is proposed. The provision of the additional sports pitches as proposed is considered proportionate to the proposed development and there is not considered to be policy grounds to require any financial contribution towards the upgrade of existing facilities.

Indoor Sports Provision

- 5.202 There is not considered to be any planning policy justification to require any specific indoor sports provision from the developer or to seek a financial contribution towards off site provision, as suggested by Sport England in its objection.

Youth Facilities

- 5.203 Policy SER1 requires the provision of youth facilities and requires that the type of youth facilities to be provided be determined in consultation with young people. The applicant has committed to undertaking a consultation exercise with young people to accord with a strategy which will have been previously submitted to and agreed with the local Planning Authority. Following the submission of the results of the consultation exercise to the LPA the applicant will then be required to submit details of the proposed youth facilities specification for the Council to agree, subject to a costs cap of £140,000 (inclusive of maintenance). The agreed youth facilities will then have to be provided at the site in accordance with the agreed specification and to a time frame to be agreed in the final s106 legal agreement.
- 5.204 The youth facilities, once provided on site, would be initially maintained for a 12 month period by the owner of the site. Following this ongoing maintenance would be undertaken by a management company appointed to maintain the facility on behalf of the owner or by a management company following transfer of the facility to the management company. The s106 will also contain provision for the youth facilities to be offered for transfer to the Council with a commuted sum for maintenance for a period.
- 5.205 The provision of a youth facility at the site following a consultation exercise with young people and the ongoing maintenance of this would be secured by provision in the s106 legal agreement in accordance with the policy requirement for this.

Allotments

- 5.206 An area of the site towards the eastern boundary has been identified to provide allotments in line with the recommendation in Policy SER1. A requirement that this land be offered for transfer to Rawreth Parish Council with a commuted sum for laying out will form a clause in the s106 legal agreement. It would then be for Rawreth Parish Council to consider whether they wished to have the land transferred to them for use as allotments. In the event that Rawreth Parish declined the land transfer the land would revert to public open green space and be maintained as such.

6 CONCLUSION

- 6.1 In determining this application, regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The application site is land designated within Policy SER1 for residential development (save for a strip of Green Belt land towards the western boundary) and consequently the principle of residential development is accepted.

6.3 It is considered that the proposed development would meet the necessary infrastructure requirements associated with this policy designation as summarised in the table 1 below:-

6.4 Table 1: Key Infrastructure

Infrastructure provision	Contribution (where applicable)
Highway improvements to London Road/Down Hall Road junction	To be delivered by developer, estimated cost £423,000.
Highway improvements to London Road corridor	To be delivered by developer, estimated cost £350,000.
Contribution to Rawreth Lane/Hullbridge Road junction	£250,000
Contribution to flood alleviation scheme in Rawreth	£200,000
Extended bus service	£540,000 (to fund extended service or fall-back contribution to ECC)
Bus Season Ticket - 12 month season tickets for bus travel to all eligible occupiers of the development (max 2 per household) once bus service is operational.	N/A
Early Years, Primary and Secondary School provision - option of transfer of the education land at the site to ECC) and a pro-rata financial contribution towards provision of a new primary school with early years and childcare provision on-site or a proportionate financial contribution towards expansion of existing primary, early years and childcare provision. Financial contribution towards secondary provision.	£5.1 million (total estimated). Final figure to be calculated according to the precise housing mix to be provided and according to the agreed ECC formula for education contribution calculations including indexation.
Allotments (to be offered to Rawreth Parish Council)	£80,000 (commuted sum)
Sports Pitches (to be offered to RDC)	£130, 237 (commuted sum)

Affordable Housing - 35 per cent in each phase.	N/A
Youth facilities	To be delivered by developer – to the value of £140,000
Healthcare facilities - marketing of health care site for provision of healthcare services for a period of 2 years following commencement of development at the site.	£164,581.82 (in the event no healthcare facility is developed on site)

- 6.5 The proposed development would, subject to the recommended conditions and a legal agreement to deliver the above infrastructure, adequately mitigate impacts associated with the development including those related to the highway network and flood risk.
- 6.6 Subject to the recommended conditions and Legal Agreement, the proposal is policy compliant with respect to relevant Core Strategy and other planning policies and there are no other material planning reasons to refuse consent.
- 6.7 Members will note at Condition 2 below that it is recommended that outline planning consent be granted with an extended time frame for implementation, allowing 5 years for the submission of all Reserved Matters applications. This is considered reasonable, given the scale of development proposed.

7 RECOMMENDATION

- 7.1 It is proposed that the Committee **RESOLVES**

That the application be **APPROVED**, subject to the completion of a **LEGAL AGREEMENT** under Section 106 of the Act for the heads of terms set out below and subject to the heads of **CONDITIONS**, as set out below, subject to any reasonable changes the Director shall deem fit:-

- 1) The option of transfer of the education land at the site to Essex County Council (ECC) and a pro rata financial contribution towards provision of a new primary school with early years and childcare provision on site or a proportionate financial contribution towards expansion of existing primary, early years and childcare provision. A financial contribution towards secondary provision. A total estimated education contribution of approximately £5.1 million. In the interests of clarity it should be noted that the total education contribution figure is estimated with the final figure to be calculated according to the precise housing mix to be provided and according to the agreed ECC formula for education contribution calculations.

- 2) A contribution of £250,000 (Two hundred and fifty thousand pounds) for highway infrastructure improvements at the Rawreth Lane/Hullbridge Road/Hambro Hill junction to a timetable to be agreed by Essex County Council.
- 3) Payment of a £5000 Travel Plan monitoring fee to ECC relating to the residential Travel Plan.
- 4) Provision and implementation of a Residential Travel Information Pack for every household.
- 5) Provision of an extended bus service linking the development with Rayleigh railway station. Bus service along the link road with the service to operate between 0700 and 2100 hours Monday to Friday with a minimum frequency of every 30 minutes and hourly on a Saturday and Sunday between 0900 and 1800 hours for a period of 5 years. Fallback requirement for financial contribution of £540,000 to ECC in the event that reasonable endeavours cannot secure provision of the service for use in the provision of a bus service.
- 6) Provision of 12 month season tickets for bus travel to all eligible occupiers of the development (maximum of 2 per household) once bus service is operational.
- 7) A minimum of 35 per cent affordable housing shall be provided in each phase (Reserved Matters application site area) to a mix of 80 per cent affordable rent and 20 percent intermediate housing, subject to delivery triggers, appropriate location of units within the site, appropriate dwelling type/size, nomination rights and other relevant matters.
- 8) Youth facilities provision (subject to costs cap of £140,000) and financial contribution for maintenance to be offered for transfer to RDC. In the event that RDC declines the transfer, facilities to be maintained in perpetuity by a management company.
- 9) Land for provision of sports pitches to be offered for transfer to RDC with a commuted sum of £130,237 for on going maintenance (if to be transferred to RDC to be laid out by the developer to a specification to be agreed by the LPA and to include drainage, ancillary car parking, hedging/fencing and pedestrian link to the adjacent existing sports pitches). In the event RDC to not accept the transfer – a requirement to lay the land out as a kick about area for informal recreation and be incorporated into the open space maintenance scheme.
- 10) Allotment land to be offered for transfer (with the necessary infrastructure for a water supply to the boundary, fencing around the boundaries and vehicular access to the boundary which shall provide a route to connect to the adopted highway) to Rawreth Parish Council with a commuted sum for laying out. In the event that Rawreth Parish

Council declines the land transfer the land would revert to public open green space and be incorporated into the open space maintenance scheme.

- 11) Monies of £200,000 set aside for contribution towards any flood mitigation scheme associated with flood alleviation of the Rawreth Brook in the Parish of Rawreth to be paid to RDC in the event that a scheme is finalised and approved/agreed by the EA. Monies to be made available as follows: 50 per cent prior to 10th occupation and 50 per cent prior to the 150th occupation unless a scheme is agreed for implementation earlier in which case the monies can be called on at an earlier time.
- 12) Provision of a Sustainable Urban Drainage system in accordance with details agreed by the relevant planning condition. Maintenance of the system by a management company, statutory water undertaker or the County Council (should the County Council become an approved body) in perpetuity to be undertaken in accordance with a maintenance schedule to be submitted and agreed by the Local Planning Authority.
- 13) Marketing of health care site for provision of health care services for a period of 2 years following commencement of development at the site. Payment of a financial contribution of £164,581.82) for capital projects associated with delivery of primary health care services in the vicinity of the site in the event that the health care land at the site is not developed to provide a facility which incorporates primary publically available GP services within 4 years following commencement of development at the site.
- 14) A site of 0.38ha to the north-east corner to be marketed for various non residential uses such as for retail, crèche/nursery, health purposes, for a period of 2 years from occupation of the first dwelling at the site. Further applications/approvals would be required for any such uses.
- 15) Provision of public open green space in accordance with the requirements of the relevant planning conditions and maintenance of these areas and any play equipment within these areas by a management company.

CONDITIONS

1. No development shall commence within any phase (Reserved Matters application site area) until plans and particulars showing precise details of the layout, scale, design and external appearance, access (save for access points to the site as shown on the approved Parameters Plan) and landscaping of the site, (herein after called the "Reserved Matters"), within the phase have been submitted to and approved in writing by the Local Planning Authority. All development at the site shall

be carried out in accordance with the Reserved Matters details approved.

2. In the case of the Reserved Matters, application for the first residential reserved matters application for approval shall be made no later than the expiration of two years beginning with the date of this permission. Application for the approval of the remaining "Reserved Matters" referred to in Condition 1 above shall be made to the Local Planning Authority before the expiration of five years from the date of this planning permission.
3. The development to which this permission relates shall be commenced not later than the expiration of two years from the approval of the first reserved matter and the remainder of the development shall be begun not later than:-
 - (i) the expiration of five years from the date of the grant of Outline Planning permission, or
 - (ii) within two years of the approval of the reserved matters for the phase or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.
4. Prior to the commencement of development hereby approved, a phasing plan covering the entire site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each reserved matters application shall refer to a phase, phases, or part thereof identified in the phasing plan.
5. The development hereby approved shall be constructed in strict accordance with the approved plans; Red Line Plan (Reference 180605_URB_PP_RL_001), Land use and landscape plan (Reference 180605_URB_PP_LUB_011 Nov 2014), Access and Movement Plan - Indicative Only (Reference 180605_URB_PP_AMP_007), Proposed Link Road General Arrangement Plan (Reference 47065807-DES- 01 Rev P5), Building Heights Plan - Indicative Only (Reference 180605_URB_PP_BH_007 Aug 2014), Density Plan (Reference 180605_URB_PP_DP_008 Aug 2014), London Road Access (Reference MBSK140801B), Rawreth Lane Access (Reference MBSK140801A) and Rawreth Lane Industrial Estate Road Access (Reference MBSK140801C).
6. The residentially developable areas, as shown on the approved Parameters Plan, shall accommodate no more than 500 dwellings in total.
7. No development or preliminary ground works of any kind shall commence in 'Area D' as outlined and labelled on figure 6.7 of the Environmental Statement and figure 16 in the accompanying appendix

C5, until a mitigation strategy detailing the excavation and preservation strategy that shall be undertaken has been submitted to and approved in writing by the Local Planning Authority. The works, as outlined in the mitigation strategy, as approved, must be completed prior to the commencement of any ground works, or development which may have been approved via any reserved matters applications, that would directly affect Area D.

Prior to commencement of any development or preliminary ground works in 'Area D', written confirmation that the archaeological field work has been completed in accordance with the approved mitigation strategy shall need to be issued by Essex County Council's Archaeological Officer and such confirmation be submitted to and agreed in writing by the Local Planning Authority.

Within 6 months of the completion of the field work agreed in the mitigation strategy, a post excavation assessment to include completed post excavation analysis, a full site archive and report ready for deposition at the local museum and a publication report shall be submitted to and agreed in writing by the Local Planning Authority.

8. Prior to the 50th occupation at the site, the following highway works along the London Road Corridor shall have been completed entirely at the developer's expense:-
 - a. Signalising and associated works of Down Hall Road/London Road Junction,
 - b. Improved road markings and associated works at the London Hill/Station Road priority junction,
 - c. Signal upgrade at Victoria Avenue/London Road junction to include, but not limited to, the provision of MOVA, associated enabling works and signal head upgrade.
9. Prior to the first occupation details shall be submitted to and agreed in writing by the Local Planning Authority for improvement of the existing public footpath number 23 up to its boundary with the St Nicholas Primary School. Once agreed, the works shall be completed, as agreed and prior to the 50th occupation.
10. Prior to the first occupation at the site, the priority junction with ghost right turn lane on Rawreth Lane shall be provided with a clear to ground visibility splay with dimensions of 4.5 metres by 180 metres to the east and west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times. As shown in principle on Mayer Brown drawing No. CP.Rayleigh-junction 2.1.

11. Prior to occupation of the 150th dwelling at the site or 5 years from the commencement of development, the priority junction with ghost right turn lane on London Road shall be provided with a clear to ground visibility splay with dimensions of 4.5 metres by 120 metres to the east and west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times. As shown in principle on Mayer Brown drawing No. CP.Rayleigh-junction 2.1. The link road through the development shall be a minimum of 6.75m wide with associated footway/cycleway provision.
12. Details of proposed driveway/garage or drive/hardstanding gradients to serve residential properties at the site shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the relevant driveway/garage or drive/hardstanding which shall be provided in accordance with the details, as agreed.
13. Details showing the means to prevent the discharge of surface water from the development onto the highway within each phase shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the highway to which the works relate being operational and shall be retained at all times.
14. Prior to the first occupation at the site, a residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority to include details of how the plan would be monitored annually, with all measures reviewed to ensure targets are met. The Travel Plan shall be provided and implemented in accordance with the details agreed.
15. Prior to commencement of development (including any ground works) in each phase (Reserved Matters site) a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of:-
 - the parking and manoeuvring of all vehicles of site operatives and visitors,
 - including construction traffic;
 - areas within the site to be used for the purposes of loading/unloading/reception and storage of building and other materials;
 - storage of plant and materials used in constructing the development; and
 - wheel and underbody washing facilities.

Once agreed, the development within the phase to which the Construction Method Statement (Statement) relates shall commence and be carried out in accordance with the measures as agreed in the relevant Statement.

16. Prior to commencement of development of any non residential buildings at the site, details shall be submitted to and agreed in writing with the Local Planning Authority to demonstrate that the buildings would meet the BREAAAM very good rating unless it can be demonstrated that this is not viable or practical (in which case details of viability/practicality shall be submitted to and agreed in writing with the Local Planning Authority). Once agreed, the buildings shall be built in accordance with the agreed details to achieve the BREAAAM very good rating and details submitted in writing to the Council to demonstrate that this rating has been achieved within 3 months of completion.
17. Prior to the importation of any material brought onto the site for use as subsoil, topsoil or backfill, a compliance certificate for that material proposed to be imported to the site shall be submitted to and agreed in writing by the Local Planning Authority. Material for use as subsoil, topsoil or backfill as agreed (and no other) may then be brought to the site.
18. In the event that contaminated material or asbestos is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the following requirements and a report submitted to and approved in writing by the Local Planning Authority to include:-
 - (i) a survey of the extent, scale and nature of contamination
 - (ii) an assessment of the potential risks to:-
 - human health,
 - property (existing or proposed) including buildings, crops,livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - ground waters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers'.

Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works and must complete the remediation works in accordance with the scheme approved. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority.

19. Prior to occupation of any property hereby permitted the developer shall submit to the Local Planning Authority a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in the approved remediation scheme.
20. Prior to the occupation of the first dwelling within any phase (reserved matters application area) an updated BS4142 assessment of noise which acknowledges the required +3dB correction expected for character of noise(s) associated with the industrial estate and details mitigation in terms of:-
 - Layout and orientation of buildings
 - Glazing specifications
 - Acoustic bund/structure

shall be submitted to and approved in writing by the Local Planning Authority for that phase. The mitigation measures as agreed shall be completed prior to the first occupation within the phase to which they relate.

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21. Prior to the installation of any plant and equipment relating to any non residential use at the site, a BS4142 assessment of noise for the proposed plant and equipment shall be submitted to and agreed in writing by the Local Planning Authority including details of any mitigation. Any mitigation agreed shall be completed prior to the operational use of the plant and equipment and retained in perpetuity.
22. Prior to the provision of strategic open space (natural/semi natural green space and amenity green space as identified on the approved Parameters Plan) or localised open space and landscaping within the developable areas including in the local greens, details of the proposed hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include (where applicable) details and plans (at an appropriate scale) of:-
- Schedule of species, size, density and spacing of all trees, shrubs and
 - hedgerows to be planted to include native species of UK origin, including Field Maple, Dogwood, Hawthorn, Spindle, Crab Apple, Blackthorn, Hazel, Goat Willow and Elder;
 - Substantial hedgerow corridors providing links across the site;
 - Grassland areas and the use of grassland seed mixes in these;
 - A full plan (to scale) that clearly shows the locations of new trees to be planted including planting method statement and after care plan;
 - Existing trees to be retained;
 - Provision of bird and bat boxes;
 - Areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
 - A long term maintenance schedule and specifications including timetable for monitoring and maintenance;
 - Location and material details of paved or otherwise hard surfaced areas/paths within the public open space;
 - Long term design objectives in respect of the public open space area;
 - Existing and finished levels shown as contours with cross sections as required;

- Location of lighting including details of lighting to be installed which shall be low pressure sodium lighting at levels kept as low as possible (between 1 and 3 lux where possible), directed to where it is needed, away from hedgerows with lighting columns kept as short as possible (ideally 3 metres or less).
- Means of enclosure and other boundary treatment including materials to be used and location of these shown on a plan;
- Minor artefacts and structures (e.g. benches, bins, signs etc.);
- Surfacing to provide cycling, walking and bridleway routes.

The soft landscaping agreed within the residentially developable areas shall be planted/provided in its entirety during the first planting season (October to March inclusive) following commencement of the development within the phase (Reserved Matters application site area) to which the landscaping relates or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal. The hard landscaping within the residentially developable areas as agreed shall be completed in accordance with a phased arrangement to be submitted and agreed in writing by the Local Planning Authority or prior to final occupation within the phase, whichever is earlier and retained in the approved form.

23. Prior to commencement of development within each phase (Reserved Matters application) a scheme for the protection of trees/hedgerows to be retained within or immediately adjacent to the site associated with that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
- a. A plan that shows the accurate position, crown spread and root protection area in accordance with paragraph 5.2.2 of BS5837 of every retained tree on the site and on neighbouring or nearby ground to the site. The accurate positions of all trees to be removed shall also be indicated on the plan.
 - b. Details of each retained tree in a separate schedule in accordance with paragraph 4.2.6 of BS5837.
 - c. A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work. All tree works

shall be carried out in accordance with BS3998, 1989, 'Recommendations for Tree Work'.

- d. Details and positions of the Ground Protection Zones in accordance with section 9.3 of BS5837.
- e. Details and positions of Tree Protection Barriers.
- f. Details and positions of the Construction Exclusion Zones in accordance with section 9 of BS5837.
- g. Details and positions of the underground service runs in accordance with section 1 1.7 of BS5837.
- h. Details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area of any retained tree, including those on neighbouring or nearby ground in accordance with paragraph. 5.2.2 of BS5837.
- i. Details of any special engineering required to accommodate the protection of retained trees (e.g. in connection with foundations, bridging, water features, surfacing) in accordance with section 10 of BS5837.
- j. Details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction. Details of the working methods to be employed for the access and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc.) on site.
- k. Details of the working methods to be employed for site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
- l. Details of the method to be employed for the stationing, use and removal of site cabins within any root protection areas in accordance with paragraph 9.2.3 of BS5837.
- m. Details of tree protection measures for the hard landscaping phase in accordance with sections 13 and 14 of BS5837.
- n. The timing of the various phases of the works or development in the context of the tree protection measures.

Development shall proceed in accordance with the approved tree protection scheme with the agreed Tree Protection Barriers erected prior to commencement of development within the phase to which they

relate and will remain in place, and undamaged for the duration of construction within that phase.

24. Prior to commencement of development (including any ground works) in each phase, an EPS (European Protected Species) mitigation strategy will be prepared, in consultation with the Local Planning Authority and Natural England, for the protection of great crested newts during construction which shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the terms of the EPS licence, unless variations are approved.
25. Existing hedgerows and trees indicated to remain on Drawing Number 3878- D-1 submitted as part of the Arboriculture Report shall remain and not be felled or removed. Those sections of existing hedgerow and trees indicated to be felled/removed on this same plan shall only be felled/removed/managed outside of the bird nesting season (March to August inclusive) unless otherwise agreed in writing with the Local Planning Authority in which case details justifying works outside these times shall be submitted to and approved in writing by the Local Planning Authority.
26. Density shall accord with the approved Density Plan reference 180605_URB_PP_DP_008 Date Issued August 2014 unless variation of this is proposed in relation to any phase, in which case details shall be submitted to and approved in writing by the Local Planning Authority and these shall still demonstrate variation in density across the site.
27. All dwellings shall meet, as a minimum, the space standard as set out in Policy DM4 until such a time as a national space standard is formally adopted after which time all new dwellings shall meet, as a minimum, the national space standard as set out in the Annex to the Housing Standards Review Technical Consultation September 2014 (DCLG) or as amended when formally adopted. The relevant minimum requirements applicable at the date Reserved Matters applications are submitted shall be applied unless it is demonstrated that this would not be viable or deliverable in which case a report demonstrating the viability and/or deliverability case shall be submitted to and agreed in writing by the Local Planning Authority. Prior to or concurrent with each Reserved Matters application, details of compliance with the applicable standard for all dwellings within that area to which the Reserved Matters application relates, shall be submitted to and approved in writing by the Local Planning Authority. Dwellings shall be constructed to the agreed details.
28. At least 3 per cent of new dwellings within each phase (Reserved Matters application area) shall be built to wheelchair accessibility standards, as required by Policy H6 until such a time as the proposed access changes to the Approved Document M on access to and use of

buildings volume 1 dwellings standards forming part of the Building Regulations come into force after which time at least 3 per cent of new dwellings within each phase (Reserved Matters application area) must be built to meet the optional standard M 4(3) set out in Approved Document M Building Regulations Category 3b (as consulted on by national Government in the Housing Standards Review Technical Consultation Approved Document M dated September 2014 (DCLG) or as amended when formally adopted). Prior to or concurrent with each Reserved Matters application, details of compliance with the above requirement for the area to which the Reserved Matters application relates, shall be submitted to and approved in writing by the Local Planning Authority. Dwellings shall be constructed to the agreed details.

29. All new dwellings shall achieve Code for Sustainable Homes Code Level 4 as a minimum in respect of water efficiency until such a time as Approved Document G on water efficient standards forming part of the Building Regulations (as consulted on by national Government in autumn 2014 or any subsequent further amendment or variation to the autumn 2014 consultation draft technical standard) comes into force after which all new dwellings shall achieve water efficiency equivalent to the proposed optional standard set out in the Approved Document G Building Regulation Building Regulations standard as a minimum, i.e., that new dwellings are designed so that their estimated average water consumption would be no more than 110 litres per person per day. Concurrent with each Reserved Matters application, details of compliance with the above requirement for all dwellings within the area to which the Reserved Matters application relates shall be submitted to and approved in writing by the Local Planning Authority. Dwellings shall be constructed to the agreed details.
30. All new dwellings shall achieve Code for Sustainable Homes Code Level 4 as a minimum in respect of energy efficiency. Prior to or concurrent with each Reserved Matters application, details of compliance with the above requirement for all dwellings within the area to which the Reserved Matters application relates, shall be submitted to and approved in writing by the Local Planning Authority. Dwellings shall be constructed to the agreed details.
31. Prior to the occupation of any dwelling within each phase (Reserved Matters application site) details shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how at least 10 per cent of the energy from the development within the phase would be provided from a decentralised and renewable or low carbon sources unless this is not feasible or viable or unless provision of such would be at the expense of provision of a higher specification energy efficient building fabric (in relation to condition 29 above) in which case a report demonstrating the case and the amount (decentralised/low

carbon/renewable energy) that would be provided shall be submitted to and agreed in writing by the Local Planning Authority. The measures, as agreed, shall be implemented prior to the occupation of the dwellings to which the measures relate.

32. A minimum area of 0.07 hectares for play space shall be provided at the site. In addition to the play space to be provided within the amenity green space, as identified on the approved Land Use Plan, (which for the avoidance of doubt may be of a size less than 0.07 ha, notwithstanding the area shown on the Parameters Plan providing that a total area for play of 0.07 ha is provided across the site as a whole) at least one further play space within the site shall be provided. Precise details of the two proposed play spaces, including the precise location and equipment proposed, shall be submitted to and agreed in writing by the Local Planning Authority prior to provision on site. At least one of the two play spaces shall be provided as a local equipped area for play (LEAP) on an area of 0.04 ha. The equipped play spaces, as agreed, shall be provided prior to 50 per cent occupation of the dwellings within the phase (Reserved Matters application site area) of which they are a part.
33. The natural/semi natural green space/amenity green space (save for the allotments and sports pitches), as shown on the approved Parameters Plan, shall be provided in accordance with the hard and soft landscaping scheme that shall have previously been submitted to and approved in writing by the Local Planning Authority (in respect of condition No. 20) with all of the planting and other landscaping works within each Strategic Landscape Phase completed prior to the occupation of 50 per cent of the dwellings within the applicable residential phase, as identified on the Landscape Phasing Plan (Reference 180605_PP_LAPHA_004 Jan2015) or any variation of this phasing plan as might subsequently be approved by the Local Planning Authority.
34. Details of a pedestrian crossing across the industrial estate road shall be submitted to and approved in writing by the Local Planning Authority. The crossing shall be linked to a suitable footpath/footway within the adjoining residentially developable area. The crossing shall be provided in accordance with the agreed details prior to the 50th occupation at the site.
35. Prior to the commencement of development within each phase (equating to a Reserved Matters application site area) a surface water drainage scheme for the phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme as agreed shall be implemented concurrently with the development within the phase to

which it relates to ensure that each property is served by a properly functioning surface water drainage system prior to occupation and that the scheme is completed in its entirety prior to the occupation of the last dwelling within the phase to which the scheme relates. The scheme shall:-

- Provide calculations to demonstrate that the proposed surface water management scheme has been adequately sized to accommodate the critical duration 1 in 100 year rainfall event, including allowances for climate change without causing nuisance or damage. The management strategy should consider both storage and conveyance of surface water.
- Provide plans and drawings showing the locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate that the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features. In addition, full design details, including cross sections of any proposed infiltration or attenuation features, will be required.
- Provide sufficient information to demonstrate that people and property will be kept safe from flooding, with consideration given to overland flow routing where during an event exceeding the design event.
- Fully investigate the feasibility of infiltration SuDS as a preference and provide evidence to establish if the principles of any infiltration based surface water drainage strategy are achievable on site, based on the ground conditions, by providing infiltration or soakaway tests which adhere to BRE365 guidance in an appropriate number of locations across the site.
- Incorporate the SUDS “Management Train” and ensure all features are designed in accordance with CIRIA (C697) The SUDS Manual so ecological, water quality and aesthetic benefits can be achieved in addition to the flood risk management benefits. In addition, the maintenance requirements for the SUDS element of the proposed surface water drainage system should be formulated as per the recommendations within the CIRIA SUDS Manual (C697).
- Ensure that any surface water discharged to the receiving ditch or main river, Rawreth Brook, shall be no greater than the existing 1 in 1 year green field run off rate for the site with respect to Pond 1 as shown indicatively on the submitted plan Drawing Number 47065807-SW-01 Revision P3 which is found at Appendix 1 of the Revised Drainage Strategy (indicative) for all return period events

and provide details of the device that shall be installed to achieve this.

- Ensure that any surface water discharged to the receiving ditch or main river, Rawreth Brook, shall be no greater than the existing 1 in 10 year green field run off rate for the site with respect to Ponds 2 and 3, as shown indicatively on the submitted plan Drawing Number 47065807-SW-01 Revision P3, which is found at Appendix 1 of the Revised Drainage Strategy (indicative) for all return period events and provide details of the device that shall be installed to achieve this. Save for 1 in 1 year return events where discharge shall be limited to the existing 1 in 1 year green field run off rate.
- Fully investigate the impacts of tide locking on the site and model a surcharge outfall scenario.
- Provide attenuation storage that will cater for the 1 in 100 year critical storm plus allowance for climate change based on a six hour duration event.
- Provide calculations of the piped network performance in the 1 in 30 year or 1 in 100 year rainfall events, including climate change.
- Modelling should be provided to demonstrate its functionality in the 1 in 100 year event inclusive of climate change.
- Re-model the drainage system once source control SuDS are incorporated to investigate whether run off from phases 2 and 3 could be reduced below the 1 in 10 year run off rate during a 1 in 100 plus climate change event and investigate whether additional areas outside of the development boundaries could be utilised for attenuation storage.
- Provide a Sustainable Urban Drainage System Management Plan which shall detail the proposed management and maintenance regime for the surface water drainage scheme for the lifetime of the proposed development. This shall include details of permeable paving and maintenance of these areas in perpetuity.
- Re-size the attenuation storage should impermeable areas be more than 60 per cent.
- Demonstrate that 10 per cent allowance has been included to allow for urban creep in the calculation of the attenuation storage volumes.
- Confirm that the receiving water course (Rawreth Brook) is in a condition to accept and pass on the flows from the discharge proposed.

- Confirmation of the opening up of any culverts and submission of an assessment demonstrating that the impact this will have has been fully investigated and modelled.

The surface water drainage system shall be maintained in accordance with the approved Sustainable Urban Drainage System Management Plan in perpetuity.

36. Finished ground floor levels of all dwellings and other non residential buildings at the site shall be set no lower than 13.11 metres above Ordnance Datum (AOD); 300mm above the 1 in 100 year event inclusive of climate change. Prior to commencement of development associated directly with the construction of dwellings within any phase, details including plans shall be submitted to demonstrate how compliance will be achieved with the above requirement. Prior to the occupation of each dwelling evidence shall be submitted to and agreed in writing by the Local Planning Authority to demonstrate that compliance has been achieved with this requirement.
37. Prior to the installation of any boundary treatment around the Allotment Land details shall be submitted to and agreed in writing by the Local Planning Authority. The approved boundary treatment (fencing/hedging) shall be installed in accordance with the approved scheme, (and in accordance with a programme for delivery previously approved by the LPA) and retained in the approved form.
38. Prior to the commencement of development hereby approved, a phasing plan covering the entire site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each Reserved Matters application shall refer to a phase, phases, or part thereof identified in the phasing plan.
39. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any up stands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.
40. Potential for a secondary vehicular access which would link (via third party land) to London Road shall be incorporated into the detailed layout of the residential area immediately adjacent and north and east of the Outdoor Sports Facilities land as identified on the approved Parameters Plan.

41. The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.



Shaun Scrutton

Director

Relevant Development Plan Policies and Proposals

Policies RTC3, RTC2, ED1, T8, T7,T6, T5, T3, T2, T1, CLT10, CLT8, CLT7, CLT6, CLT5, CLT4, CLT3, CLT2, CLT1, ENV11, ENV10, ENV9, ENV8, ENV5, ENV4, ENV3, ENV1, GB1, CP1, H6, H5, H4, H2 and H1 of the Rochford District Core Strategy 2011.

National Planning Policy Framework (NPPF)

Parking Standards Design And Good Practice Supplementary Planning Document (Adopted December 2010).

Policies DM1, DM2, DM4, DM5, DM16, DM25, DM26, DM27, DM28, DM29, DM30 and DM31 of the Development Management Document (Adopted December 2014).

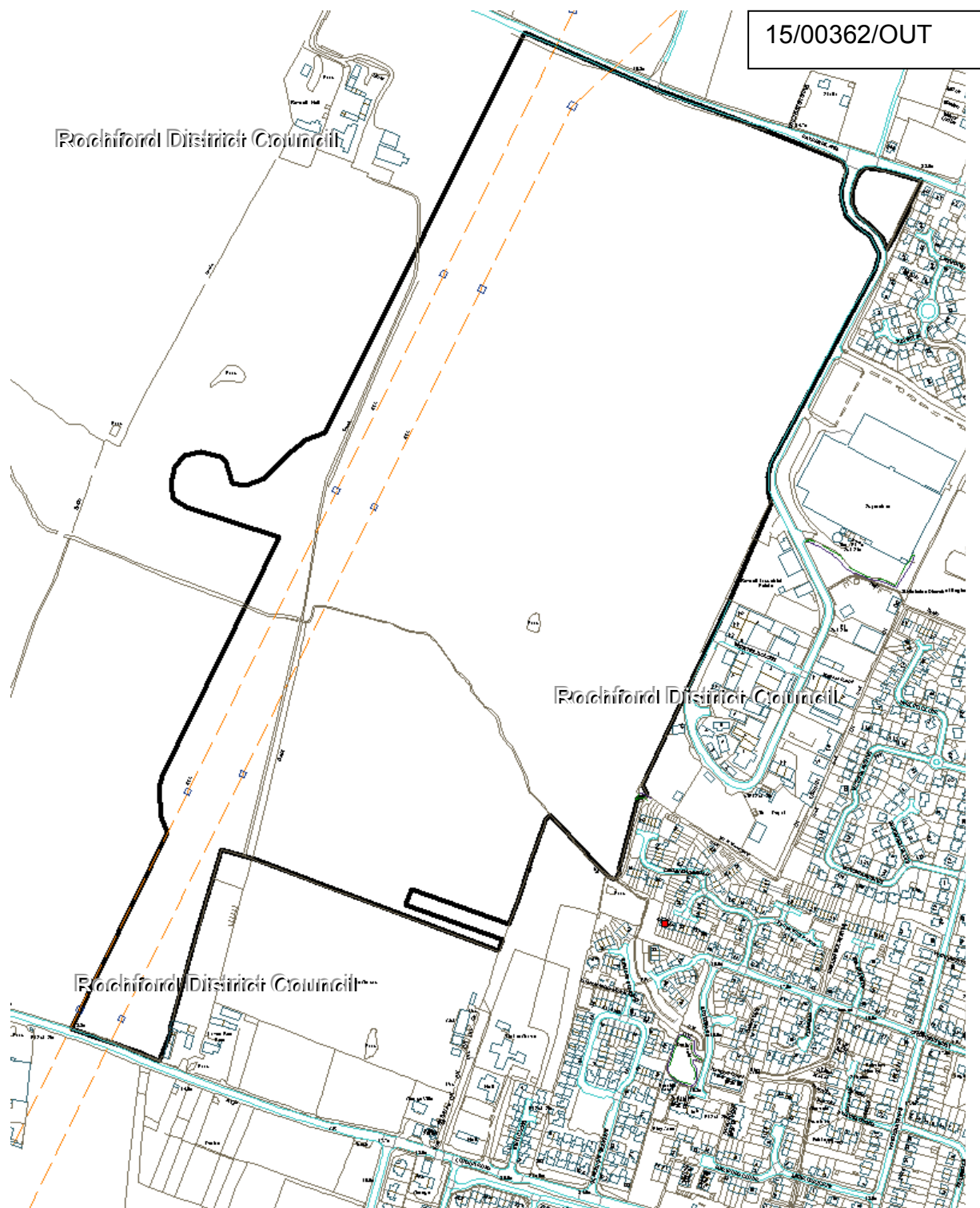
Allocations Plan (2014) Policy SER1.

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