



**Rochford District
Council**

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY
DEVELOPMENT CONTROL COMMITTEE 3rd December 2009**

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

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

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

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Ward Members for Committee Items

HAWKWELL WEST

Cllr D G Stansby

Cllr J R F Mason

DEVELOPMENT CONTROL COMMITTEE 3rd December 2009

SCHEDULE ITEM

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| Item 1 | 09/00529/OUT | Mr Mike Stranks | PAGE 4 |
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- Outline Application to Provide Comprehensive Development of Approximately 330 Dwellings, Associated Infrastructure, New Vehicular Accesses onto Rectory Road, New On-Site Accesses and Road Network, Cycleway and Footpath Network, Public Open Spaces, Landscaping, Health Facilities and Local Amenities.
Land Between Main Road And Rectory Road And Clements Hall Way Hawkwell

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TITLE : 09/00529/OUT
OUTLINE APPLICATION TO PROVIDE COMPREHENSIVE DEVELOPMENT OF UP TO 330 DWELLINGS, ASSOCIATED INFRASTRUCTURE, NEW VEHICULAR ACCESSES ONTO RECTORY ROAD, NEW ON SITE ACCESSES AND ROAD NETWORK; CYCLEWAY AND FOOTPATH NETWORK, PUBLIC OPEN SPACE, LANDSCAPING, HEALTH FACILITIES, AND LOCAL AMENITIES. AT LAND BETWEEN MAIN ROAD, RECTORY ROAD AND CLEMENTS HALL WAY, HAWKWELL

APPLICANT : DAVID WILSON HOMES

ZONING : METROPOLITAN GREEN BELT

PARISH: HAWKWELL PARISH COUNCIL

WARD: HAWKWELL WEST

PLANNING APPLICATION DETAILS

The site

- 1.1 This application is to a site generally to the north of Rectory Road, west of Clements Hall Way over part of the unmade section of Thorpe Road which is included within the site and continuing towards the rear of frontage development to Main Road and behind the made-up section of Thorpe Road. The site is irregular in shape and divided into various parcels of land.
- 1.2 To the larger eastern part of the site exists a tree nursery and open land in use for grazing. The central part of the site is the subject of a woodland Tree Preservation Order TPO/00021/07 containing Hawthorn, Field Maple, Ash and Oak.
- 1.3 This part of the site also includes a detached dwelling, No. 352 Rectory Road set in large grounds extending the depth of the site.
- 1.4 To the central and western part of the site exists "Keyes" horticultural nursery formerly known as "Twinoaks Nursery", which comprises various buildings and glass houses with open areas of the site.

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- 1.5 Further north the site wraps around existing frontage development to the made up section of Thorpe Road and provides a frontage onto the junction made with Thorpe Close and including within the site the existing dwelling No.31 Thorpe Road.
- 1.6 To the western side of Thorpe Road the site includes open land with scrub but also a tennis court and a group of buildings in use for business / industrial purposes.
- 1.7 The site is adjoined by Clements Hall leisure centre and Spencer's Park to the north with residential development fronting Clements Hall Way to the east. Open land with sporadic frontage development fronting Rectory Road contains the site to the south. The south western edge of the site is adjoined by residential development in the Hall Road Rural Settlement Area. The western limits of the site are contained by similar frontage development to Main Road and the rear edge of residential development fronting the made up section of Thorpe Road.
- 1.8 The total site area is some 11.1ha.

The proposal

The application as originally submitted

- 1.9 The proposal is an outline application to establish the principle of residential development of up to 330 dwellings, associated infrastructure, new vehicular accesses, public open space, landscaping, health facilities and local amenities. It also seeks approval at this stage for the reserved matter of access to the development. All other matters such as appearance of the buildings, landscaping, layout and scale are reserved.

Residential element

- 1.10 The proposal is an outline application to provide comprehensive development of up to 330 dwellings which would be the predominant use covering some 8.72ha of the overall site. Whilst the application would see the comprehensive redevelopment of the site, the existing dwelling at No. 352 Rectory Road is to be retained with a reduced plot because of the presence within the building of a maternal roost for long eared bats. The development would accommodate the existing dwelling in the layout with residential areas otherwise contained within residential parcels accessed internally by roads described as "back lanes".

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- 1.11 The exact mix of dwellings is unknown at this outline stage, but for the purposes of the Transport Assessment the applicants state the proposed development would comprise 50 flats and 280 houses with 5% one bedroomed apartments, 25% two bedroomed units, 35% three bedroomed units, 30 % four bedroomed units and 5% five bedroomed units. Thorpe Road would give access to approximately 115 units whilst 200 units would access onto Rectory Road. A small number of units are to be accessed from private drives off Clements Hall Way.
- 1.12 The applicants describe the development to be arranged in two distinct character areas identified as “Parkside area ” of low (20–30 dwellings per ha) and medium (30–40 dwellings per ha) density housing set within a landscape context to the south eastern side of the site bounded by the junction made between Clements Hall Way and Rectory Road. The dwellings in this part of the site would be predominantly two and two and a half storeys but with three storey form used to mark important corners and within a medical and retail hub.
- 1.13 The “Village area” would be set out either side of Thorpe Road on the western part of the site. The village area would consist of medium (30-40 dwellings per ha) to high densities (40–50 dwellings per ha.) of housing with a broader range of building heights between two and three storeys with landmark buildings to three and a half storeys used sparingly.
- 1.14 The two storey dwellings would have an overall height up to 9.5m to the ridge line which the applicant states would be sited within the sensitive landscape on the eastern side of the site and adjacent to existing residential areas.
- 1.15 The two and a half storey dwellings would have an overall height up to 11.5m to the ridge line and would be used in conjunction with the low and medium density ranges across the whole site.
- 1.16 The three storey buildings would have an overall height of up to 13m to the ridge line and would be used extensively in the western part of the site within the village area. These buildings would be used to define key routes, public spaces and movement corridors and used in conjunction with high density housing.
- 1.17 The three and a half storey buildings would have an overall height of up to 16m to the ridgeline and would be designed to define and terminate long distance views, gateways to the site and mark strategic corners.

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Associated infrastructure

- 1.18 The application details envisage necessary improvements to the Rectory Road/Main Road/Hall Road junction by way of the creation of a left hand lane to the Rectory Road southern approach to the mini roundabout at this junction.
- 1.19 The applicants also propose to introduce pre – signals to the Cherry Orchard Way approach to its roundabout junction with Hall Road for the weekday morning peak hour.

New vehicular accesses

- 1.20 The main access into the development would be onto Rectory Road and flanked by the mixed use area. A secondary access would be provided further east.
- 1.21 The northern part of Thorpe Road would be upgraded and extended to serve the western part of the development and leading out to Hockley via Main Road. The layout shows this western part of the development to be separately accessed in this way so no vehicular link would be provided to allow “rat running” through to Rectory Road. Vehicle restriction measures are proposed to inhibit Thorpe Road from being used to connect to Rectory Road.
- 1.22 The accompanying Design and Access statement also envisages the principle of private drives accessing from Clements Hall Way into the eastern “Parkside Area “ part of the site.
- 1.23 The master plan indicates a network of footpaths and cycleways giving connectivity to the existing network outside the site, the Clements Hall Sports centre and Town Centre and bus routes.

Public Open Space

- 1.24 The layout proposes various areas of public open space totalling some 1.97ha. These areas also include formal children’s playspace to some parts of the layout. The central area of the site would provide a local equipped area of play of some 400 square metres in area with no part of the activity area closer than 20m from the frontage of an adjacent property. The applicants’ state that all new houses would be within 400m walking distance of this area.
- 1.25 The layout would also include local areas of play throughout the development and which the applicant’s state would be within 100m walking distance from new homes and equating to 0.625ha in total area.

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- 1.26 The applicants state that an informal pocket park would be provided to the west of Thorpe Road in part of the village area. This space would be designed with formal enclosure and a number of park benches to provide an inclusive communal open space to serve the development and wider community.
- 1.27 An area to the west of the site adjoining the village area is proposed for allotments and comprising 0.2ha.
- 1.28 The layout shown would create a linear park with sustainable surface water drainage pond alongside the northern boundary of the site and adjoining Spencer's Park to the north.

Landscaping

- 1.29 Although not part of the consideration of this application the applicants indicate the retention of well established hedgerows and state the opportunity to create meaningful ecological corridors linking through the site from Spencer's Park to the north with established tree belts to the south of the site. These corridors will form the majority of the open space within the site.

Health facilities and local amenities

- 1.30 The application includes provision for health and retail facilities which are shown located to the east of the main route junction off Rectory Road to part of the Parkside area. Whilst these details are indicative at this outline stage, the applicants anticipate the accommodation would support the provision of a three practitioner GP surgery, a dentist, and local amenities such as a pharmacy and local convenience store. This part of the site would equate to some 0.29ha. The medical facility is envisaged to be arranged over two or possibly three floors with apartments over the shops.
- 1.31 The application as originally submitted was accompanied by the following supporting documents;
- 1) Development Strategy :Design and Access statement
 - 2) Transport Assessment
 - 3) Flood Risk Assessment
 - 4) Ecology Strategy August 2009
 - 5) Planning Statement
 - 6) Statement of community involvement
 - 7) Sustainability statement
 - 8) Sustainable energy statement
 - 9) Tree schedule
 - 10) Preliminary Geo-environmental site assessment

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The application as amended and on which a decision is being made

- 1.32 The application was modified on 6th November to retain the access arrangements as originally proposed but reduce the extent of the site given over to built form and so allow for a greater part of the woodland area of the site, the subject of a Tree Preservation Order, to be retained as part of the scheme.
- 1.33 There is no change to the principle of the number of dwellings proposed which remains at up to 330 dwellings.
- 1.34 The amended layout within the site would also provide for an improved east/west green infrastructure link as well as enhanced SUDS ponds along the northern boundary of the site.
- 1.35 The layout parcels have been modified within the overall site resulting in revisions to the density profile and distribution within the development itself.
- 1.36 The residential component has been reduced in area by 1.22ha to 7.5ha, and the open space area increased by the same amount to 3.19 ha. The medical/retail use remaining unchanged at an area of 0.29ha. The previously proposed allotment area is lost to residential development.
- 1.37 Whilst the distribution of built form has been amended the overall heights of buildings proposed remains unchanged.
- 1.38 The application as revised is accompanied by the following additional documents:
- 11) Design and Access statement Addendum
 - 12) Ecology Strategy November 2009
 - 13) Arboricultural Impact Assessment November 2009.
- 1.39 The application as amended has been the subject of a second round of consultation with relevant consultees and re-notification with neighbours.
- 1.40 Members visited the site on 7th November.

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Further amendment – turned away by the Local Authority

- 1.41 In response to the more recent discussions that have taken place between the applicants and the County Highway Authority, the applicants have further revised the master plan and indicative layout to reduce the extent of that part of Thorpe Road to be made up and thus retaining most of its length unmade. Access to the western part of the development would be via a reduced made-up extension of the northern part of the road before turning into the development site. The remainder of Thorpe Road would remain in its existing state as required by the County Highway Authority to deter use as an alternative route.
- 1.42 This further amendment was received just prior to the finalisation of this report and too late at this stage to undertake necessary consultations consideration and assessment under this planning application. The County Highway Authority account for it in their recommendation to which they would remove their objection in favour of conditional approval. However District Officers have written to the applicant explaining that this further revised plan is not being accepted at such a late stage in the processing of the application.
- 1.43 The application is therefore being determined on the basis of the application as revised on 6th November 2009, since it has not been possible to undertake a third round of consultations.

RELEVANT PLANNING HISTORY

- 1.44 A number of applications have been considered on parts of the site for stables and domestic purposes and other developments.
- 1.45 Planning Permission was refused on 27th February 1987 under application reference ROC/435/86 for an outline application for part of the current application site and to erect 41 detached houses and garages. Permission was refused for Green Belt reasons.
- 1.46 A latter outline application for a residential development of one, two and three bedroomed starter homes was refused permission on 19th January 1989 under application reference ROC/954/88 on Green Belt, layout and inadequate parking reasons .
- 1.47 To the immediate east of the site Planning Permission was granted on 9th October 1984 for the District Council to demolish an existing bungalow and construct a new road to provide access to Clements Hall Sports Centre and which is now Clements Hall Way.
- 1.48 None of these previous applications have any appeal history.

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CONSULTATIONS AND REPRESENTATIONS

1.49 These are all first round consultations responses except for Rochford District Council Woodlands and neighbour responses which also include 2nd round comments.

1.50 **Hawkwell Parish Council:** Object on the following grounds:-

- Inadequate allotment space
- No environmental benefits
- Object to housing estate proposal in small rural area
- The District Council Core Strategy states that any housing development should bring environmental benefits and cannot see that.
- Green Belt ratio Brownfield
- Government Policy re Green Belt?
- Extra School places
- How will it affect schools in the area?
- What about secondary Schools?
- Identified lack of early years places – need to contribute to pre-school places
- The Development should be in character with the surrounding area , including a wide range of
- 2 ½ - 3 stories overbearing – don't want tower blocks
- Buildings of height in that locality out of character
- According to register 1562 homes in Hawkwell village.
- Developer anticipates only 30 children to the additional area
- 23% increase in population
- Applicants 14 houses to be built on one bungalow site
- Density – 2 or 3 times overpopulated
- Overdevelopment
- Retain village
- Almost two developments within the application
- Parkside 30 per hectare, village low 40's, Spencer's area density of 25, Green Belt Thorpe Road density almost 19
- Sport Centre meeting informed tied down by Government Legislation - unable to develop any less than 30 houses per hectare
- Build roads and school first before any development
- Are developers bound to take into account whether infrastructure is sufficient?

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- Can infrastructure be an adequate reason to object?
- Does the developer allow for cycle ways?
- Two developments doubling density linking up with Sustrans cycle paths – response from Council lack of money/staff to see project though
- Roads most important factor affecting houses
- Council's should consider better survey of roads, how deep have they researched the subject?
- Buses inadequate, hourly bus service useless, no evening service
- B1013 Busiest B road in the County
- Nursery corner bottleneck
- Additional heavy traffic
- A13 from Rayleigh splits at Spa Pub via Ashingdon, via Hall Road, one link between two roads – not one house should be built along Rectory Road
- Only routes out of A13/A127/A12 congested already
- 300 houses mean 500 cars-2000 extra movements per day on Rectory Road assuming people use their driveway twice/day
- Rectory Road cannot cope with extra traffic
- School Run – knock on effect in respect of children going to school will mean a vast increase in traffic
- B1013 already busiest road, dangerous exit route, Spencer's area high density – not practical
- Traffic lights under bridge too slow – set to allow for bridleway, would they be altered?
- Corner shop would bring heavy lorries/vans
- Width of Thorpe Road inadequate
- Application premature to Core Strategy
- Building at Rayleigh too close
- Essex should say no
- Essex cannot sustain more development – it is full
- If everyone in Essex said no it would add weight to the argument
- East of England Assembly needs to be advised at much higher level
- Properties not earmarked on map
- Make contact with local press and radio
- Approximate programme in relation to Planning Application?
- Last date to respond to planning application 8/10/09 – last date to respond to Core Strategy 2/11/09
- 19/11/09 to be heard at planning Development control where Coombes Farm will also be discussed
- loss of trees to erect a bridge across the brook and access points along Rectory Road
- the application is premature
- there are no social environmental benefits
- application misuses brown field

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- in terms of density there would be at least a 23% increase in the population of the Parish, 2 times more
- overdevelopment
- proposed 2 ½ - 3 storey buildings is overbearing
- the weight of traffic currently using Main Road and Rectory Road

1.51 **Essex County Council Highways and Transportation:** The Highway Authority recommends that permission be refused for the following reason:

1. As far as can be determined from the submitted plans the proposal includes the upgrade to adoptable standards of a section of Thorpe Road. This would encourage the inappropriate use of Thorpe Road by vehicles wishing to bypass the B1013/Rectory Road junction. The movement of vehicles associated with this use would lead to conflict and interference with the passage of vehicles to the detriment of that principle function and introduce a further point of possible conflict, being detrimental to road safety.

1.52 Therefore the application does not comply with the requirements of the following county council policies:

Efficiency/Capacity	Structure Plan Police T7
Safety	Structure Plan Policy T11

1.53 Note:
Should Members be advised to grant planning consent or the applicant revises the planning application (as discussed) to remove the upgrading of Thorpe Road to adoptable standards thereby eliminating inappropriate use of the Highway network then the Highway Authority would recommend the following:

1.54 The Highway Authority raises no objection to the proposed application subject to the following heads of conditions:

1.55 No development to commence on site until such time as the following heads of conditions the have been agreed and implemented:

1. Both proposed vehicle accesses on Rectory Road at its centre line shall be provided with a clear to ground visibility splay
2. The western vehicle access on Rectory Road shall be constructed with an appropriate dropped kerb vehicular crossing of the footway/highway verge at right angles to the existing carriageway.

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3. The eastern vehicle access on Rectory Road shall be constructed with an appropriate dropped kerb vehicular crossing of the footway/highway verge at right angles to the existing carriageway.
 4. The provision of a 2m footpath along the entire site frontage to link into at Clements Hall Way to the east and existing facilities to the west.
 5. No unbound material shall be used in the surface of the access within 10 metres of the highway boundary of the site.
 6. The estate road layout should in all respects accord with the requirements of the Essex Design guide for residential and mixed use areas.
 7. A construction traffic management plan to shall be submitted to and agreed in writing with the local Planning Authority
 8. Areas within the site for the purpose of loading/unloading and manoeuvring shall be identified, submitted and approved in writing by the Local Planning Authority.
 9. The parking provision for car, cycles and powered two wheelers should accord with the requirements of the current Essex planning officers Association Vehicle Parking Standards.
 10. Details of the number, location and design of cycle parking and powered two wheeler facilities shall be submitted to and approved in writing by the Local Planning Authority.
 11. No more than 115 dwellings shall be permitted to access that part of Thorpe Road which links Hall Road to the northwest of the application site.
- 1.56 No occupation to commence on site until such time as the following have been implemented and completed to the satisfaction of the Highway Authority:
12. Provision of capacity improvements at the junction of Hall Road/Cherry Orchard Way to be agreed with the Highway Authority. Details shall be submitted and approved in writing by the Local Planning Authority.
 13. Provision of capacity improvements at the junction of Rectory Road/Main Road and Hall Road to be agreed with the Highway Authority. Details shall be submitted and approved in writing by the Local Planning Authority.

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14. The provision of passenger transport infrastructure improvements to public transport stops in the vicinity of the site on both sides of Rectory Road and at the junction Thorpe Road/Rectory Road. This shall include where appropriate raised kerbs, bus shelters, footpath link, hardstanding, flag poles, timetabling and real time information provision. Details shall be submitted and approved in writing by the Local Planning Authority.

15. The provision and implementation of a Travel Information and Marketing Scheme for sustainable transport for every residential household.

Contributions

- 1.57 The provision of a financial contribution for improvements to passenger transport services to increase the frequency to half hourly of Arriva bus service No.8.
- 1.58 **Essex County Council Specialist Urban Design advice:** Object.
- 1.59 Note that all issues apart from the access points are intended to be reserved matters and the additional information is background material. The degree of detail as correctly contained within the Design and Access statement gives some indication of intentions. The urban Design comments are therefore based on this supporting illustrative material insofar as it is likely to be the direction the proposals are heading.

Overall Approach

- 1.60 The elements of the master plan have some merit such as some mixed use, reasonable legible plan form, the use of landmark buildings and the identification of sites for key frontages, squares, pinch points, avenues etc. If these were carried through to any future detailed proposals in a well designed way rather than in a manner that purely attempted to meet the minimum, the scheme is likely to have some good townscape elements. Unfortunately, the Design and Access Statement does not paint a convincing picture that this will be the case.

Context

- 1.61 The proposals appear to be based on an assessment of local context and public consultation feedback. Caution should however be exercised in respect of using the local context too closely and which in some cases may represent an unfortunate precedent. The original Essex Design Guide recognised the need to break with the then prevailing 1960's context rather than follow it.

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- 1.62 Context should not be used as a pretext to accept low quality and should not stifle development of distinctive character. There is a need to raise design aspirations and perhaps explore the opportunities for a distinctive design whilst respecting the Essex Context.

The Detail

- 1.63 The Design and Access statement (section 6) has examples of how the character area design principles might be applied but the logic or derivation of the two sets of building parameters covering "Village" and "Parkside" is not clear. The parameters do not seem to follow in a clear way from the analysis of built forms in the local context and suspect this might be geared to provision of certain house types.

- 1.64 In the building parameters (pages 44 and 49) a detached house is shown as potentially having a roof span up to 12.5m and semi detached properties up to 10m spans. Apartments are shown as having spans of 15m. These dimensions do not sit comfortably with the Essex Design Guide which the application acknowledges as providing guiding principles and design policy. The Design guide General principles however state that traditional buildings of Essex are normally made up of rectangular plan forms with pitched roofs spanning the narrower plan dimension rarely greater than 6.5m.

Traffic

- 1.65 Have concerns regarding the affect of such a development upon the local road network but this has no direct Urban Design implications.

Conclusion

- 1.66 Have reservations regarding the proposal as the Design and Access Statement which does not give confidence that the development will be of high quality design. If the Council is minded to grant consent, ideally such development should proceed on the basis of an agreed design/development brief which would raise aspirations higher than seems evident in the supporting information.

- 1.67 **Environment Agency:** Object

Sequential test

- 1.68 Advise the site is mostly within Flood Zone 1, the low risk zone. A section of the north east of the site is however situated within Flood Zone 2 and 3 defined as medium and high probability risk.

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- 1.69 Advise that two of the development parcels in the north-east of the site coincide with the areas of medium and high probability risk. No information has been provided by the Local Planning Authority to demonstrate that the Flood Risk Sequential Test has been applied. Therefore raise objection that:

“It has not been demonstrated that there are no reasonably available alternative sites in areas with lower probability of flooding that would be appropriate for the type of development proposed and therefore the application fails the sequential test as required by paragraph D5 to PPS25.”

- 1.70 If following the application of the sequential test it is not possible to locate the development elsewhere, then consideration should be given to adopting a sequential approach on site locating the most vulnerable uses in the lowest areas of flood risk. If all build development can be located within Flood Zone 1 we will be in a position to remove our objection concerning the sequential test.

Flood Risk Assessment

- 1.71 Advise that the submitted Flood Risk Assessment is inadequate. Recommend Refusal on the following basis:

REASON: The Flood Risk Assessment has indicated that the surface water system shall be split into two systems. It has been demonstrated that surface water shall be attenuated on site for the 1 in 30 year storm event with an oversized pipe system which may be adopted; and the 1 in 100 year storm event contained within the private systems on site. This would be acceptable in the outline stage of planning however confirmation should be offered by the Authority as to who shall adopt the 1 in 30 year storm event system. If this information is not obtained then confirmation relating to the responsibility of future maintenance should be included.

REASON: The system being split into two areas has been stated as having a run off rate for one area of 58 l/s while the other has 53 l/s rate. It is indicated in paragraph 6.14 within the FRA that the flow shall be matching the 1 in 100 year rate. The site should in fact mimic present rates. This means these rates should be no higher than the current 1 in 1 year rate during 1 in 1 year storm event.

- 1.72 Advise that if these discharge rates can be produced from the site, so as not to increase its present run off rate, the agency may be in a position to remove their objection.

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Ecological considerations

- 1.73 Advise that for a proposal of this size the potential biodiversity and ecological impacts need to be considered and that the accompanying Ecology Strategy gives consideration to the ecology of the site.
- 1.74 The recommendation that the stream should be opened up to benefit Water Voles and reptiles is welcomed. However, although the report identifies that there is data relating to invertebrates, either desk or field based surveys do not seem to be included. It seems the existing habitat represent a brown field environment with regenerating diverse grassland. Advise there is a high chance of that some of the more notable species may be utilising the site. The agency strongly advise that the Essex Field club is contacted for current invertebrate data. In addition to this desk based study an invertebrate survey should be undertaken by an appropriate specialist at the correct time of year (June – August) to establish accurate assessment upon red data book or Bio-diversity Action Plan invertebrates to be made and mitigation measures formulated.
- 1.75 Advise that Planning Permission should only be granted if the following heads of condition relating to ecology is imposed:

Condition: Prior to commencement of the development a desk based study and further invertebrate survey shall be undertaken and if notable brown filed invertebrates found to be present mitigation measures to protect habitat be submitted.

Contamination

- 1.76 Advise that advice recommends a precautionary approach to contamination where considered in the planning system. If during development, contamination is found to be present it may pose a significant risk to controlled waters and in topes circumstances the agency would wish to be reconsulted. Therefore recommend the following heads of condition;

Condition: If during the development, contamination not previously identified is found tot be present at the site then no further development shall be carried out until the developer has obtained written approval for a remediation strategy detailing how this contamination will be dealt with.

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Sustainable construction

- 1.77 Advise that with new information becoming available on the impacts of climate change it is important that the proposed development is carried out in as sustainable manner as possible including minimising use of resources and production of waste such as passive systems using natural light, air movement, thermal mass and high levels of water and energy efficiency.
- 1.78 Recommend the following heads of conditions:
- Condition: Prior to the commencement of the development a scheme for the provision and implementation of water resource efficiency to be submitted to the Local Planning Authority.
- Condition: Prior to the commencement of the development a scheme for the provision and implementation of energy and resource efficiency during construction and operational phases of the development to be submitted to the Local Planning Authority.
- 1.79 **Essex County Council Schools, Children and Families Directorate:** No objection subject to education contribution being received and provision of high quality pedestrian and cycle paths.
- 1.80 Understand that at this time the number and mix of the units proposed is unknown.
- 1.81 Advise that according to forecasts and published information in the Essex School Organisation Plan (SOP) there should be sufficient primary and secondary school places at a local school serving this development.
- 1.82 However in the case of early years and day care there is no day nursery in Hawkwell West. When figures were last collected in February 2009 there were just eight unfilled places at local pre-schools and all available child minder places in the ward were taken.
- 1.83 An education contribution will be required to increase capacity for this age range.
- 1.84 Clearly until the unit mix is known, the precise number of additional children that this development will add to the local demand cannot be calculated. Based on 330 houses however, around thirty pre-school age children can be anticipated and therefore recommend a contribution based upon the formula and conditions outlined in the Essex County Council Developer's Guide to Infrastructure Contributions.

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- 1.85 Further advise on the need to ensure high quality pedestrian and cycle paths are provided, linking the development to the full range of education and community facilities provided in Hockley and South Ashingdon. Acknowledge the detail of this would be a matter for colleagues in Highways but would be grateful if the safer routes to schools agenda could be raised in discussions to ensure any appropriate off site works are picked up.
- 1.86 **Essex County Council Specialist Archaeological Advice:** No objection.
- 1.87 Advise that the proposed development lies at the boundary of Historic Environment Character Zone (HECZ) 30, Hockley and (HECZ) 26 Land between Hockley and Ashingdon as described in the Rochford Historic Characterisation Document .
- 1.88 It is not possible to assess archaeological survival prior to the urban development of Hockley, the land between Hockley and Ashingdon is noted for its dispersed settlement and number of finds, particularly of prehistoric material and potential for archaeological sites.
- 1.89 Recommend the following heads of condition:
- Condition: Trial trenching and possible excavation.
- 1.90 **Sport England:** Object.
- 1.91 Advise that as the site does not affect any playing fields the consultation is not statutory but does fall within the definition of major housing development that Sport England should be consulted on.
- Outdoor sports facility provision*
- 1.92 No on site provision is made for meeting the needs generated by the proposed development. It is acknowledged that the development makes provision for 1.97 ha of public open space which comprises of informal open space children's play areas and allotments. However these proposals would not provide formal open space suitable for outdoor sports.

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- 1.93 Paragraphs 11.7–11.8 of the submitted planning statement propose that instead it would be more appropriate to make a financial contribution towards improving the quality of the nearby Clements Hall playing field i.e. drainage and levelling improvements which would improve the carrying capacity of existing pitches and allow another senior pitch to be created. On this occasion this is considered acceptable because making on site outdoor provision on the application site is unlikely to be practical or viable in view of the size of the site and number of dwellings proposed and in view of the proximity of Clements Hall playing field. The approach proposed is considered consistent with statement PP9 of Rochford Council's Supplementary Planning Document 3: Playing Pitch Strategy (2007). The SPD supports Local Plan policy LT2 and statement PP9 is relevant to this proposal as it confirms that the council will require contributions towards the provision or enhancement of existing playing pitches and in some cases preference to maintenance of existing pitches rather than the provision of new facilities. Table 5 of the SPD specifically identifies pitch drainage and ground levelling at Clements Hall playing field as a priority and the only priority identified in the Hockley/Hawkwell area. The approach is also consistent with policy CLT 1 of the emerging Rochford Core Strategy (September 2009) which relates to development making financial contributions to off site infrastructure.
- 1.94 Whilst the approach is considered acceptable, there is no clarity provided of the level of financial contribution proposed and what improvements at Clements Hall playing field would in practice be delivered. It is unclear if those priorities identified in the SPD are still up to date and whether the proposed contribution would be sufficient in isolation or when pooled with other secured funding to implement an appropriate improvement scheme within a timescale that would ensure the improved facilities are available for use by residents to the proposed development. An objection is therefore made to the planning application in its current form. However would withdraw this objection if this matter could be addressed.

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Built sports facility provision

- 1.95 Advise that the Essex Sports Facilities Strategy (2008) provides evidence of need for accessible sports hall and swimming pool provision in Rochford District to meet existing and future community deficiencies (associated with natural and housing led growth). Whilst there is an adequate supply of facilities in the District, a large proportion of this supply is not fully accessible to the community such as facilities on school sites and commercial facilities. The development would exacerbate such deficiencies and would not meet the additional facility needs generated by the development unless provision for the additional demands that it generates are made. Policy CLT1 of the emerging Rochford Core Strategy (September 2009) refers to development making financial contributions towards off site infrastructure. In this regard, leisure facilities are listed as a type of infrastructure which standard charges or planning obligations would be applied with respect to residential development.
- 1.96 Paragraph 1.18 of the submitted planning statement suggests that a financial contribution could be used to towards enhancing leisure facilities at the nearby Clements Hall Leisure Centre in general terms and this would be acceptable and appropriate in principle. However there is no clear commitment by the applicant to actually make an appropriate financial contribution towards the enhancement of indoor sports facilities at Clements Hall Leisure Centre. An objection is therefore made to the planning application in its current form as there is no certainty provided at this stage that such contribution will actually be made in practice. However would be willing to withdraw this objection if these issues could be addressed i.e. confirmation of the level of contribution that would be secured, details of the nature of the enhancement project and its timescales and securing of the agreed contribution through planning obligation.
- 1.97 Advise that in relation to calculating appropriate developer contributions towards built sports facilities, Sport England's Facility Calculator (launched in 2004), 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 of the 2001 census. 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. 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 825 people (330 dwellings with an estimated residential occupancy of 2.5 persons per dwelling) and allowing for a 5% increase in sports participation above current levels in accordance with the Essex Sports Facilities strategy the residential population of the proposed development is estimated to generate a need equivalent to 4% of a 25m swimming pool, 6% of a four court sports hall and 1% of an indoor bowls centre. The current cost of providing these facilities at June 2009 prices would be £283,251.

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- 1.98 **London Southend Airport:** No safeguarding objections.
- 1.99 **Anglian Water Services Ltd:** No objection.
- 1.100 Have no objection to raise against the proposal but offer a number of advisory statements and informatives as summarised below.
- 1.101 **Assets Affected:** Advise that Anglian Water has assets within or close to the site that may affect the layout. Those assets should be accommodated within the public highway or diverted as such and before development commences.
- 1.102 **Water Resource Zone and Water Supply Network:** Advise these matters are outside the responsibility of Anglian Water and that the views of Essex and Suffolk Water should be sought.
- 1.103 **Foul Sewerage System and Wastewater Treatment:** Advise that foul flows from this development can be accommodated within the foul sewerage network and Rochford Sewage Treatment works that at present has adequate and available capacity.
- 1.104 **Surface water system:** The applicant has indicated that their method of surface water drainage is not to a public sewer and is therefore outside the jurisdiction for Anglian Water comment and views will need to be sought from the Environment Agency.
- 1.105 **Trade effluent:** The application may include employment / commercial use for which discharge to the public sewer will require consent of Anglian Water. Recommend that petrol/oil interceptors be fitted in all car parking, washing/repair facilities to avoid pollution of the water courses. Anglian Water also recommend the installation of fat traps on all catering establishments as failure to do so may result in blocked drains, sewage flooding and consequential environmental and amenity impact.
- 1.106 **Essex and Suffolk Water:** No objection. No comments to make.
- 1.107 **Buildings technical support (Engineers):** No objection.
- 1.108 Advise consideration of Flood Risk and Sustainable drainage. Questions capacity within foul and surface water systems.
- 1.109 **Natural England:** No objection.
- 1.110 Advise that the site is within the vicinity of Hockley Woods Site of Special Scientific Interest (SSSI).

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- 1.111 Based upon the information submitted have no objection to the proposed development subject to the proposal being carried out in strict accordance with the details of the application. The reason for this view is that the proposal will not have a significant affect on the interest features of the Hockley Woods SSSI.
- 1.112 It is likely that the proposed development will increase the recreational usage of Hockley Woods SSSI. Whilst the site is more resilient to recreational pressures than other more sensitive sites the Council is reminded:
- They should continue to invest in the management of the SSSI to balance the recreational demands with the need to conserve the special interest of the SSSI.
 - That sufficient open space is provided in the Hockley area to adequately meet the needs of both existing and predicted increase in local population expected with this application and in particular advocate Natural England's own Accessible Natural Green Space standards such that every home should be within 300m of an accessible natural green space of at least 2ha plus
 - At least one accessible 20ha site within 2km
 - At least one accessible 100ha site within 5km
 - At least one accessible 500ha site within 10km
 - The original English Nature ANGSt model also included provision of at least 1ha local nature reserve/1000 population.
- 1.113 Remind the Local Planning Authority of the general duty to take reasonable steps to further the conservation and enhancement of flora and fauna or geological or physiographical features by reason of which the site is of Special Scientific Interest.

Protected Species

- 1.114 Note the application is supported by an ecology strategy which draws on ecological surveys undertaken between 2007 and 2009. Whilst the site is not designated itself, it is of biodiversity value and contains features of nature conservation interest, including several protected species. The master plan has been revised to take account of the presence of protected species to accommodate bats and badgers. Broadly speaking Natural England are satisfied that the strategies for protected species are appropriate and proportionate and should be secured by a suitably worded planning condition or agreement.

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Bats

- 1.115 No roosts have been found in trees within the site although support the retention of mature and semi – mature trees wherever possible as these will contribute to the value of the site for bats generally.
- 1.116 A roost of long eared bats was located within the property referred to a “Mrs Beecham’s house” The findings conclude that a long standing breeding roost is present within this property and Natural England welcomes the intention to retain this property within the proposed development. Advise that it is important that the lighting regime around the roost does not illuminate the roost entrance or commuting routes used to access the wider countryside.

Badgers

- 1.117 Three Badger setts were found within the application site including an 11 hole main sett. Whilst this main sett will be retained within the development site, it is important that sufficient foraging habitat is also retained/designed within the development. This will reduce the likelihood of badgers entering private gardens bringing them into conflict with owners. Consider it essential that dedicated unlit commuting routes are secured to permit badgers access to the wider countryside and which should be a key feature of the landscaping scheme.

Reptiles

- 1.118 The ecological surveys have identified populations of common lizard, slow worm and grass snake which is not unexpected given the size of the site and the diversity of habitats present. The reptile study gives a realistic assessment of the likely population sizes (slow worm in the thousands, common lizard in the hundreds) and consequently detailed consideration must be given to the mitigation strategy.
- 1.119 Welcome the retention of a proportion of the population on site, however given the numbers involved it is inevitable that an off site receptor site will be required and would welcome early consideration given to receptor sites and note that several have been reviewed at this stage. The developer must not underestimate the need to create/enhance the receptor site (s) well in advance of the relocation exercise and should progress this as a priority. Natural England considers that sufficient detail has been set out for the purposes of determining the application, however consider it appropriate that details of receptor site(s) should be provided as part of the reserved matters application.

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- 1.120 **Essex Wildlife Trust:** Object.
- 1.121 Raise a holding objection until such time that the applicant has adequately addressed all of the concerns raised by Essex Wildlife Trust.

Bats

- 1.122 Further information should be provided in relation to the bat populations on site. The house on the site has been identified as a brown long eared bat maternity roost and is to be maintained in full with the development site.
- 1.123 There is however, no further information given in relation to how the roost will be maintained within the context of the planning application and site. Who will be responsible for the maintenance of the roost building, further information is also requested in relation to disturbance of the roost, avoidance and mitigation proposed in terms of construction and operational (after the application site is completed) disturbance impacts on the roost, the perceived impacts of reduced availability of foraging habitat and food resources. This information is needed to assess the future viability of bat populations on the site. Without this information it is not possible to conclude that there would not be an adverse effect on the integrity of the bat populations in Rochford.

Birds

- 1.124 The survey states that there is an unremarkable bird assemblage utilizing the site, however the bird survey information appended to the application shows 12 red and amber list bird species benefiting from the site for breeding, feeding and rearing young. Essex Wildlife are concerned that the management recommendations do not go far enough, to ensure the long term viability of the site to support the numbers and diversity of species that it does currently.

Reptiles

- 1.125 It is unclear at this stage if mitigation recommendations and design will be adequate to sustain reptiles on the site, the site reptile population has been described as exceptional. Essex Wildlife Trust are concerned that the reptile populations on the site will suffer a marked decline in population as a direct consequence of the development proposal.

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Hedges

- 1.126 No information has been provided within the context of the ecological report that covers the hedgerows within the application site. Further information is requested in terms of maintenance, enhancements, if any are proposed for the site and recommendations to the developer to ensure no damage occurs to the existing hedgerows during construction and operational stages of the development.
- 1.127 Essex Wildlife trust also recommends a minimum of 3m either side of all hedgerows on the site to be maintained as a green corridor for wildlife. Hedgerows should be enhanced and maintained in accordance to hedgelink best practice guidelines. All hedgerows UK Biodiversity action Plan (BAP) habitats are therefore offered a level of protection under the NERC act and Essex Wildlife Trust would remind the Council of their obligation under this regulation.

Tree Preservation Orders

- 1.128 Several Trees on the site are the subject of a TPO. The Trust is concerned that this has not been adequately addressed within the application proposal.
- 1.129 The presence of a TPO makes it an offence to cut down, top, lop uproot, wilfully damage or destroy any protected tree(s) without first having obtained permission from the Local Authority. The presence of a TPO on the site is a material consideration.

Further information to be taken into account

- 1.130 The site is located within a cluster of Local Wildlife Sites (Lows) SSSI and Local Nature Reserve (LNR) within 2km of the site there are a total of 17 LoWS, 1 SSSI and 3 LNR. The development site has an intrinsic value to the area due to its position and location and is reflected within the species lists that accompany the application document. Although the application is a stand alone application the Trust would like to raise the point/awareness that the site is located near to a further proposed development site of equal intensity at Coombes Farm. These two applications in combination with each other have the potential to cause an adverse effect on the wildlife of Rochford, due to loss of habitat and fragmentation of existing habitats. The fragmentation of habitats has long been an issue for conservation. As a result the Trust have embarked along with the County Council on an initiative called living landscapes.
- 1.131 Living landscapes are large areas of the countryside like river valleys, forested ridges, hedgerows and ancient woodland areas. The vision is to bring these landscapes back to life working with owners and partners so that these areas function to benefit wildlife and the people who use them.

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- 1.132 The living landscapes vision has been given further weighting under the Essex County Council's Local Area Agreement 2; Indicator NI197 Improved Local Biodiversity. This indicator is further strengthened by Local Indicator 10.1 – progressing the living landscapes vision. The vision is to establish large areas of quality countryside throughout Essex which are good for wildlife, recognise the importance of history and culture and which integrate social and economic benefits. Living landscapes are ecologically functioning landscapes that are large enough to provide resilience and connectivity for wildlife, access and enjoyment for people together with sustainable low carbon contributions to the economy able to adapt to climate change.

Local Planning Policy

- 1.133 The Trust consider there is a fundamental breach of policy in that the site has been allocated a maximum of 175 dwellings to be achieved before 2015 in accord with Policy H2 to the Core Strategy Submissions document September 2009. The 330 dwellings proposed far exceeds that in the LDF document.

Regional Policies

- 1.134 The current Regional Spatial Strategy runs until 2021 but sets visions for the longer term with specific reference on reducing the regions impact on and exposure to climate change. One of the key drivers "reconciling growth with protection of the Environment" (East of England Plan section 1) is further strengthened by the objectives set out in section 2 of the EEP document stating the region will achieve its sustainable development aims by improving and conserving the regions environment by:
- Ensuring the protection and enhancement of the regions environmental assets, including the built and historic environment, landscape and water.
 - Protecting and where appropriate, enhancing biodiversity through the protection of habitats and species and creating new habitats through development.
- 1.135 It is the Trust's view that by approving an application of this size on this site, The Council are directly contradicting the aims set out above.

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National Policy

- 1.136 Advise that in accordance with the requirements of PPS1 and PPS9 that sustainable development must not result in a net loss of biodiversity but should conserve and ideally enhance it. The Trust is concerned that the proposal is going to result in a loss of biodiversity. This means that the development proposed is not sustainable development and ought to be refused in line with the guidance provided by paragraph 1 (vi) of PPS9.

Rochford District Council Woodlands Section:

First round consultation response.

- 1.137 Object.
- 1.138 Advise that a woodland Tree Preservation Order 21/07 covers the western section of the site. A tree survey has been supplied by consultants providing details of tree dimensions, condition and suitability for retention with appropriate category grading. This is not cross referenced with the site layout drawing. It is very difficult to see with accuracy what trees are indicated to be retained and removed.
- 1.139 Generally tree retention to the east of the site is far better than the west.
- 1.140 The use of tree belts should be used across the development site and provide linking corridors of trees and shrub growth where possible. These connecting belts will provide improved amenity to any proposal and allow continued biological/wildlife activity and diversity.
- 1.141 Some of the category grading is confusing for example T257 looks to be a reasonable category B tree but is graded as C. T112 looks poor but has been graded B. T393 Ash is a lapsed veteran coppice of significant age. This should have been graded A3 but has been graded R.
- 1.142 The above issues should be clarified and approved before permitting development. Further information will be required for:
- tree works before development
 - tree protection during development
 - areas for site storage/parking/welfare facilities
 - areas where special construction techniques are required to allow retention of trees etc.
- 1.143 Recommend Refusal of consent due to significant loss of trees subject to TPO and lack of clear site plans showing exact locations of those trees indicated to be retained and removed.

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- 1.144 Discussions held:
Further advise that the applicants have since met with the Council's arboriculturalist and intend providing an improved layout design to include linking tree belts throughout the site and incorporating some of the better trees within the TPO site. The tree belts will include a mixture of retained and newly planted trees linking north, south, east and west.
- 1.145 There will be a significant amount of tree removal within the TPO area however this is now to be off set with tree belts and further tree planting.
- 1.146 Would suggest that the applicants still include the better individual cat B trees throughout the site where possible. Furthermore, have recommended significant boundary tree planting along houses that back onto Thorpe Road.
- 1.147 Require the following information:
- a plan showing exact location of tree retention and tree removal (clearly referenced)
 - a plan showing tree retention in conjunction with site layout (clearly referenced)
 - a plan showing tree planting proposals
 - a table of trees to be removed and those indicated for retention.
 - Tree planting proposals species and size
- 1.148 Assume this information can be supplied as reserved matters to include tree protection plan, arboricultural method statement and assume if this information showed a negative affect to the trees that permission can be refused.
- 1.149 The applicants have asked if the Tree Preservation Order could be revoked if the application is approved. This would not be the case because the applicants might not build the approval given.

Second Round consultation response

- 1.150 No objection.
- 1.151 A tree survey and impact assessment has been supplied by consultants. The survey provides details on tree dimensions, condition and suitability for retention with appropriate grading. The impact assessment provides generalized detail for the protection of trees and special construction techniques required to ensure tree retention.
- 1.152 A landscape infrastructure plan shows trees to be retained and areas for planting/landscape improvement and habitat creation.

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- 1.153 In terms of tree retention, habitat creation, and wildlife networks; the revised scheme is much improved. There is more emphasis on tree retention within the woodland Tree Preservation order and further linking tree corridor/belts throughout the site. The more significant trees/groups have been retained. Overall a more desirable site has been achieved that guarantees continued young mature tree cover for the proposed development site.
- 1.154 Recommend the following heads of condition to any approval that might be given:
- 1) Submission of tree protection plan
 - 2) Submission of Arboricultural method statement concerning works to trees including subterranean works
 - 3) Submission of arboricultural monitoring for key stages of development including dates of supervision and reporting to tree officer.
 - 4) Tree/landscape management plan to be submitted to show works/maintenance and mowing regimes to ensure no scrub succession of areas indicated as meadow/rides.
 - 5) Submission of details for tree planting ,method , aftercare
- 1.155 **Rochford District Council (Ecology):** No objection.
- 1.156 Advise that the ecological survey work and reports are of a very good standard and the assessment of the site is accurate. The measures outlined in the report appear to be appropriate for the species and habitats present and it will be necessary to ensure that fully detailed method statements and management plans are approved prior to construction and then followed.
- 1.157 The results of the reptile surveys indicate significant populations which will need considerable work and extensive receptor sites to protect. Full details of receptor sites and a translocation plan should be required prior to construction. Some reptiles should be retained on site within appropriately managed habitat. Landscaping plans should reflect the current habitat and species to reflect the losses that will result from this development.
- 1.158 **Strategic Housing Officer:** No objection.
- 1.159 Advise that the council currently has over 650 applicants on its Housing Register reflecting a high demand for affordable housing. The Thames Gateway South Essex Strategic Housing Market Assessment 2008 indicated that there is a requirement of an additional net 131 affordable homes to be provided in the district per annum.

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- 1.160 In line with the emerging Council's Core Strategy, 35% of the total number of homes (equating to 113 dwellings) to be developed should be affordable. The council would expect a provision of 80% social rented homes and 20% intermediate homes including intermediate rented and HomeBuy. This ratio could change to reflect local circumstances.
- 1.161 The breakdown of the affordable homes would be:
- One bedroom 16 units
 - Two bedroomed 45 units
 - Three bedroomd 35 units
- 1.162 To be available social for rented accommodation.
- Two bedroomed 13 units
 - Three bedroomed 7 units
- 1.163 To be available intermediate rented and HomeBuy.
- 1.164 This list is formed form current demand for the Hockley Area. The Council's list of preference areas does not have Hawkwell as a particular preference area therefore Hawkwell is included in the Hockley area of choice.
- 1.165 **Head of Environmental Services:** No objection.
- 1.166 Advise that the Local Planning Authority may wish to consider the cumulative affects of this development together with those proposed and the Stambridge Mills sites.
- 1.167 The preliminary geo-environmental site assessment submitted with the application makes recommendations for further intrusive site investigations. If Members are minded to approve the application recommend the following model conditions for development on land affected by contamination:
1. Site characterisation
 2. Submission of remediation scheme.
 3. Implementation of approved remediation scheme.
 4. Reporting of unexpected contamination.
 5. Validation certificate.

Neighbour Representations

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First round notification response

- 1.168 192 Letters have been received in response the public notification from 102 different addresses including some signed but unaddressed representations.

Occupiers of :

- 1.169 Briar Close, Chestnut Close, Claybrick Avenue, Glenwood Avenue, Gregory Close, Hawkwell Chase, Hawkwell Park Drive, Hall Road, Harewood Avenue, Hazelwood, Highmead, Ironwell Lane, Main Road, Magnolia Road, Martin Walk, Mount Bovers Lane, Park Gardens, Rectory Road, Royer Close , Spencers, The Westerings, Thorpe Close, Thorpe Road, Tonbridge Road, Tudor Way, Victor Gardens, White Hart Lane, Woodside Chase, Summary of objections:

Policy considerations

- Requirements of PPS 12 not met in that proposal unsustainable and with adverse environmental affects and lack of public transport serving the site.
- Does not conform to LDF for Rochford
- Previous 330 dwellings considered in the core strategy reduced to 175 dwellings because of infrastructure issues and disproportionate development. Proposal greatly exceeds the Core Strategy figure for this site.
- Development of the Green Belt unsound as sustainability requirements not met and infrastructure not in place
- Cannot see the answer to this problem other than a new road built to the north of the village from the A130 to Thorpe Bay
- No social , economic or environmental benefits whatsoever as required by the Core Strategy
- Limit to how much infilling and intensification existing settlements can sustain without their character being adversely affected, this limit has been exceeded in Hawkwell West.
- Not possible to locate development in Hawkwell West and meet requirements for alternatives to the car to be more viable, reduce the need to travel and accompany development with requisite highway infrastructure to mitigate impact upon the highway network
- Government policy requires new development to be integrated with other new housing and public transport not deposited on doorsteps of long term residents in a rural area and victimisation rather than integration with Thorpe Road residents
- Large scale development would lead to an unwelcome accumulation of new build houses disproportionate to the area which is not in line with Council policy

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1.170 *Green Belt issues*

- Area requires more homes and they should be built near Nissans in Cherry Orchard or on brickworks and near to Rochford Railway Station and the A127
- Need to keep the location semi rural
- Loss of once protected Green Belt
- Question the demand for such an amount of housing given many homes remain unsold for years
- Inappropriate and unsound
- Should use brown field site instead
- Development would become one joint conurbation of Hockley and Hawkwell with Rochford and Ashingdon
- Moved from Rayleigh because of the overdevelopment and Council trying to upset local residents to the point they have to leave
- Residents do not want to live in a densely populated area which influenced location in the first place and which is important to local residents
- Clements Hall Way allowed by Inspector on the condition that it would form a barrier to prevent any further encroachment of Green Belt land between the existing remaining properties east and west and this is being ignored
- Have lost much of the Hawkwell character of the area over many years due to Ribbon development.

1.171 *Highway Issues*

- The B1013 is one of the busiest roads in Essex and splits via Ashingdon and Hall Roads with Rectory Road as a rat run between. This means a very busy road onto which the applicants wish to add 330 homes with about 3 cars per household. Logic says this area is at saturation point with traffic
- It sometimes takes Rectory Road residents 20 minutes to get off their driveways
- Residents have to turn left from Thorpe Road and rat run via Poplars Avenue/Woodside Chase to avoid school runs and buses in order to journey in the right turn intended direction
- Increased traffic onto roads and junctions that will be unable to cope
- Filter lane idea is limited by adjoining residential propriety boundaries
- Applicants plans for road improvements will not be able to take the strain of the new development
- No scope for road widening and no alternatives for the increased number of vehicle movements

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- Local transport and highways will not be able to support the significant increase in demand, particularly commuting and local car journeys arising from 330 houses in such a concentrated area
- Bus subsidy is unlikely to last in the longer term
- Entire proposal is unworkable and will cause chaos and disharmony to a wonderfully peaceful and tranquil area
- Rectory Road too narrow for the increased traffic
- Increased traffic will decimate quality of life for existing residents
- Hockley and Rochford Railway stations 30-50 minutes walk away
- Need for traffic at Hall Road and Rectory Road junction to be managed. Extra lane proposed would only alleviate pressure created by two or three extra cars whereas development of this magnitude would increase the car population by 400-500 vehicles.
- Concern at additional vehicles that will be using Thorpe Road
- Area is not a place to live without owning a car
- One lane bottleneck at railway line traffic lights in Rectory Road
- If the retail element will include market leaders, this will attract shoppers from outside the immediate area thus adding to congestion
- Nothing can be done to Rectory Road or Hall Road to alleviate the problems that will be caused by the development
- Thorpe Road junction with Main Road dangerous for right turning vehicles given the amount of traffic already using the road
- Rectory Road/Ashingdon Road junction also busy and dangerous
- Inadequate vehicle access via Thorpe Road to Main Road
- Inadequate parking facilities
- Construction traffic issues within residential area where children play

1.172 *Infrastructure*

- General lack of amenities such as difficulty in getting school places and understand there are hundreds of children awaiting places, clinics, waiting for half a year for an NHS dentist place, doctors and shops. Used to have three health visitors at the Hockley clinic and now share 2.5 visitors for the whole of Rayleigh, Hockley, Hawkwell and Ashingdon.
- Suggestion that existing children living outside the catchment area at local schools will be displaced and moved to other schools with the detrimental affect upon those children in mid-education
- Only Doggetts primary has places because on special measures and fifty parents having removed their children because they consider the school so poor. Is this Council intending to disadvantage children by sending them to this school for the sake of a development in Hawkwell?
- Schools landlocked so unable to expand

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- Existing problems in the area with under age drinking, litter and other problems and no facilities or public transport after 7.00pm to take teenagers to facilities
- Buses operate hourly and not after 7.00pm. Most residents are comfortable with this because they have chosen to live in a semi rural area
- Site too far away from nearest shopping centre as Hockley and Rayleigh
- No schools within safe walking distance of the site. Shops appear to be declining so Southend, Basildon or Lakeside is essential
- Gross underestimate by the County Council with regard to the number of child places predicted
- The village development of 115 houses is for social housing. To qualify for such a home a family must have at least one child and be currently within an overcrowded home which other than for single mums would suggest two or more children per household. Therefore anticipate at least two hundred children in this part of the scheme and more from the Parkside development and therefore anticipate four hundred children within the scheme as a whole
- Anticipate that proposed doctors surgery will fall by the wayside
- Difficulty for social services or lack of in coping with increased population
- Unreasonable increase in population
- Don't want more buses because chose to live here so that we didn't get big buses rumbling by regularly
- Difficulty for infrastructure to cope
- Many local sewage systems are section 24's from the 1930's needing constant maintenance
- Poor surface water drainage systems in area and extent of concrete will result in worse flooding
- Need for extra Policing (given likely increase youth problems) as well as low level law breaking and anti social behaviour
- Problems with regular power surges and power failures in the area
- Old telephone cables and limit to 1MB broadband spreads until lines are upgraded
- Area does not have the levels of 2G and 3G mobile phone signals that new home owners would expect
- Important to consider the impact of the proposal on the surrounding area given the proposed expansion of Southend Airport and other developments off Hall Road and Coombes Farm and over capacity issues of South Essex Trunk roads such as the A 127. One incident causes major delays. Whilst this one development will not make a substantial impact, the cumulative effect of all proposed local developments will.
- The B130 from Thorpe Road is the busiest in the UK with cars stacking in rush hour and which has increased since the development of Cherry Orchard Way

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- Undeveloped nature of the site absorbs water and is a natural defence against flooding
- Little provision for the influx of younger people
- Spencers development nearly turned down twenty years ago because planners then considered that the Thorpe Road/Main Road junction might not be able to cope. Traffic volumes have increased since then.
- Problems for emergency services and vehicles in carrying out their work
- First imposition on the village of development over two storeys

1.173 *Layout*

- Previous developments have not detracted from the rural character. Difficult to see how this application could be assimilated comfortably within the existing village community
- Overdevelopment
- Wrong to compare development and density with Hockley , Rochford and other areas in the district
- Overlooking
- Percentage of low income families in Hawkwell West is already above the national average and this development will tip the balance further away from a balanced, mixed community.
- Need for bungalows to feature in the layout to achieve a mixed range in age of residents
- Unacceptable to bridge the pathways into adjoining Spencers Park
- Development will spoil the setting and peace of the park
- Large and highly concentrated housing development is totally out of character with open and semi rural nature of the area
- Proposed buildings would be too tall and overbearing in the bungalow area and affect gardens
- Four-five times larger than any other development previously in the parish creating a housing estate and loss of character of Hawkwell inherent in the size of this application
- Will alter the character and appearance of the local area
- The history of the village has not been taken into account
- Object to the size and scale of the development
- This part of Hawkwell is predominantly 3 and four bedroomed houses on large plots that is predominantly middle and upper class and wish to preserve these characteristics and the way of life that comes with a close knit community
- Important to make a distinction between the village of Hawkwell and the towns of Rochford and Hockley and Hawkwell Village and Hawkwell Parish which includes much of Ashingdon and Rochford
- Distinction of Hawkwell as a countryside location
- Hawkwell village (Hawkwell West) is made up of 1562 homes and 3938 residents 44% detached, 50% semi-detached, 3% terraced and 2% flats, 1% purpose built flats.

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- The proposal would result in an increase of 21% on the village as compared to the increase of 11.2% in the LDF.
- Style of two and three and a half storeys high housing “Landmark Buildings” is completely inappropriate
- Vastly different density including town houses and landmark buildings
- Concerned that affordable housing should be developed as key worker housing rather than social housing
- Tall buildings being proposed adjoining existing bungalows that have been restricted by previous planning policies
- Proposal to build a significant number of houses close together, including flats and three storey properties, would not be in keeping with properties in Hawkwell which are primarily detached or semi detached bungalows and houses
- Not one large site but two completely different areas separated by an unmade private road over which the applicants should have no jurisdiction
- Christmas Tree Farm is a far larger site and should take the greater proportion of the development
- Density three times greater than surrounding areas
- Layout draws comparison with a cancer, being a foreign body existing where it does not belong which will do untold harm if left to develop
- Will permanently destroy vista

1.174 *Ecological/Environmental Issues*

- Loss of green area and thousands of species and wildlife including roosting bats in the trees and woodland
- Wildlife diversity in the area will be reduced and loss of habitat will almost certainly see the extermination of the Muntjac deer in the area
- Loss of natural nature reserve
- Loss of trees, acres of preserved woodland established since the fourteenth century and hedging as area needs these open spaces and which contribute to reduction in carbon from the air
- Loss of green gaps and loss of trees
- Concern at effect of relocation of many species and impact of the development upon Badger setts retained
- Reduced planting will increase pollution and reduce local diversity intrinsic to the charm and character of the area
- Site currently is a natural appendage to the adjoining habitat at Spencers Park
- Will permanently damage perimeter to nature reserve and destroy animal habitat
- Protected species habitat damage
- Will adversely affect climate change

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1.175 Noise

- Increased noise particularly late noise as new houses would be likely to attract younger generation
- Loss of peace and quiet of semi-rural life
- Thorpe Road will change from peaceful cul-de-sac to busy development

1.176 Other

- Increased litter
- Location of affordable housing on Thorpe Road away from applicants housing in Rectory Road because would not otherwise find buyers. Will have the same effect on residents properties in Thorpe Road
- Instability of the soil given bungalows in area suffering subsidence
- Overall effect of the development and upon the infrastructure of the area would be to make life intolerable to those of us who live here
- Devaluation of existing property
- Consider the proposals will adversely affect the social , economic and environmental nature of the area
- Will later need such land to produce food given other countries inability to provide us with food

1.177 One petition has been received of 250 signatures from the Hawkwell, Hockley and Rochford areas objecting to the application on the basis that it will destroy acres of long standing woodland, severely affect traffic congestion in and access to Thorpe Road, whilst destroying the semi rural environment that people moved into this area to enjoy and further straining the very limited education and health services in the area .

1.178 One letter has been received from County Councillor Mrs Tracy Chapman, members for Rochford North, objecting to the proposal on the basis that it would go against PPS12 and against the Core Strategy for Rochford. Express concern also that a development of this kind will have a significant impact on both primary and secondary schools and will impose additional pressure on health services that will have an adverse impact on the community.

1.179 One letter has been received from Mark Francois MP objecting to the application on the basis that the proposal represents overdevelopment of the area in question and also that the application is contrary to the Council's recently published Core Strategy . An earlier draft of this strategy did propose over 300 houses for the Hawkwell area but on reflection the Council decided to redistribute these properties to other parts of the District and reduced Hawkwell's proposed allocation to 175 properties. This application clearly exceeds that number considerably and would run contrary to the Core Strategy as proposed.

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Second Round notification response

- 1.180 2 letters have been received from 2 addresses and which in the main raise the following comments and objections in addition to those set out in the first round response:
- Unable to navigate the web site and find out what the revisions are
 - Description still states 330 dwellings but understanding was that it had been reduced to approx. half this number
 - Given the very extensive survey information provided believe the bad impact this development will have on the bio diversity in the vicinity which adds substantive reasons why this application should be refused

MATERIAL PLANNING CONSIDERATIONS

Consideration of the principle of residential development of the site with associated infrastructure

- 1.181 The development proposed has to be assessed against relevant planning policy at national, regional and local level, together with other material planning considerations.
- 1.182 In determining this application regard must be had to section 36 (6) of the Planning and Compulsory Purchase Act 2004 which requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 1.183 The site is allocated Metropolitan Green Belt in the Rochford District Replacement Local Plan (2006) which is the current development plan in force and where policies controlling development are therefore very restrictive. Whilst there are some specified exceptions to this restrictive stance, the construction of new dwellings is inappropriate development unacceptable in the Green Belt unless there are very special circumstances that can be demonstrated in the application and material considerations that would allow the development proposed to be exceptionally permitted. By their nature those circumstances must not be easily replicated at other sites but must be sufficiently unique to the proposed development that there would be little risk of a similar special need occurring close by so as to create a cumulative loss of Green Belt.

The applicants case in favour of the development and the very special circumstances are:

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Emerging policy status and very special circumstances

- 1.184 *The applicant acknowledges the Green Belt status of the site but argues that the East of England Plan post dates established Green Belt policy and advocates Green Belt review. In fact, while East of England Plan Policy SS7 does support green belt review, the policy focuses on strategic reviews of the green belt at specified locations, not including Rochford District. The sole reason for contemplating any limited Green Belt release of land in the District is to accommodate the housing allocations from the East of England Plan rather than any more fundamental review of Green Belt as proposed in the policy.*
- 1.185 *The applicant points out that the emerging council Core Strategy also anticipates Green Belt review in principle with detailed allocations and boundaries to be established through separate Development Plan Documents. The draft core strategy is referred to in that the council has stated concern at the impact of "town cramming" upon the attractiveness and character of existing residential areas and that as a consequence new housing on previously developed land has become unrealistic for Rochford District.*
- 1.186 *The applicants therefore submit that very special circumstances exist in that the Council has accepted that Green Belt land in this area (South Hawkwell) is necessary for housing growth.*
- 1.187 *The applicants set out that the site was previously identified as a potential housing site and promoted during the preparation of the last Local Plan. The applicants refer to the Local Plan Inspector's Report (2005) whereby that inspector concluded that although more than 1km from Hockley town centre there are local shops and services at lesser distance from the site together with a bus service. The inspector stated if wholly used the development would be a substantial one at not less than 330 dwellings at minimum plan densities. Overall the inspector found it difficult to criticise the location in terms of local facilities and services but found also that the site performed a valuable Green Belt function and with no need to allocate further land for housing at that time, and concluded the Green Belt use should prevail.*
- 1.188 *The applicant argues that the site has appropriate provenance as a housing site and that the removal of this site from the Green Belt as the Core Strategy continues to run its course is likely to be forthcoming.*

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Officer response:

- 1.189 The Core Strategy is at an advanced stage having recently been subject to pre-submission consultation, and has been developed through a number of stages, namely: Issues and Options; Preferred Options; Revised Preferred Options and Submission document. Each stage accounts for the results of consultation and appraisal of different options suggested at the previous stage, until the document is ultimately finalised and adopted.
- 1.190 The Preferred Options document was published for consultation in May 2007. This suggested that 90% of the District's housing allocation be directed to the District's top tier settlement, with 400 dwellings for Hockley/Hawkwell. This did not set more specific locations, nor did it state what proportion of this figure be accommodated on land currently designated as Green Belt.
- 1.191 Following consultation and appraisal of the Core Strategy Preferred Options, the Council proposed a revised Preferred Options which was published in October 2008. This set out the Council's preferred, along with alternative, options for development. The Core Strategy Revised Preferred Options proposed the residential envelope be extended in South Hawkwell in a phased manner to accommodate 100 dwellings by 2015, 100 by 2021, and 130 dwellings between 2021 and 2025.
- 1.192 Consultation and appraisal identified concern with regards to the number of dwellings that would be accommodated on greenfield land, and the amount of Green Belt land that would be required to be developed.
- 1.193 The Core Strategy Submission Document – the iteration of the Core Strategy that will be submitted to the government for examination – was published for pre-submission consultation in September 2009. This built upon previous iterations of the Core Strategy, as well as new evidence, to develop Core Strategy policies. The Strategic Housing Land Availability Assessment (2009) work was particularly pertinent to this version of the Core Strategy, as it ascertained, that more dwellings were deliverable outside of the Green Belt than had previously been identified. Accordingly, the number of dwellings proposed to be accommodated was revised down. The outcome of this is that the version of the Core Strategy that will be submitted to the government contains a policy that will allow for the extension of the residential envelope of South Hawkwell to accommodate 175 dwellings by 2015, with no further release of Green Belt land in this area for housing for the remainder of the plan period.

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- 1.194 As a result, Officers consider the proposal would be inconsistent and contrary to the emerging planned position for the development of a site yet to be allocated for South Hawkwell. The applicant has therefore failed to demonstrate very special circumstances to justify the granting of planning permission contrary to the direction of travel as emerging through the Core Strategy in the search for a suitable site for the South Hawkwell area.

Sustainable Urban extension and very special circumstances

- 1.195 *The applicants submit that the site is located adjacent a sustainable “top tier” settlement as identified in the hierarchy of settlements on page 33 of the draft submission Core Strategy 2009. The site is adjacent to the urban edge of this settlement and as such is considered to be defined as a sustainable urban extension.*
- 1.196 *The applicants argue this situation accords with the requirements of PPG2 that the resulting development would be contained by built form on three sides and the open areas between the settlements of Hockley and north Southend would be largely unchanged.*

Officers response:

- 1.197 District Officers would not disagree with this assessment but the site is not necessarily unique or very special in that respect. As such very special circumstances have not been demonstrated to override the presumption against inappropriate development in the Green Belt.
- 1.198 *The applicants submit a sustainable energy statement setting out the position that all developments will need to be carbon neutral under part “L” of the Building Regulations by 2016. In anticipating that the development will be completed before 2016 the applicants argue the development will be required to achieve more modest targets but which deliver energy performance far in advance of the standards for new developments in 2009.*
- 1.199 *The accompanying Sustainability statement generally advocates a number of sustainability benefits to the development in ecological enhancement, sustainable drainage and construction material choices.*

Officers response:

- 1.200 The need to demonstrate sustainability credentials is not however unique to this site and would essentially be required of any large scale development proposal. This aspect of the application particulars does not amount to a very special circumstance.

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Housing Land Supply and very special circumstances

- 1.201 *The applicants are critical of the Council's assessment of the overall residential land availability for the District, their analysis concludes that the district has only 1.15 years supply and that this amounts to very special circumstance to favour the granting of permission for the proposal.*
- 1.202 *Planning Policy Statement 3: Housing (2006) requires Local Authorities to demonstrate sufficient deliverable sites to meet a five year housing land supply, as well as a six-ten year supply to enable the five year supply to be topped up.. The five year supply should be available at present, be suitably located and achievable in that it would be likely to be developed within five years. Where that supply cannot be demonstrated applications for new development should be considered favourably.*
- 1.203 *The applicants firstly rely on the District Council's Annual Monitoring Report (AMR) published 2008 which provides details of units under construction, units with full and outline planning permission, units with a resolution to grant planning permission as well as units subject to pre-application discussion/Urban Capacity Assessment and land allocations in the AMR trajectory.*
- 1.204 *The applicants submit, in the full planning permission category where work has not yet started, there can be no guarantee all such sites will be delivered within five years and that most authorities discount this figure by 5%.*
- 1.205 *The data includes 10 units with outline permission expected to be implemented in the remainder of 2008-2009 and expect it doubtful such development will be achieved before the end of 2009 given the need to submit and obtain reserved matter approval first. The Department of communities and Local Government (CLG) are quoted that building starts are 43% down. Unless the AMR investigates the delivery of sites the applicants argue that its findings cannot be relied upon.*
- 1.206 *The applicant criticises the reliance upon sites in the pre application/under consideration category which they consider do not yet translate into deliverable sites and should therefore be wholly discounted as they do not have planning permission and there is no understanding demonstrated as to the land owners final intentions.*

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- 1.207 *The applicant finally criticises inclusion of future allocations as deliverable sites as without a permission there remains no clear intention to implement these.. Within this category the applicants include potential redevelopment of employment sites within the Hockley Action Area Plan. The applicant criticises these assumptions and the fact that the site is almost fully occupied. This in their view affects the delivery of a five year supply and that this category should be deleted or significantly refined.*
- 1.208 *As a consequence of the applicant's consideration of the residential land available, they conclude that the Council can only demonstrate a 1.15 years supply.*

Officers response:

- 1.209 Officers advise that the Strategic Housing Land Availability Assessment 2009 (SHLAA) provides an assessment of the available land for housing development in the District. This has ascertained that there is a five-year housing supply of deliverable sites in the District. This will require development of sites within the Green Belt. The SHLAA has identified that there are deliverable sites within the Green Belt general locations set out in the emerging Core Strategy. These general locations include South Hawkwell. The SHLAA notes that only 175 dwellings are required to be accommodated in this location in order to provide adequate levels of housing.
- 1.210 The Planning Statement submitted in support of the application questions the deliverability of housing development in Hockley town centre within five years. The SHLAA notes that residential development within Hockley town centre is not likely to be delivered within five years and as such does not include this within five-year supply calculations. A five year supply is deliverable without such development.
- 1.211 Despite the claims made by the applicant, Officers are confident that the required up to date five year supply of deliverable sites can be demonstrated. This is illustrated in detail in the Strategic Housing Land Availability Assessment (2009). As there is no lack of the required up to date five year supply of deliverable sites, this factor cannot amount to a very special circumstance to justify granting permission for the inappropriate development proposed against Green Belt policy.

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Affordable Housing and very special circumstances

- 1.212 *The applicant relies upon the findings of the Annual Monitoring Report that explains that the levels of affordable housing provision within the District have been historically low. The Thames Gateway South Essex Strategic Housing Market Assessment (September 2008) demonstrates the Rochford District has the highest house prices in the area, those properties are least affordable. That study shows there is an annual requirement for 131 affordable dwellings per year and that there is a past requirement of 504 homes still outstanding. The applicant argues that the situation is so serious that the site contribution of 115 affordable dwellings constitutes very special circumstances which justifies the release of this Green Belt site now as a matter of urgency.*
- 1.213 *The applicants rely on an appeal decision relating to a site in Bromley Kent (not supplied with supporting material) where that inspector concluded that the deficit in the housing land supply was a material consideration to be afforded great weight and that since there was no implementation strategy to deliver housing, the very special circumstances justified the release of the site for development. The applicants state that in this case the site is already identified as being suitable for development through the emerging core strategy.*
- 1.214 *The applicants also rely on a second appeal for a site in Billericay (not supplied with supporting material) where that inspector noted that whilst the housing land supply on its own was not sufficient to outweigh Green Belt considerations, the severe affordable housing shortage and package of other benefits was sufficient to be afforded weight and grant permission.*

Officers comments:

- 1.215 Officers consider that as existing national planning policy requires all new residential developments of 15 units or more to provide a minimum level of affordable housing provision, the fact that the applicant proposes to provide affordable housing cannot be considered to be distinguishable or unique from other sites elsewhere. In these circumstances, the need to provide affordable housing does not amount to a very special circumstance.

Other package of benefits and Very Special circumstances

- 1.216 *The applicant intends that once a resolution to grant planning permission has been made, an agreement under section 106 of the act will be prepared to include the following benefits;*
- 1. Provision of affordable housing, type and mix to be agreed.*
 - 2. Education contributions*
 - 3. Provision of on site health facility and space for pharmacy and or shop unit*

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4. *Contributions towards highway infrastructure and/or bus enhancement (although these may be addressed alternatively by an agreement under section 278 of the highways act with the County Highway Authority)*
5. *Obligations relating to transfer of public open space to either local authority or an estate management company.*
6. *Contributions towards off site playing pitch provision and locally equipped areas for play*
7. *Obligations to require an ecological and landscape management plan*
8. *A contributions regime towards maintenance of open space and other facilities that may be transferred to the Local Authority*
9. *phasing of housing delivery*

Officers Summary:

- 1.217 Officers consider that the range of benefits offered in this case are not unusual and are typical of those expected for this type of scheme. The applicant has not elaborated on the appeal decision they rely on and it is not clear if there was a benefit specific and unique to the circumstance of the site that may have been given greater weight in the Inspector's consideration and thereby justified an exceptional decision. The applicant cannot seek to rely on their ability to contribute towards infrastructure or other benefits that arise from their proposal which would have brought about these not unusual requirements in any event. In the case of the current application, the benefits are not very special such as to justify granting planning permission overriding Green Belt policy.

The Other Material Considerations

Transport/Highway Impacts

- 1.218 In determining this application regard must be had to the impact that the proposed development would have on the existing highway network both in terms of ensuring that the proposed development would not result in any highway safety issues and ensuring that the surrounding highway network could cope with the predicated increase in traffic which would result from the proposed development. In addition, consideration must be given to whether the proposed development accords with relevant transport policies contained within planning policy guidance 13: transport (PPG13).
- 1.219 On the basis of the application as falls to be determined. The Highway Authority (ha) raise objection to the making up of Thorpe Road for a significant part of its length as it would increase the attractiveness of that road as a possible and substandard alternative to the adopted network. The ha does not wish to see a major portion of the unadopted section of Thorpe Road upgraded and/or widened to adoptable standards.

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- 1.220 The principle function of the highway is to protect the right of free and safe passage. Any changes to Thorpe Road such as those in the originally submitted and early November revision which is the plan being determined would create an opportunity for the inappropriate use of Thorpe Road to “rat run” and by-pass nursery corner and therefore create the added conflict of turning vehicles onto rectory road.
- 1.221 The applicant has submitted a Transport Assessment as part of the application in which they assess the impact that the increase in traffic from the proposed development would have upon the existing highway network surrounding the application site.
- 1.222 The Highway Authority has assessed the Transport Assessment (TA) that was submitted as part of the planning Application 00529/09 by Ardent Consulting Engineers Ltd. This assessment analysed junctions from the agreed area and followed the ECC Transport Assessment Guidelines. The projected vehicle generation used the agreed TRICS database and background growth was applied using the National Transport Model with added localised factors for the Hockley zone from the trip End Model Programme (TEMPRO). This is considered a robust approach to traffic modelling and includes allowances for identified developments.
- 1.223 The TA confirms that all site accesses have sufficient capacity to accommodate the predicted development flows. To mitigate against the impact of the development on the wider network the developer is required to provide capacity improvements to widen the Rectory Road approach to the junction of the B1013 and improvement works at the Cherry Orchard Way roundabout.
- 1.224 The TA identified a potential issue in the link capacity Hall Road east of the Rectory Road roundabout in the 2019 weekday am peak hour, with the link operating at 94% of capacity in the Base Case and 101% in the Development Case (with 330 units) owing to an increase of 140 two-way movements (from 1,977 to 2,117 vehicles/hour).
- 1.225 2019 (5 years after opening) is the stipulated design year in ECC's TA Guidelines (2003), based on the 1994 IHT TIA Guidelines. In contrast, the new (2008) DfT/DCLG TA Guidance requires only 5 years after registration of the application to be considered for non-trunk roads, and so are less onerous than ECC's guidance. 5 years after opening equates to 2014, our opening year, when the link would be at 95% capacity with the Development Case flows.

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- 1.226 The flows were derived from surveys undertaken in November 2007, allowing for projected growth in car driver trips in the local area (Hockley zone) derived from the national Trip Ends Model, TEMPRO, which assumes an increase in 657 houses in the Hockley zone between 2007 and 2019. Hence, there is double counting, with the growth factor allowing for all the development, there only being one other site identified for housing within the zone (for 36 units).
- 1.227 It is also worth noting that while the 2007 surveys showed a two-way am peak hour flow of 1,719 vehicles on Hall Road immediately east of the Rectory Road mini roundabout, surveys undertaken in July 2009 and November 2009 identified a two-way am peak hour flow of 1,491 and 1,569 vehicles respectively on Hall Road immediately west of the Cherry Orchard Way roundabout to the south east. There are no side roads of any significance between the two junctions so it might be assumed that flows at either end of this link should be very similar; which implies that flows in the area have actually decreased since 2007.
- 1.228 Link capacity is derived from *TA79/99 Traffic Capacity of Urban Roads* and assumed that Hall Road is a "UAP2" road, which is defined as having up to two side roads per km, providing access to residential properties, restricted on-street parking and bus stops in lay-bys. This gives a capacity of 1,260 vehicles/hour in the peak direction (assuming a 60:40 directional split) for a 6.75m width, equating to a two-way capacity of 2,100 vehicles/hour – so the predicted for the year 2019 am peak Development Case flow exceeds this by just 19 vehicles.
- 1.229 However, this section of Hall Road is more rural in nature with very little frontage development, a footway on one side only, no side roads of any significance and no bus stops. Therefore, it is considered that Hall Road could behave more like a "UAP1" road, which has a capacity of 1,320 vehicles/hour in the peak direction for a 6.75m width, equating to a two-way capacity of 2,200 vehicles/hour, above the predicted 2019 weekday am peak Development Case flow. On this basis, Hall Road would operate at 90% of capacity in the Base Case and 96% in the Development Case.
- 1.230 *TA79/99* capacities are based on 15% HGVs, with a reduction of 100 vehicles per lane if the proportion of HGVs is between 15-20%, and 150 if it is between 20-25%. Therefore, conversely, some increase can be expected if the proportion of HGVs is less than 15%; the predicted 2019 weekday am peak hour flow comprises just under 1% HGVs so an increase of 100 or 150 vehicles per lane can be argued. Also *TA79/99* capacities can be 10% higher than the values quoted.

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- 1.231 In view of the combination of the above factors the Highway Authority consider that the link capacity of Hall Road is not an issue which can justify a highways objection to the scheme, since the robust assessment approach has resulted in predicted future year flows significantly higher than those which might be expected together with a lower assumed capacity.
- 1.232 Therefore it is the view of the Highway Authority that in terms of the highway network the development cannot be subject to an objection as the impact on the highway network will be mitigated and conforms to ECC Highways and Transportation Development Control policies.
- 1.233 The applicants have been in discussion with the Highway Authority and a further revision to the layout was submitted but it was received too late for consideration under this application. However, it would provide for only a small part of the northern section of Thorpe Road to be made up before the internal road network proposed deflects away from Thorpe Road to serve the scheme. This latest revision would have removed the Highway Authority objection, subject to the following considerations: The HA have requested that
- Thorpe Road is not upgraded to adoptable standards for its major length. This would eliminate any potential for use as a short cut of nursery corner, which is considered an inappropriate use of the road. Following discussion with the applicant they have changed priority of the access from the existing northern access on Thorpe road into the site with the Thorpe Road remaining in its existing state.
 - The above measures are required to ensure the development conforms to ECC Highways and Transportation Development Control Policies as originally contained in Appendix G of the LTP 2006/2011 and refreshed by Cabinet member decision on the 19/10/2007
 - The above requirements should be imposed on the planning permission (if granted) by planning obligation or condition as appropriate.
 - Prior to any works taking place in the public highway, or areas to become public highway then the developer shall enter into an appropriate legal agreement under the Highway Act 1980 to regulate the construction of the works. This will include details engineering drawings for approval and safety audits
 - All contributions are to be index linked from December 2009
 - All highway related details are to be agreed with the Highway Authority prior to implementation and all works affecting the highway are to be carried out to the satisfaction of the Area Highway manager (South)
 - The above to be provided at no cost to the Highway Authority.

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- Re 12& 13 – these improvements are required to mitigate against the impact of the development on the highway network. These works will be carried out by the developer through the appropriate legal agreement (sec 278) and are subject to final agreed layout and auditing.
- Re 15 - a Transport Information pack is Essex County Council's version of a residential travel plan which is requested for all residential developments of 10 dwellings or more. A pack is provided to each residential dwelling on first occupation and contains information on bus, train and other sustainable travel modes, as well as a train travel discount voucher (if site is approved by train operator). A developer can provide their own version of the packs but will require approval from ECC; alternatively packs are available to purchase for £15 per pack from ECC
- Re 16 – the contribution for bus service improvements is to be used to improve the current No 8 service which operates along Rectory Road (adjacent to the site). The HA recommends that the service be increased to half hourly frequency from the existing hourly frequency.

Consideration of the reserved matter: Access

- 1.234 Consideration must be given to the matter of access into the site which is for consideration in this outline application. The development would be served by main route access point and secondary route access point both of which would make a junction with Rectory Road. Private drives would access a limited number of dwellings from Clements Hall Way and the layout indicated would take advantage of the existing Thorpe Road which would be improved for part of its length to serve the western part of the site.
- 1.235 Other than the Highway Authority objection to the making up a significant part of Thorpe Road, no objection is raised at the other aspects of the site access arrangements proposed. Consequently from the highway viewpoint the other proposed access arrangements are considered acceptable.

Acceptability of the number of dwellings proposed

- 1.236 In addition to consideration of the acceptability of the principle of developing the site for residential and community uses consideration must be given to the acceptability of the number of dwellings proposed.
- 1.237 This outline application is for up to 330 dwellings and community uses. As the development is not for a precise number of dwellings, if outline consent were approved for up to 330 dwellings, the final number of dwellings approved at the site in a subsequent reserved matters application which would consider detailed design, could be less than 330.

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- 1.238 As the applicant has applied for up to 330 dwellings and community uses in this outline application, the council would have to be satisfied that it would be possible for the site to accommodate up to 330 dwellings and community uses and result in a development that is acceptable in planning terms, if minded to approve the application. If the council has concerned that the application site could not realistically accommodate the number of dwellings proposed and meet policy requirements then the outline application should be refused on this basis, even if the principle of residential development of the site were accepted.
- 1.239 It is somewhat difficult to assess whether the application site could acceptably accommodate up to 330 dwellings with community uses as the application is only submitted in outline and a detailed design and layout has not been submitted for consideration.
- 1.240 However, national planning policy in PPS3 does require a minimum residential density of 30 dwellings per hectare to be achieved, if no local densities are specified, regardless of site location. As no local densities are currently specified in local planning policy, this national policy requirement therefore presents a starting point for considering whether the site could accommodate the number of dwellings proposed.
- 1.241 For the purposes of calculating the number of dwellings that could be acceptably accommodated at a given site to result in a given overall site density, the whole application site area cannot always be used. However, in this case the applicant has already excluded certain areas of the application site that would be put to uses other than those associated with residential development; namely the land designated for proposed retail and medical uses (0.29 ha) and areas given over to wildlife corridors, suds and retained woodland (3.19ha) consequently, whilst the application site (edged red) is an area of 11.1ha, the applicant has stated that only 7.5 ha of the application site is developable and proposed for residential use.
- 1.242 If the whole of the application site (11.1 ha) is used to calculate the number of dwellings that the site could accommodate to achieve a density of 30 dwellings per hectare then 333 dwellings could be provided (11.1 ha x 30 dwellings per hectare = 333 dwellings). On this basis the proposal to develop 330 dwellings at the site would be acceptable.
- 1.243 In terms of developable area, although land within the application site proposed for use for incidental open spaces could be included in the land area for residential development used to calculate overall densities, large areas of public open space may not be included.

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- 1.244 No exact calculations can be currently made about the possible adjustments to the size of the developable part of the application site that might come forward as a result of any necessary amendments at the detailed reserved matters design stage.
- 1.245 The applicants calculate the density of the development as proposed in relation to the whole site (11.1ha) to equate to 29.7 dph. The layout of the site envisages a range of densities with the parkside area to the eastern part of the site having a medium density frontage to rectory road of 30-40 dph including dwellings of 2.5 storeys up to 11.5m in height. This form is repeated to front the main circulation road within the development and to the same density but where the form is repeated to the north eastern part of the site frontage onto Clements Hall Way the density reduces to low density of between 20-30 dph divided by the wildlife corridors and tree belts which feature to the place shaping of this part of the development as proposed.
- 1.246 The village area to the western part of the site and centred on the alignment of Thorpe Road is proposed a mixture of high density 40-50 dph and medium density at 30-40 dph but in a mixture of two, two and a half and three storey from between 9.5m-13m in height.
- 1.247 At the junction of Clements Hall Way, the main access point from Rectory Road and two other key points within the site fronting open spaces, the layout envisages the provision of landmark buildings up to 16m in height.
- 1.248 Taking the maximum number of dwellings across the net developable area shown the development would achieve overall a net density of 44dph. (330units/7.5ha).
- 1.249 There is currently no adopted local planning policy that suggests the residential density that would be appropriate or expected at a site in a location such as at this application site. Policy ENV7 of the East of England Plan does though state that housing development should achieve the highest possible net density appropriate to the character of the locality and public transport accessibility.
- 1.250 In addition, the Council's emerging Core Strategy Document proposes to introduce a local residential density requirement of 30-50 dwellings per hectare with up to 75 dwellings per hectare in town centre locations. Whilst this is not an adopted policy and little weight can therefore be attached to this suggested density figure at present, it does however provide an indication that 30-50 dwellings per hectare and therefore 40 dwellings per hectare may be acceptable at the application site.

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- 1.251 The Council's Strategic Housing Land Availability Assessment 2009 was calculated on the basis of 40-45dph. Of developable land being 75% of the whole site. In this case 75% of 11.1ha. is 8.325ha. x 40 = 333 units. Therefore, the quantum of development is considered reasonable.
- 1.252 The existing development at the area of Martin Walk and Spencers adjoining the proposed village area has a typical density of 25dph. This compares with the Royer Close and Read Close areas adjoining the proposed Parkside area at 14dph, but if account is taken of the gardens to Sweyne Avenue dwellings which extend into the sample area this increases to 24dph. However existing densities should not dictate the density of new development and densities below 30dph will require special justification and will be subject to call in procedure by the secretary of state for consideration.
- 1.253 Although the development would achieve a satisfactory density, Officers remain concerned at the impact of the proposal in the extent of built form and layout which although indicative remains germane to the issue of the acceptability of the number of dwellings on the site at issue in this outline application.
- 1.254 The character of the area comprises a mixture of varied house types not exceeding two storeys and with a strong presence in the northern made up section of Thorpe Road and Rectory Road of bungalows or former bungalow conversions. Officers are concerned the development pattern and form as evident from the outline details would prove uncharacteristic of the area and lack any local distinctiveness and instead provide a basis to impose house types and designs more indicative of the corporate design of the applicant rather than evolving from Essex characteristics or that of Hawkwell and Hockley to achieve a development of originality. Officers consider that there is an opportunity given by this application and site, to raise design aspirations whilst respecting the Essex context and which is a criticism raised by the County Council's Urban Design Specialist.
- 1.255 The applicants have responded to this concern in the amendments to the application of 6th November.
- 1.256 The applicants have revised the Parkside area building parameters to reduce the maximum width of detached dwellings by 3m and 3.5m to a revised 6m minimum width and 9m maximum width. The apartment minimum width has been reduced by 0.5m to 7.5m. The layout concept within the Parkside development parcels is unchanged and would provide groupings of varied house types fronting drives and backing onto each other.

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- 1.257 The village area building parameters have been revised to reduce the maximum width of semi detached dwellings by 1m to a maximum width of 9m. The apartment buildings minimum width has been reduced by 0.5m to 7.5m and the maximum width reduced by 5.5m to 9.5m. The layout concept of a typical village area parcel has been revised from being dominated by continuous frontage development to smaller block frontages with a typical break by way of entry into the depth of the parcel with a private drive flanked by landscaping belts.
- 1.258 These revisions are submitted in response to the county urban design specialist's objections and are the subject of an outstanding re-consultation at the time of writing.
- 1.259 Notwithstanding these revisions, which improve the relationship between dwellings on the site, District Officers remain concerned at the impact of the development that would result from these indicative layout considerations, upon the semi rural setting and modest scale of the adjoining character of this part of Hawkwell. It is considered that at this outline stage the overall concept and extent of development as well as the scale of buildings proposed and would be unacceptable and lacking in local distinctiveness.

Infrastructure requirements

- 1.260 The emerging Core Strategy identifies the general infrastructure requirements for the District to 2025. The Core Strategy Submission Document states that development in South Hawkwell should include the following:
- Local highway capacity and infrastructure improvements
 - Public transport infrastructure improvements and service enhancements
 - Link and enhancements to local pedestrian/cycling and bridleway network
 - Sustainable drainage systems
 - Play space
 - Link to cycle network
 - Local highway improvements
- 1.261 It must be noted that these requirements are predicated on there being 175 dwellings developed in south Hawkwell.

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- 1.262 Other infrastructure requirements identified for the Hockley/Hawkwell area include an early years and childcare facility, additional youth and community facilities, and improvements to Spa Road/Main Road junction. Whilst these are currently earmarked within the emerging Core Strategy to accompany development in alternative locations, it is unclear what impact development of the quantum of housing proposed in this planning application would have on the deliverability of development, and thus accompanying infrastructure, elsewhere within the settlement.
- 1.263 The emerging Core Strategy also states that the Council will apply standard charges to developments in order to secure financial contributions towards off-site and strategic infrastructure required as a result of additional development. Standard charges from residential developments will be required in order to contribute towards the following:
- Highway improvements
 - Public transport improvements
 - Cycle network
 - Greenways
 - Recycling facilities
 - Early years and childcare facilities
 - Primary education
 - Secondary education

Education requirements

- 1.264 The Country Education Authority advises that according to the Essex Schools Organisation Plan (SOP) that there is adequate capacity within local Primary and Secondary schools to accommodate the development proposed.
- 1.265 In further discussion with Officers they advise that numbers in the area are generally falling and between Holt Farm Infants and Juniors and the Westerings Primary School they forecast around 250 surplus places albeit with some temporary accommodation in need of replacement.
- 1.266 A development of 330 dwellings would normally be expected to generate just short of 100 primary school places. It is accepted that affordable housing can place greater demand on services but this would not equate to 230 primary age children. Account has to be taken also that some of the children would be already established in local schools and a proportionate number would be pre-school or secondary school age.

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- 1.267 County Officers further advise that once a child is in school they cannot be displaced so the fear of disruption to such children's education is ill founded.
- 1.268 The amount of financial contribution would depend on the exact number and type of dwellings that were built at the site. However, as this application is an outline application the exact number of different sized dwellings that might be built is not known, consequently, only an estimate of the amount of financial contribution can be calculated.
- 1.269 The applicant has provided the heads of terms of the possible legal agreements that would be offered which includes a financial contribution towards education provision and this is considered acceptable.

Contributions to enhance existing playing pitch and built sports facility provision

- 1.270 Planning Policy Guidance 17; Planning for Open Space, Sport and Recreation advises Local Authorities that where new developments would cause an increase in the population of an area such that existing open space provision and or local indoor and outdoor sports facilities would be over stretched then planning obligations can be used to require a developer to contribute towards the provision of new or to upgrade existing open space provision or facilities.
- 1.271 Policy LT2 to the adopted Local Plan (2006) requires new residential development to have regard to the further demand that will be caused upon existing sports and recreational facilities. The applicants acknowledge this requirement and accept that a contribution to off site playing pitch provision is acceptable in principle. The necessary size of contribution would require further work and justification in support of Sport England's request but would be in principle a matter for an agreement necessary as part of any permission that might be given.
- 1.272 The Local Authority is currently in the process of assessing outdoor and indoor sports facilities provision in the District but at this point cannot quantify the available capacity of existing facilities. It is not considered that lack of provision for any on-site outdoor sports facilities at the site or absence of any proposed any financial contribution towards upgrading existing facilities could warrant a reason to refuse this application on the basis that increased demand would be put on existing facilities which *may* already be used to capacity, when the capacity of existing facilities is not known.

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Ecological issues

Trees

- 1.273 The central part of the site to the rear of Thorpe Road and Rectory Road frontages is the subject of woodland Tree Preservation Order TPO/00021/07. This area comprises a mix of Hawthorn, Field Maple, Ash and Oak.
- 1.274 The development as revised, although an indicative layout, shows the retention of much of this area to the northern part of the Order and adjoining Spencer's Park beyond. Within this area, would be formed storm water drainage ponds which would be used to improve the bio diversity of the area and compliment the open space to the north.
- 1.275 The Council's arboriculturalist has no objection to raise against the proposal as now revised because of the extent of tree retention in the supporting documentation and indicative layout that would work in conjunction with the wildlife corridors.
- 1.276 Officers consider that subject to satisfactory conditions, the extent of tree loss inherent in the application is acceptable given the benefits outlined in the application for the retention of other trees and landscape improvement as accepted by the Council's arboriculturalist.

Wildlife

- 1.277 The site historically has been in horticultural use and varied land uses but is predominantly under managed. The regenerating habitat is described in the supporting documentation as of variable value in biodiversity terms.
- 1.278 The desk study has indicated the presence of Adder, Common Lizard and Grass Snake in reasonably high populations. Great Crested Newts are acknowledged to be present in the Ashingdon area more than 500m territorial distance from the site.
- 1.279 A disused Badger sett and two active setts exist on the eastern part of the site. The wooded areas and buildings on the site provide potential Bat roosting with hedgerows and trees providing foraging, shelter and dispersal routes. A maternity roost for Brown Long Eared Bats is recorded at No. 352 Rectory Road. The mitigating strategy acknowledges the need for translocation of many of the reptiles to receptor sites depending on the extent of the finally agreed layout.
- 1.280 The presence of Dormice on the site is discounted and the site is not known to currently provide suitable habitat for Water Voles or other wetland species.

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- 1.281 The wooded areas are described as secondary and not ancient but of some value for range of flora and fauna. The stream along the northern boundary offers alternative habitat but which is shaded and dry and of limited biodiversity value. The Christmas tree plantation is generally of low ecological value.
- 1.282 The supporting information acknowledges the loss of habitat but also the creation of new habitats as part of the scheme. The master plan layout allows for the retention and connection of a network of existing habitat as well as incorporating the perimeter tree belts and hedgerows.
- 1.283 The applicants envisage that a requirement of any consent will be to secure a detailed landscape and nature conservation management plan to include funding for the monitoring of reptile populations for up to 20 years.
- 1.284 Natural England and The Council's ecologist advise that the ecological assessment of the site has been carried out to a good standard and that the mitigation measures advocated are appropriate for the species and should form the basis for suitably worded conditions or agreement to any permission that might be given.
- 1.285 The Essex Wildlife Trust however has raised a holding objection on the need for additional information to support the assumptions made and the future management of the site and wildlife considerations. The supporting information contradicts statements made in that the survey information which shows twelve red and amber list BAP bird species that benefit from the site for breeding, feeding and rearing young.
- 1.286 The Trust further advise that it appears unclear if the mitigation recommendations and design for reptiles will be adequate to sustain reptiles on the site and that the reptile population which has been described as exceptional will suffer a marked decline in population as a direct consequence of the development proposed. The Trust argue that the development would result in a net loss of biodiversity and as such would not be sustainable in conflict with the requirements of PPS9.

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Further Ecological Submission

- 1.287 The applicant has since submitted a further ecology strategy which is currently out for consultation with the trust together with Natural England and the Council's ecologist. This strategy essentially is updated in the context of the change to the layout within the site. Amongst other things the further document acknowledges that this autumn is not an optimal time to undertake ecological assessment and advocates further work in the appropriate seasons to come. Initial examination of the additional information by Officers indicates that the matters raised by the Essex Wildlife Trust are unlikely to be fully addressed. The Council has received no objections from Natural England and the Council's own ecologist, the difference between the conflicting views appears that the Essex Wildlife Trust advocate consideration of matters before outline permission might be granted whereas Natural England, the Environment Agency and the Council's ecologist consider the principles are established such that the details remaining can reasonably form the basis of appropriate conditions or part of an agreement to any permission that might be given. As such Officers do not consider the Trusts concerns amount to sufficient reason to justify a reason for refusing outline permission.

Flood Risk issues

- 1.288 Part of the north eastern part of the site falls within Flood Zones 2 and 3 as currently identified by the Environment Agency and relating to the water course running along the northern boundary of the site with Spencer's Park.
- 1.289 The requirements of Planning Policy Statement 25; Development and Flood Risk require the Local Planning Authority to consider a sequential test whereby consideration is given to alternative site choices within areas less liable to flooding.
- 1.290 The layout of the site only provides for residential development to parts of two development parcels near Read Close.
- 1.291 The site compares with many other possible sites that exist in the Green Belt and in Flood Risk terms does not pass the sequential test for that part of the site so affected, as there are other alternative locations for the development that would be less liable to flooding.
- 1.292 The applicants also provide a Flood Risk Assessment for consideration and which has been the subject of consultation with the Environment Agency.
- 1.293 The Agency find that document currently inadequate as would relate to that part of the site so affected.

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- 1.294 The Flood Risk Assessment (FRA) needs to demonstrate that the surface water scheme will not increase flood risk off-site as detailed in paragraph 5 of planning policy statement (pps) 25. A range of flood probabilities, including the one per cent annual exceedence probability (1 in 100 years) event including an allowance for climate change, need to be considered for the site. The rate of discharge from the development site should not be greater than the existing rate of runoff for the same event. From the FRA provided, it has been indicated that surface water management of the site shall be split into two systems; the discharge rates for the two areas (as indicated in paragraph 6.14 of the FRA) are to discharge at at the 1 in 100 year event. However, this should mimic the current green field rate and so be no higher than the current 1 in 1 year event rate during a 1 in 1 year storm event. Until this information is provided the FRA is deemed to be unsatisfactory in terms of national planning policy. In addition, confirmation is required on who is to take responsibility of the adoptable system and maintenance of the Sustainable Drainage Systems (SUDS).

Impact On The Amenity Of Occupiers Of Residential Properties Close To The Site

- 1.295 The occupiers of some of the residential properties which border the site have raised concerns about the potential for overlooking to result from proposed dwellings on the application to their properties.
- 1.296 It is not possible from the submitted illustrative layout to undertake a detailed design assessment to assess whether the proposed development would have any detrimental effects on the amenity that ought to be reasonably expected by the occupiers of existing residential properties bordering the application site; this detailed design assessment would be undertaken at the reserved matters stage, if the outline planning consent was granted.
- 1.297 It is considered that the detailed design could be dealt with at the reserved matters stage, if outline planning consent were granted and at that stage the Council would ensure the proposed design did not give rise to any detrimental effects on the amenity that ought to be reasonably expected by the occupiers of existing residential properties bordering the application site.

CONCLUSION

- 1.298 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.

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- 1.299 The application site is designated as green belt in the adopted Rochford District Replacement Local Plan (2006) and no very special circumstances or other material planning considerations have been demonstrated such as to overcome or outweigh the harm to the green belt which would allow the proposed inappropriate development contrary to the adopted development plan.
- 1.300 The development would prove uncharacteristic and lack local distinction introducing three storey from prominent positions in an area of semi rural appearance on the fringe of existing settlement and characterised by a notable presence of single storey buildings.
- 1.301 The proposed layout would involve the making up of a significant part of Thorpe Road leading to increased attractiveness for use as an alternative to the adopted highway network and potential by passing of Hall Road/Rectory Road junction detrimental to road safety.
- 1.302 Part of the application site falls within flood zones 2 and 3 and as such the development fails the sequential test in that other sites less likely to flood would be preferable. Furthermore the accompanying flood risk assessment fails to adequately address the matter of demonstrating acceptable surface water drainage of the site.
- 1.303 It is therefore recommended that the proposed development is refused outline planning permission.

RECOMMENDATION

- 1.304 It is proposed that this committee **RESOLVES to REFUSE** the application for the following reasons:
- 1 The proposed development of up to 330 residential dwellings and associated infrastructure would not accord with the adopted development plan – the Rochford District Replacement Local Plan (2006)- and would also not accord with the emerging Core Strategy submission which is currently at an advanced stage with submission to the government scheduled to occur before the end of 2009. There are no material planning considerations which indicate that this proposal should be determined favourably and not in accordance with the adopted development plan.

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- 2 The Rochford District Replacement Local Plan (2006) shows the site to be within the Metropolitan Green Belt .Within the Green Belt as defined in Planning Policy Guidance Note 2: Green Belts, planning permission will not be given for inappropriate development, except in very special circumstances. The proposal by way of the excessive number of dwellings over and above that advocated in the emerging Rochford Core Strategy would result in inappropriate development leading to the unnecessary urbanisation and over development of the site to the detriment of the open character and appearance of the location.
- 3 Notwithstanding the indicative nature of the submitted layout, it is considered the development would result in an overall form of development uncharacteristic and poorly related to the surrounding development pattern. The lack of integration by design and lack of sensitivity to the semi rural character of the site locality would fail to become part of the greater area of which it would adjoin to the detriment of the visual appearance and local distinctiveness of the area.
- 4 The proposal by way of the introduction of three storey built form in prominent positions in the locality would provide a sharp contrast to the notable single storey character of the Rectory Road and Thorpe Road areas, that would, if allowed, prove over dominant and ill-fitting alongside established dwellings failing to respect local distinctiveness to the detriment of the character and appearance of the site locality.
- 5 As far as can be determined from the submitted plans the proposal includes the upgrade to adoptable standards of a section of Thorpe Road. This would encourage the inappropriate use of Thorpe Road by vehicles wishing to bypass the B1013/Rectory Road junction. The movement of vehicles associated with this use would lead to conflict and interference with the passage of vehicles to the detriment of that principle function and introduce a further point of possible conflict, being detrimental to road safety.
- 6 It has not been demonstrated that there are no reasonably available alternative sites in areas with lower probability of flooding that would be appropriate for the type of development proposed and therefore the application in relation to that part of the site within Flood Zones 2 and 3 fails the sequential test as required by paragraph D5 to PPS25.
- 7 The Flood Risk Assessment is considered inadequate in that it has indicated that the surface water system shall be split into two systems. It has been demonstrated that surface water shall be attenuated on site for the 1 in 30 year storm event with an oversized pipe system which may be adopted; and the 1 in 100 year storm event contained within the private systems on site. This would be acceptable in the outline stage of planning however confirmation should be offered by the Authority as to who shall adopt the 1 in 30 year storm event system. If this information is not obtained then confirmation relating to the responsibility of future maintenance should be included.

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- 8 The surface water drainage system being split into two areas has been stated as having a run off rate for one area of 58 l/s while the other has 53 l/s rate. It is indicated in paragraph 6.14 within the Flood Risk Assessment that the flow shall be matching the 1 in 100 year rate. The Flood Risk Assessment is inadequate in that the site should in fact mimic present rates. This means these rates should be no higher than the current 1 in 1 year rate during 1 in 1 year storm event and the development would if allowed result in surface water flooding.

Relevant Development Plan Policies and Proposals

CS1, CS2, CS3, CS4, CS6, CS8, CS9, CS10, HP1, HP2, HP5, HP6, HP7, HP8, HP9, HP10, HP13, HP21, EB1, TP5, LT2, LT9, LT10, NR8 of the Rochford District Replacement Local Plan (Adopted 16th June 2006) as saved by Direction of the Secretary of state for Communities and Local Government dated 5th June 2009 in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004.

Supplementary Planning Document 2 – Housing Design
(January 2007)

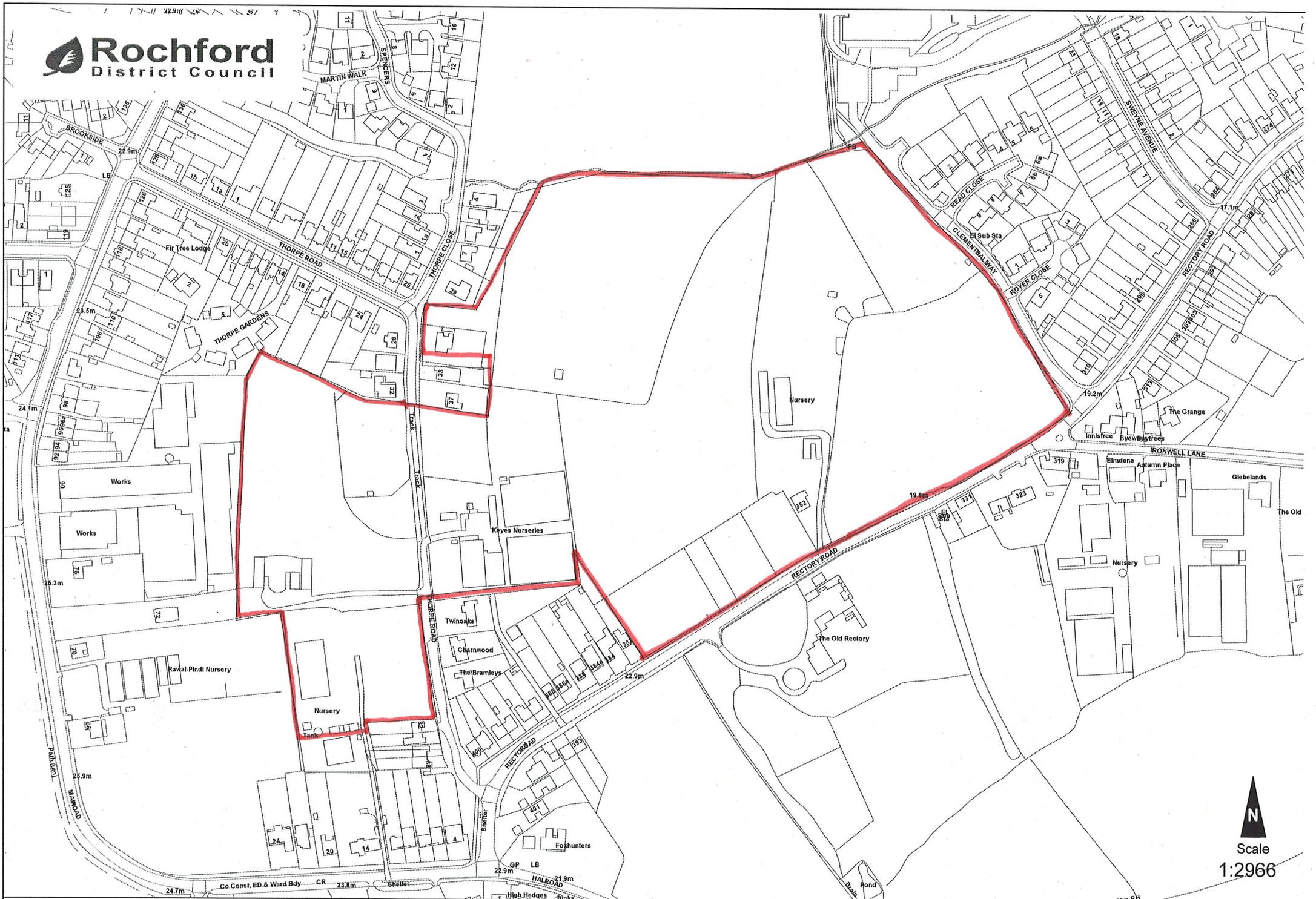
Supplementary Planning Document 3 – Playing Pitch Strategy
(January 2007)

Supplementary Planning Document 5 – Vehicle Parking Standards
(January 2007)



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Scale
1:2966

MASTERPLAN



Key	
	Application Site Boundary
	Development Parcels
	Commercial/Retail/Community
	Existing dwelling and curtilage to be retained on site
	Public Open Space with Wildlife Benefit
	Meadow Strips
	SUDS Ponds - areas with native planting support biodiversity
	Existing Trees/Tree Belts Retained On Site
	Wildlife Corridor
	Proposed Specimen trees
	Landmark Building
	Squares
	Specimen Trees Accomodated Within Development Cells
	Key Frontage Buildings
	Equipped Areas of Play
	Local Equipped Areas of Play
	Pinch Points
	Vehicle Restrictions
	Pedestrian and Cycle Links
	Main routes
	Secondary routes
	Back lanes
	Internal Access

Figure 23: Updated Masterplan