

**APPLICATION ORIGINALLY REFERRED FROM THE
WEEKLY LIST**

WEEKLY LIST NO. 1657 – 17 MARCH 2023

22/01198/FUL

ARTERIAL PARK, CHELMSFORD ROAD, RAYLEIGH

**PROPOSAL FOR THE FORMATION OF LANSCAPE BUNDS,
IMPLEMENTATION OF A LANDSCAPING SCHEME, ALONG
WITH THE INSTALLATION OF ASSOCIATED DRAINAGE
INFRASTRUCTURE**

1 DETAILS OF REFERRAL

- 1.1 This item was referred from Weekly List No. 1657 requiring notification to Corporate Services by 1.00 pm on Wednesday, 22 March 2023 with any applications being referred to the meeting of the Development Committee on 18 April 2023.
- 1.2 Cllr J E Newport referred this application on the grounds that the proposed development falls within the Gypsy and Traveller site allocation and the size of the proposal may compromise future Gypsy and Traveller site accommodation.
- 1.3 The item that was referred is attached at appendix 1 as it appeared in the Weekly List.
- 1.4 A plan showing the application site is attached at appendix 2.

2 RECOMMENDATION

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

To determine the application, having considered all the evidence.

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Application No:	22/01198/FUL	Zoning: NEL 1 and GT 1
Case Officer:	Mike Stranks	
Parish:	Rayleigh Town Council	
Ward:	Wheatley	
Location:	Arterial Park, Chelmsford Road, Rayleigh. SS6 7NG	
Proposal:	The formation of landscape bunds, implementation of landscape planting scheme along with the installation of associated drainage infrastructure.	

1 SITE AND PROPOSAL

1. This application is to the site of the former Michelin's Farm located at the junction of the A127 with the A1245 and adjoining south of the London Liverpool Street Southend Victoria main line railway. The site was released from the Metropolitan Green Belt to provide a new employment area and Gypsy and Traveller Site in the Council's adopted allocations plan (2014). Outline planning permission including details of the first phase of commercial development was approved on 14th July 2020 under application 18/01022/OUT and is substantially complete with some units now occupied. The remainder of the allocated site and balance of the outline permission is overgrown and undeveloped. There is a new access into the site formed on to the A1245 Chelmsford Road north bound carriageway as part of phase one to what is now the Arterial Park.
2. The original application 18/01022/OUT provided access to the Gypsy and Traveller site from the A1245 through the adjoining commercial development now but did not include any plans for the GT 1 site provision and layout.
3. The reserved matters application 22/00186/REM approved a commercial layout for the remainder of the site yet to be commenced.
4. Policy GT 1 (paragraphs 3.298 pp82 and 3.311 pp84) to the Council's allocations plan identified the need for a substantial green buffer between the commercial and residential use to protect residents to the Gypsy and Traveller site from impacts from the adjoining commercial development. A total of 1ha of land is allocated to the purpose of GT1 to reflect the need for a minimum of 15 pitches requiring some 0.75ha of land with the balance to accommodate future need, ancillary facilities and the Green Buffer.
5. The reserved matters application for the yet to be built commercial development approved under application ref: 22/00186/REM reasoned that despite the tapering amenity strip to the south of Unit 11 having a width of 6.2m reducing to 2.2m to the west and that to unit 10 to the east having a

consistent gap of some 2.2m there was a further need for a substantial buffer to be met within both allocations.

6. Condition 11 of this reserved matters consent sought the provision of a soft landscaped buffer 15m in depth along the northern and eastern edges of the land allocated by Policy GT 1.
7. This application seeks planning permission for the remodelling of land levels and the provision of two landscaped bunds to the northern and eastern parts the land area forming the GT 1 allocation owned by the applicants to compliment the retention of existing trees and hedging to the southern and western site boundaries and to provide the necessary screening. It is worth noting that the site identified in this application does not strictly follow that of the allocation and excludes a broadly rectangular area of some 0.08ha immediately behind the neighbouring existing industrial units adjoining “Anwood Lodge” to the south.
8. The larger northern bund would have an irregular shape of overall length of 123m and a width of some 16 – 17m for the most part but reducing down to about 9m at the eastern end and to 8m in width to the western end but stopping within the site in from the western boundary so as not to conflict with the existing hedging to the western boundary expected to be retained. The bund would have sloping sides to a gradient of 1:3 to a height 2.6m reducing down to a height of 1.78m to the bund ends.
9. The smaller eastern bund would have a more regular shape with an overall length of 40m and a width of some 17 – 18m for the most part but reducing down to about 15m at the southern end. The bund would have sloping sides to a gradient of 1:3 and to a height 3.2m reducing down over the gradient to the bund ends.
10. Both bunds would feature tree planting to the top of the bund with shrubbery lower down the bund slopes. Most of the bund would be sown with wildflower meadow species but with amenity grassland to the lower bund toes at ground level.
11. The proposal would take clean cut spoil from cut and fill operations to neighbouring phase 2 of the site to use in the land remodelling and bund formation.
12. The bunds will be drained by land drains placed around the bund perimeters to discharge into the nearby ditch via a flow control device at a maximum rate of 2 litres per second for all storms up to and including the 1 in 100 year plus 40% climate change critical storm event. A below ground attenuation tank would store water upstream of the flow control device which would discharge into an existing ditch located to the south west corner of the allocated site.

RELEVANT PLANNING HISTORY

13. Application No. 18/01022/OUT

Hybrid planning application: full planning permission for the erection of buildings for use within Classes B1(c), B2 and B8 with access and servicing arrangements, car parking, landscaping, drainage features and associated highway works (Phase 1); outline planning application for up to 33,500 square metres of employment uses (Classes B1(c), B2 and B8) including means of access with all other matters reserved (Phase 2).

Permission granted 14th July 2020.

14. Application No. 20/00694/NMA

Proposed non -material amendment to 18/01022/OUT relating to re – wording of conditions 2 and 25.

Approved 27th August 2020.

15. Application No. 20/01052/NMA

Non – material amendment to alter the triggers relating to conditions 25 and 29 (relating to highway works) following approval of application 18/01022/OUT. (summarised).

Approved 17th June 2021.

16. Application No. 20/01196/FUL

Proposed 1 No. building for use within Classes B2 (general industrial) and B8 (storage and distribution) with access and servicing arrangements, car parking, landscaping and new boundary fencing (including section of 5 metre high acoustic fence) gate housebuilding, drainage features and associated highway works.

Permission refused 4th November 2021 – for reason of loss of Gypsy and Traveller allocation Policy GT1 (summarised).

17. Application No. 21/00752/NMA

Non – material amendment to approved application Ref: 18/01022/OUT to include landscaping changes, highway / parking related alterations and revised plans.

Approved 17th December 2021.

18. Application No. 21/00809/FUL

Application for variation of condition 2 (list of approved plans) of planning permission 18/01022/OUT – to allow for material changes namely the removal of an attenuation pond and replacement with landscaping and for the provision of 3 substations (summarised).

Approved 17th February 2022

19. Application No. 22/00186/REM

Reserved matters application relating to appearance, landscaping, layout, access (within the site) and scale for Phase 2 relating to application 21/00809/FUL (summarised).

Approved 27th June 2022.

20. Application No. 22/01197/FUL

The formation of a landscape bund, implementation of landscape planting scheme along with the installation of associated drainage infrastructure, plus erection of 2.4m high paladin fencing.

Pending consideration.

21. Application No. 22/01200/FUL

Erection of 2.4m high paladin fencing and entry gates, plus establishment of secure yard area and change to parking layout.

Approved 8th March 2023

MATERIAL PLANNING CONSIDERATIONS

22. The proposed development must 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.

23. The relevant parts of the adopted Development Plan are the Rochford District Core Strategy (2011), the Allocations Plan (2014) and the Development Management Plan (2014).

Principle of Development

24. The Council's allocations plan envisaged a land area requirement of some 0.75ha to realise the proposed 15 pitches to the GT1 site. As noted in this report (paragraph 7 above) the application site excludes part of the full extent of the land allocated by a reduction in the allocation of some 0.077ha. With the extent of the larger bund A at some 0.161ha and that of bund B at 0.072ha, the remaining area for development would be 0.667ha and below the 0.75ha envisaged.
25. Without a detailed layout for the number of pitches, it remains difficult to establish if the extent of the bunds now proposed would compromise the full delivery of the site. Nevertheless, it has been established that it is necessary for substantial landscaped bunds to screen the GT1 site from the adjoining commercial development. The proposal would satisfy this requirement. It would remain possible to modify the bunds in future as unlike permanent structures, it would not be difficult to reform these features slightly to enable the intended layout if necessary.

Proposed landscaping details

26. The landscaping would provide three tree species.
27. A total of 7 No. *Prunus avium* "wild cherry" would be provided, two to the eastern bund B with the remainder irregularly spaced to the larger northern bund A. This species is native and deciduous having a white bloom with reddish bark that can reach a height of 20m.
28. A total of 3 No. *Acer Campestre* would be provided in one single and one pair to the northern bund A. This species is also deciduous but with gold and green foliage capable of 12m in height.
29. A total of 5 No. *Sorbus torminalis*, one pair to the eastern bund B and three spaced unequally to bund A. This species is also deciduous capable of 15m – 20m height.
30. Part way down from the top of the bund and beneath the tree canopies predominantly to the side of the bund slopes in to the site, would be provided shrubs in the foreground of the tree planting.
31. These would comprise 6 No. *Viburnum opulus* "guelder rose" of green foliage that can reach 8m in height with a 4m spread. One would be planted to the smaller bund B with the remainder in groups to the larger bund A.
32. The landscaping would feature 10 No. *Corylus avellana* "common hazel" that can grow to a height of 12m. One specimen would be provided to the smaller bund B to the east whereas this shrub would be planted in groups and

singularly to the larger northern bund A.

33. Lastly 10 No. *Cornus Sanguinea* “dogwood” “midwinter fire” capable of 3m in height with deep red foliage in winter months would be provided with three in a group to the eastern bund B and the remainder singularly and in groups to the larger northern bund A.
34. The tree and shrub planting choices are each native and deciduous that can do well in most soils. The choices represent a healthy mix that would not allow disease common to one species to spread through the group easily providing some degree of resilience.
35. The toe of the bund to the site level would be planted with amenity grassland to form a verge. The remainder of the bund areas would be sown with a wildflower meadow mix.
36. The landscaping would repeat the approach approved to the site entrance landscaping and would provide an attractive setting with year round visual interest to the development with native species, generally good for supporting a variety of wildlife such as birds, insects and pollinators and would achieve a suitable setting and screen for the benefit of future residential occupiers of the GT1 site.
37. With Unit 10 to the east of bund B having an eaves height of 14.8m and overall height of 16.7m, the bund height of over 3m and potential tree canopy 12 - 20m in height would soften the impact of these large structures upon the future adjoining Gypsy and Traveller site occupiers.
38. Similarly, Unit 11 at an eaves height of 14.3m and overall height at 15.5m, though with a slightly lower and varied bund ranging predominantly between 2.6m and 1.78m in height, with the same planting structure would off - set the impacts of these substantial neighbouring buildings anticipated for neighbouring future occupiers providing effective landscaping as required by paragraphs 130 b) and 131 to the National Planning Policy Framework and effective boundary treatment as required by part (iii) to Policy DM1 of the Council's Development Management Plan.

Highway considerations

39. The bund areas would retain a site entrance to a width of 8.6m turning through a right angle into the site. This arrangement would not seem to frustrate future site access by oversize vehicles or with caravans being towed. However, should the access require improvement as part of the future layout of the Gypsy and Traveller site, the bund could easily be modified to suit. The proposed landscape bunds would not compromise any highway visibility or movement of vehicles or pedestrians to the site.

Contamination considerations

40. The possibility of contamination from the use of material on the site has been addressed by the requirements of identification and mitigation procedures under previous applications for the adjoining commercial development and there is no need for repetition in this minor application.

CONCLUSION

41. The proposed landscaping bunds would be of a substantial size to achieve the identified need for suitable screening of the approved commercial development to the future users of the neighbouring allocated Gypsy and Traveller site. The proposed species mix, irregular bund shape and haphazard arrangement of the planting would provide year round visual interest to the development with native species, generally good for supporting a variety of wildlife such as birds, insects and pollinators and would achieve an attractive design and setting to the future residential development of the site to the site achieving a desirable quality and character of place encouraged by national and local planning policies without any perceived failing for highway safety.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

Rayleigh Town Council: No comments received.

Neighbour representations: No neighbour representations received.

Relevant Development Plan Policies:

National Planning Policy Framework 2021

Core Strategy Adopted Version (December 2011)

Development Management Plan (December 2014)

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

Supplementary Planning Document 2 (January 2007) – Housing Design

The Essex Design Guide (2018)

RECOMMENDATION: APPROVE

1. Commencement

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

RESON: Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. List of approved plans

The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Drg.No. 21037 P0024 Rev. B - Location Plan

Drg.No. 21037 P0100 Rev. J – Proposed site wide Masterplan

Drg.No. 21037 P0025 Rev. B – Proposed site plan

Drg.No. 21037 P0022 Rev. E - Proposed Bund Cross Sections

Drg. No. 124638/2301 Rev. A – GT 1 Site. Proposed levels and Bund drainage plan.

Drg. No. 11866_P08 Rev. A – gt1 Land proposed bund soft landscape proposals

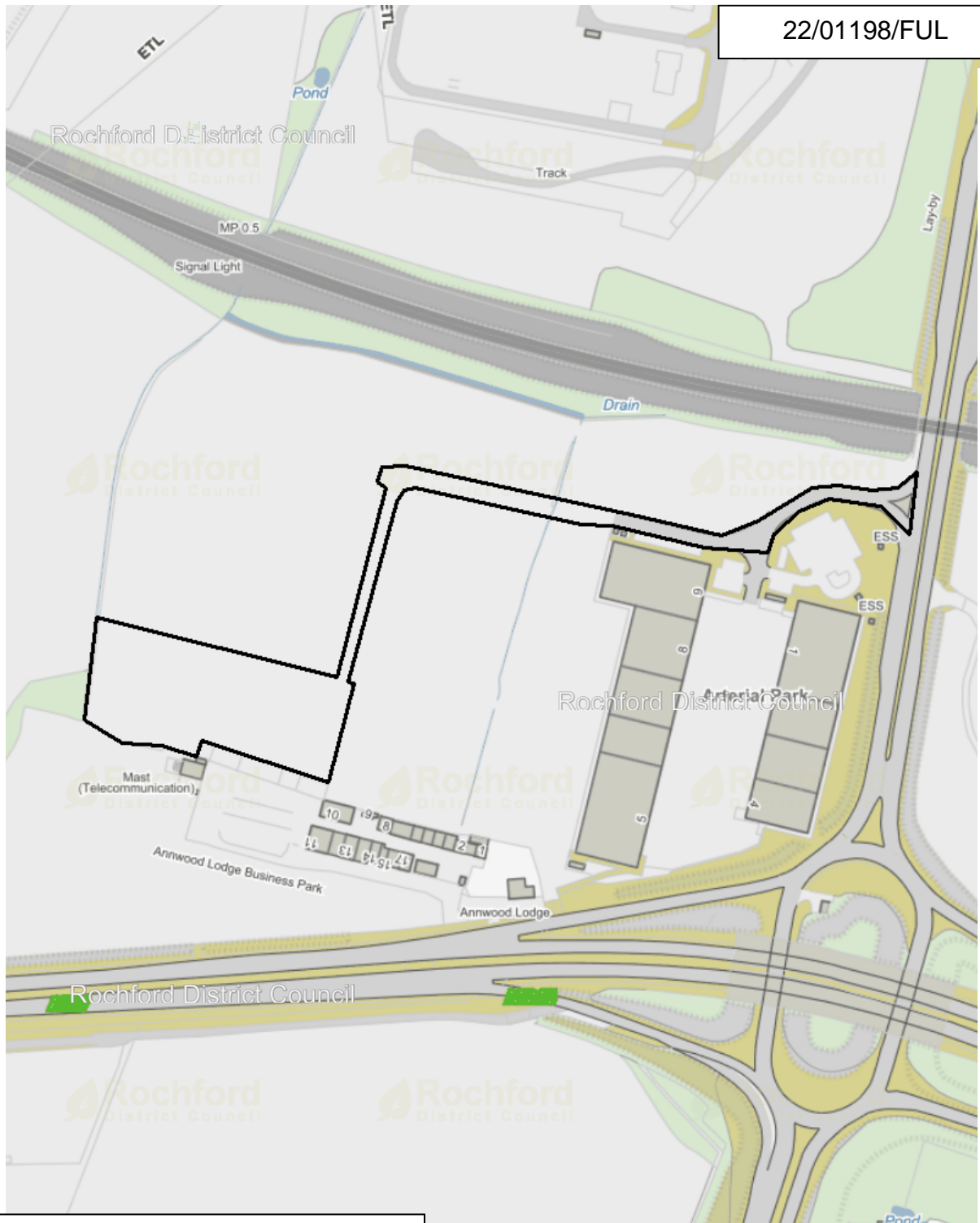
REASON: For the avoidance of doubt and to ensure that the development is completed out in accordance with the details considered as part of the planning application.

3. Landscaping and drainage implementation

All approved planting and site drainage shall be carried out in accordance with the approved plans and application details. Any tree or shrub including replacement plants being removed, uprooted, destroyed or be caused to die or become seriously damaged or defective within five years of planting shall be replaced by the developers or their successors in title with species of type and size and in positions to be agreed with the Local Planning Authority +-within the first available planting season following removal.

REASON: To ensure implementation of the landscaping scheme in the interests of visual amenity.

The local Ward Members for the above application are Cllr. A G. Cross, Cllr. J. L. Lawmon and Cllr. M. G. Wilkinson.



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