
12/00252/FUL

STAR LANE BRICK WORKS, STAR LANE, GREAT WAKERING, ESSEX

RE-DEVELOPMENT TO PROVIDE 116 DWELLINGS COMPRISING 6NO. ONE-BEDROOMED FLATS, 7NO. TWO-BEDROOMED FLATS, 22NO. TWO-BEDROOMED HOUSES, 47NO. THREE-BEDROOMED HOUSES AND 34NO. FOUR-BEDROOMED HOUSES, WITH ASSOCIATED PARKING, LANDSCAPING AND OPEN SPACE, ACCESS FROM STAR LANE AND CONSTRUCTION OF SUB-STATION

APPLICANT: **INNER LONDON DEVELOPMENTS (WAKERING) LTD**

ZONING: **EMPLOYMENT LAND**

PARISH: **GREAT WAKERING PARISH COUNCIL**

WARD: **FOULNESS AND GREAT WAKERING**

1 PLANNING APPLICATION DETAILS

- 1.1 The application currently before the Council is for the re-development of the former Star Lane Brickworks site to provide 116 dwellings comprising 6no. one-bedroomed flats, 7no. two-bedroomed flats, 22no. two-bedroomed houses, 47no. three- bedroomed houses and 34no. four-bedroomed houses, with associated parking, landscaping and open space. The access would be from Star Lane and the construction of a sub-station is also proposed.
- 1.2 The submission of the application in 2012 followed pre-application advice meetings involving planning officers and Councillors.
- 1.3 The application was initially submitted in April 2012 for a residential development consisting of 140 dwellings comprising 6no. one-bedroomed flats, 13no. two- bedroomed flats, 35no. two-bedroomed houses, 26no. three-bedroomed houses and 60no. four-bedroomed houses with associated parking and landscaping, and access from Star Lane.
- 1.4 The application in this format attracted objection, particularly in relation to layout and design. Planning officers and the ECC Urban Design Officer were in discussion with the agent and architects in an attempt to address those objections. This resulted in the submission in March/April 2013 of revised plans and documents. These revisions proposed a change, in the main, to the layout and some house types with the inclusion of open and play space and a

reduction in unit numbers to 116 dwellings. A re-consultation took place in light of these revisions.

- 1.5 Further minor changes were made in relation to the layout and design detailing of the revised 116 unit scheme. This resulted in a slight change in the housing mix, but not overall unit numbers. One three-bedroomed house was replaced with a two-bedroomed house resulting in a total of 47no. three-bedroomed and 22no. two-bedroomed units.
- 1.6 The scheme currently before the Council incorporates a grid style layout with three areas of open space and two play areas. Properties would mainly back onto Star Lane with a brick wall, hedging/trees and a mown verge visible from this perspective. The apartment block would front Star Lane with a brick wall/amenity space to its frontage. The main spine road through the development would link Star Lane to the eastern edge of the site with four roads feeding off this main spine road to serve the development. A noise barrier would be located to the northern boundary where the existing industrial estate is located ranging from 2.4m in height to a maximum 5-6m in height in the north-eastern corner. An emergency vehicle access is proposed to the southern boundary.
- 1.7 116 dwellings are proposed in total incorporating 8 different house types and flats split between an apartment block and 'flat over ground' (FOG) units. The majority of house types would be two storey in height with some two and half storey; this includes the G, E and K house types. The apartment block would be two storey in height. All dwellings to the site edges either back or side on to the boundaries. The majority of the houses proposed are sited in close proximity to the roads within their plots with only approximately 7 having deeper front garden arrangements.
- 1.8 Visitor parking spaces would be dispersed across the development and four parking courts would be located serving the terraced F1 units, K and FOG units. The majority of parking excluding the apartment block would be within the curtilage of the dwellings. Soft landscaping is proposed across the development with trees proposed along all boundaries with these predominantly located within the garden areas of dwellings.

2 THE SITE

- 2.1 The application site is on the eastern side of Star Lane within the south-western corner of Great Wakering. The site is broadly square in shape and to an area of 3.278ha. Industrial buildings were previously located on the site associated with its former use as a brick works. However, hard standing and above ground pipe work to the north-western corner of the site is all that remains of this previous use with the last of the buildings having been demolished in around 2007.
- 2.2 The site has a mature hedgerow along the boundary with Star Lane and the main access is towards the north-western corner of the site. Star Lane is a Class B Road with a speed limit of 60mph at the point of the application site.

The site is generally level although there is a land level drop along the eastern boundary between this site and the wetland wildlife site to the east with the brick work site being located on higher ground level.

- 2.3 To the north of the site is Star Lane Industrial Estate where a mix of different industries is located. There is a row of single storey industrial units that lie in close proximity to the northern boundary of the site with their rear elevations facing into the site. Two larger units of two storey height have their side elevations in close proximity to this boundary. A yard area is located to the north-eastern corner within the industrial estate, which historically housed a waste transfer use.
- 2.4 The site is bordered by the Metropolitan Green Belt on its southern and eastern boundaries. To the east are a number of lakes which are the remnants of the former brick earth extraction; this area is designated as a Local Wildlife Site and such designation extends to the eastern boundary with the application site. In close proximity to the north-eastern corner of the application site is a hard standing area with a building used as a yard. To the south is an access road to the lakes within the ownership of the applicant, a public footpath (no. 8) which connects Alexandra Road to Star Lane and beyond this an open field. There is also an area of woodland to the southern boundary partially within the ownership of the applicant.
- 2.5 The Allocations Plan 2014 allocates this area for residential development. Some of the surrounding land is also allocated for various other purposes within this document. This includes the industrial estate to the north, which is also allocated for residential development under the same policy BFR1. The area directly to the south of the site is allocated for employment purposes (NEL2), which would take some of the displacement from the loss of the existing industrial estate to residential development. To the north-eastern corner the site borders an area of land allocated for residential development post 2021 (SER9b).

3 RELEVANT PLANNING HISTORY

- 3.1 12/00041/FUL – Re-Development To Provide 149 Dwellings Comprising 6No. One-Bedroomed Flats, 13No. Two-Bedroomed Flats, 39No. Two-Bedroomed Houses, 27No. Three-Bedroomed Houses And 64No. Four-Bedroomed Houses With Associated Access From Star Lane. APPLICATION NOT PROCEEDED WITH.

4 CONSULTATIONS AND REPRESENTATIONS

Great Wakering Parish Council

- 4.1 FIRST CONSULTATION: (01/08/12)

4.2 Access

- It is imperative the residents of the new estate be integrated into the Parish of Great Wakering at the earliest opportunity, therefore the development should be visible from the road and not obscured by a high elm hedge and 1.8m brick wall. An open aspect to the front when the new housing can be seen is essential.
- How do they propose to manage the emergency service access in the south west corner and prevent people parking here.
- Historically it may not be known that mature elms abounded in this area until Dutch elm disease struck and destroyed every one. The spores are still present and when these saplings reach about 5m they too will be struck down and perish. Not simultaneously but spasmodically. Careful consideration should be given to this fact when considering the future maintenance of this hedge.
- I favour a low hedge or shrub border and a brick wall no higher than 1m.
- The proposed idea will give the impression of some kind of private estate. The new estate will already be alienated from the normal populated area by the presence of the industrial estate being sandwiched between the new estate and the existing houses in Southend Road.

4.3 Footways

- This application could generate up to 500 people. I understand there have been two fatal pedestrian accidents in recent years.
- The present application is for 140 dwellings, which could generate approximately five hundred people. No footways are planned on the east side of Star Lane outside the new estate. This I cannot accept. I understand in the last few years there have been two fatal pedestrian accidents here. There is a good footway on the east side of Star Lane from Southend Road stopping at the southern end of the industrial estate. This must be extended to the south beyond the estate.
- There is a good footway on the west side of Star Lane running the length of the road and interconnecting with the footways and designated footpath in Pointers Lane, which in turn leads to Asda, etc, in Shoeburyness.

4.4 Pedestrian Crossing

- Will a crossing be introduced for safe pedestrian access and will this be section 106 inclusive.

- Following on from footways and the incidence of pedestrian accidents in this area it is expedient to install a pedestrian crossing not at the point of access but close to it, together with guard rails along the kerb edge of the east side of Star Lane to cater for safe transit by pedestrians across Star Lane.

4.5 Road Safety

- A considerable number of children generated by this development will be attending the secondary school at Rochford and travel by contract bus. Suitable lay-by provisions must be made in Star Lane for their safety.
- The proposed junction control is by way of a protected T junction. This may be sufficient at present but if future development is envisaged, which I understand it is, land should be set aside for the future installation of a roundabout.
- Of the possible 500 or so new residents I am satisfied a fair number will be of secondary school age. These will be transported by contract bus to Rochford. It will be necessary for buses to stop in Star Lane, therefore to enable this to be carried out in safety a suitable lay-by should be constructed in Star Lane. This may be utilised to double as a service bus stop if necessary.

4.6 Street Lighting

- It is planned to extend street lighting along Star Lane to the south to encompass the access point to the new estate. This is insufficient and should be extended to the junction with Pointers Lane.

4.7 Speed Limits

- The 30mph speed limit at the northern end of Star Lane to be extended south to a point beyond the end of the development and thence become 40mph and join that in Pointers Lane.
- In the interests of road safety and common sense the 30mph speed limit should be extended to the junction with Pointers Lane.

4.8 Highway Works

- What stopping up orders will be required for the development that will impact on Star Lane. How long will they be in place?
- What is the construction period and what control measures are they putting in place to protect and keep clean the local highways? This is particularly a concern as their existing level changes across the site and significant existing hard standing and we would expect this to be removed

and or added to with further soils, foundations works, i.e., messy trades and delivery vehicles.

4.9 Sewers

- The existing 150mm sewer pipe will be inadequate.
- My understanding is Anglian Water is responsible for sewers in this area. I imagine the sewer from this proposed development will be channelled into the main sewer and travel to the east to Landwick Treatment Works. I draw the attention of the authorities to the fact that the sewer to the west of Great Wakering is only a six inch (150ml) pipe. The additional demands made on it from this development may cause problems.

4.10 Public Transport

- There are a number of bus services that travel along Star Lane. This will need constant revision as the development progresses.
- A range of accessible and reliable bus services will be needed to provide inhabitants with access to local employment, leisure facilities, town centre and connections to key inter-urban routes. This will require close co-operation between the public and private sector to ensure that bus provision matches the community's needs.
 - Increase amount of buses per hour/day.
 - Raise kerbs
 - Bus shelters
 - Extend bus service at night time

All of the above needs to be accessible, safe, secure and well lit.

- Within the development, bus stops should be in a position to encourage the public to use buses rather than a car – maximum of a five minute walk to the bus stop.
- The roads within the development must be capable of taking a full size bus if the bus route dictates this journey. Footpath network should be as direct and legible as possible, well lit and located sympathetically to surrounding developments to enhance personal security.

4.11 Ecology

- The surrounding area abounds with wildlife, however, the area to be developed in respect of this application falls on concrete hard standing and poses little threat to the habitat of wildlife.

- How does the LWS feature in your long term plans? Will you give us an undertaking that the LWS will remain as it is.
- It is understood that discussions took place in October 2011 between RDC and the applicants regarding the production of an Environmental Impact Assessment (EIA); can RDC please provide further details of these discussions including the outcome of those discussions?
- The findings of the ecological survey submitted with this application seem to be at odds with the informal wildlife survey provided earlier this year to the Parish Council and also to RDC. Can RDC advise how they intend to take forward the ecological and biodiversity aspects of this application, insofar as it applies not just to the brick works site, but to the “wider area” as defined by the applicants?

4.12 Contaminated Land

- The planning statement refers to soil contaminants and further investigations. What are the current known contaminants, what further tests are being carried out and what methods are being put in place to control the excavation, especially considering the local wildlife area adjacent to the site?

4.13 Noise Control

- Noise levels have been checked for road traffic and industrial noise and mitigation measures are proposed. What are these other than an acoustic wall (construction details and finishes to be confirmed)? Also, what are the noise control levels being put in place during construction for local residents and the wildlife area? It should be noted noise travels across Wakering’s open spaces quite some distance and animals do not like noise and vibration.

4.14 Archaeology

- The planning statement makes reference to little justification for archaeological investigation. Who has made this assumption? An archaeological specialist? The site should be reviewed for its history and suggestions that anything below the current foundations may not be of heritage is naive. Value is not just reflective of age.

4.15 Public Footpath

- The design and access document page 50 – movement. This shows pedestrian access from the former brick works site south to public footpath no. 8, which runs east/west from Star Lane to Alexandra Road. This access is via the track immediately south of the site. The pedestrians may

access the track from Gateways 4 and 5 and 6.

- At the east end of the track the only access at present is via a narrow bramble lined path in the local wildlife site which is very close to wild orchids.
- How will they gain access from the track to the public footpath when the land slopes down to the footpath and there is a ditch between the two?

4.16 Medical Facilities

- We are advised that the Great Wakering Medical Centre can cope with the product of this development.
- The Parish Council is concerned that the Great Wakering Medical Centre will be able to cope with the expected influx of people following on from the development of the Star Lane Brick Works Site.
- Q. How many patients does the practice currently have? A. 10,000. (Approximately 2,500 each doctor).
- Q. How many hours do the doctors work A. 7 are Full time, 2 are Part time. Each work different rotas, and all have half a day off per week.
- Q. Could the practice cope with more patients? A. Yes, as the doctors who work part time, would be willing to do more hours, and if needed employ new doctors.
- Q. Have you the room for more doctors? A. Yes, the rooms currently are used by different services through the week, but they can be moved around.
- Q. Is there a problem with Parking? A. The doctors provide this area (as it is their land). Other doctors' surgeries don't have a car park like Wakering has, so it is nice that we have it. However, if there are problems, then the doctors could close it, and just use it for staff only.
- Q. Is it possible, that the doctors could do at least one day that they are open earlier or later, for commuters? A. They can't turn away anyone who asks for these appointments, and there is a security issue, with locking up (extra staff) but they may reconsider some time.
- Q. Could you explain the appointments system? A. They have boxes that light, as doctors make them available, so a doctor may light all for the day, so an appointment for that doctor can be booked anytime during the day. However, some doctors wait until around noon, to release the appointments for the afternoon. Some doctors have appointments available to pre-book in advance.

4.17 Amenity Areas

- The plans submitted show very little provision of amenity areas or facilities.
- Are the trees to be managed in the future by the developer or by subsidies from the homeowners?

4.18 Drainage

- The planning statement makes reference to no increased flooding risk. This may be true but in terms of drainage of surface water, what are the proposals, are they providing any water attenuation other than soak away systems on the project and have the mains capacities external to the site been confirmed as sufficient for the new housing capacities? If not, what sort of disturbance will this create to Star Lane road way?

4.19 Great Wakering Primary School

- The school was built as a secondary school and is not entirely suitable as a primary school.
- Some years are over subscribed and others have spaces. The total capacity is 420.
- The Parish Council is concerned that the Great Wakering Primary School will be able to cope with the expected influx of school age children following on from the development of the Star Lane Brick Works Site.
- Q. Maximum total of Children the school can take? A. Maximum number of children we could take is 420
- Q. How many children presently? A. We currently have 376.
- Q. Where do you get your figures from, to know how many children will be starting each year? A. Our predicted intake numbers come from Essex County Council.
- Q. Have you ever been over subscribed, and if so, where are the children offered to go to? A. We were over subscribed for the September 2012 intake; those on the waiting list were offered Thorpedene in Shoebury.
- Q. Is it automatic, that if an older sibling is at the school already, that the younger one will have a place? A. Re: sibling priority, please see attached policy.*
- Q. Has a child ever been refused to enter King Edmund as they are full, and if so, where are they placed? A. Not for a very long time, as we are a

feeder school for King Edmund School.

- Q. Does the School have any concerns on the possible surge of new intakes, from this development? A. Some of our year groups are already to capacity – so we could not accommodate any more children in these.
- Q. Do you foresee any possible problems with children from the development getting to and from the school – parking, etc? A. Parking is not really an issue as we do not allow parents to use our car park. There is very little parking around the school at all. Star Lane is still within walking distance.

4.20 Secondary Schooling

- King Edmund at Rochford admits 270 pupils a year from its named feeder primary schools of which Great Wakering is one. Any surplus is filled from non feeder schools.
- There are no plans to increase the admission numbers therefore any increase in pupils from Great Wakering would simply mean less places offered to outside the main feeder schools.

4.21 Infrastructure

- The planning statement suggests the development will provide beneficial demand for local services - can they issue full justification for these claims?

4.22 Affordable Housing

- Do we believe the aspect ratio for flats to houses is sufficient to provide affordable housing for younger residents and attracting young professionals to the area?

4.23 Sub Station

- Is the sub station existing (north west corner) and what happens here? Is it shut down for future connections for permanent site supply or temporary builders supply and will this have any impact on the local area supplies?
- How will 24 hour access to the sub station be provided during and after construction?

4.24 Refuse

- Are the refuse bins going to be brought to the kerb by residents or taken out and in by the bin men? The bin men will probably not do this, which

could be an unsightly feature in the final situation with 13 bins blocking the entrance and pathways.

4.25 Design and Layout

- The development is on the high end of medium density housing and there is little communal space on the development.
- On average there are over 2 parking spaces per property, is this standard?
- There are existing ridges and varying levels on the site. What are the proposals for clearing and levelling the site (finished levels) and how does this tie in with the surrounding areas? I am not convinced the existing levels will tie in with their design proposals but this needs more time to go over all the AOD's.
- If existing levels are to be maintained how is the drainage addressed as there will be some steeper gradients and run offs towards the site perimeters?
- A bit controversial, but there are disabled bays, 2no. per 140 houses in the centre of the site. Is this realistic in terms of them actually being used?
- Architects' drawings have not been checked. See bottom right corner; not a good start when QA has not been done.
- Drawing pl210 shows refuse, stair core and cycle areas to the flats. Fire requirements for larger building require these doors to open in the direction of escape - these do not.
- What are the security arrangements for these areas, in particular the cycle store? This could become an easy target for local youths and career burglars and attract further crime to the whole of our area.
- The drawings show galvanised gates and fences. These are not very attractive and are not in keeping with the area. This is very industrial and with the timber finishes which will fade and will become very cold and unsuitable. Look at the buildings by Shoebury train station, for example.
- The keys on the drawings do not match, i.e., pl212 states no. 9 as steel entrance doors but the actual drawing seems to suggest balustrades. Also pl213 states no.1 as brick work but the drawing points to a galvanised gate. I have only picked out a couple but the drawings are sloppy.
- The materials schedule top right corner has many finishes and colours TBC. How can we judge the design without external appearance being finalised?

- Please confirm orientation and inclination of pv panels.
- The drawings are only really design intent so we should request and also be consulted on any construction information should the application be successful.
- In summary I would not recommend this until we have some examples of the finished materials and more details on the finished appearances and construction information as well as answers to the above queries.

4.26 Other

- It is understood that during the EIA discussions the figure of 475 new dwellings was proposed by the applicants for the West Great Wakering area; can this figure be confirmed please?
- Planning conditions will be put in place and be supported by building control conditions and it would be good to see these schedules when they are created.

4.27 SECOND CONSULTATION: (17/06/13)

- I am writing to confirm that Great Wakering Parish Council supports your comments in respect of this proposed development.
- In addition, we would recommend that the access to the proposed site should be by a roundabout at the entrance to the site and that there be a pedestrian crossing to the south of this roundabout to give pedestrians safe crossing to the footway on the west side of Star Lane.
- Additionally, we would recommend that a 40 mph speed limit be introduced from the end of the 30 mph limit at the entrance to Great Wakering to join up with the 40 mph limit at Poynters Lane.

RDC Engineering

4.28 FIRST CONSULTATION: (01/06/12)

- No public surface water or foul water sewer within Star Lane at this site location.
- SUDS design required.

4.29 SECOND CONSULTATION: (22/05/13)

- 1) Public foul sewer terminates at Star Lane Industrial Estate.
- 2) No public surface water sewer within Star Lane.

4.30 RDC Environmental Services

4.31 FIRST CONSULTATION - No response.

4.32 SECOND CONSULTATION: (08/07/13)

The following conditions are suggested:-

- 1) Full model Contaminated Land conditions
- 2) Prior to the commencement of the development, full specifications of the acoustic barrier serving the northern and eastern boundaries of the site will be submitted to, and agreed in writing by, the LPA. The barrier will be maintained in the approved form for the duration of the use of the site for residential purposes.

Informative: The barrier specifications will include at least: heights, materials, performance and maintenance plans.

- 3) Prior to the commencement of the development, full specifications of the glazing serving the properties along the northern and north-eastern boundaries of the site will be submitted to, and agreed in writing by, the LPA.
- 4) Prior to the commencement of the development, details of on- and off-site dust suppression will be submitted to, and agreed in writing by, the LPA. The dust suppression measures agreed shall be implemented throughout the duration of the ground works and construction phases of the development.

4.33 RDC Strategic Housing

FIRST CONSULTATION: (14/06/12)

4.34 No objections are raised against this application in principle. However, the proposal to deliver 11% affordable housing is significantly below the target identified in the Core Strategy (35%).

4.35 We have concerns over the low levels of affordable housing and believe a higher percentage could be achieved with this scheme. It is understood that you plan to undertake a viability assessment to assess the affordable housing contributions proposed. Once the report is published, we would like the opportunity to review its findings and comment further on the application.

4.36 Ideally, the tenure mix of affordable units should be 80% rented, i.e., social/affordable rent and 20% intermediate housing. Analysis of demand indicates the social/affordable rented accommodation should be in the following proportions:-

- 1 bed – 31%
- 2 bed – 43%
- 3 bed – 21%
- 4 bed – 5%

4.37 Analysis of demand indicates the intermediate housing should be in the following proportions:-

- 1 bed – 24%
- 2 bed – 51%
- 3 bed – 22%
- 4 Bed – 3%

4.38 Any affordable housing provision should be included in a S106 agreement (this should include delivery triggers, nomination rights and other relevant matters) and pepper-potting throughout the scheme.

FURTHER COMMENTS: (26/10/12)

4.39 Using the identified need figures on 12/09/12 we highlighted the following need:-

Social/Affordable Rent (12 units in total):

- 1 Bed – 34% - FOUR UNITS
- 2 Bed – 41% - FIVE UNITS
- 3 Bed – 21% - TWO UNITS
- 4 Bed – 4% - ONE UNIT

Intermediate Rent (3 units in total):-

- 1 Bed – 22% - ZERO UNITS
- 2 Bed – 51% - TWO UNITS
- 3 Bed – 23% - ONE UNIT
- 4 Bed – 4% - ZERO UNITS

We also discussed the need for housing not just flatted type accommodation.

SECOND CONSULTATION: (06/06/13)

4.40 Following our earlier discussions, please find below our housing need for affordable housing. The social rented demand is from our Housing Register for Great Waking (as at 29 May 2013) and intermediate housing is the latest data available (for the District as a whole). Ideally, the tenure mix of affordable units should be 80% rented i.e. social/affordable rent and 20% intermediate housing.

Social/affordable rented accommodation:-

- 1 bed – 37%
- 2 bed – 35%
- 3 bed – 24%
- 4 bed – 4%

Intermediate housing need:-

- 1 bed – 30%
- 2 bed – 34%
- 3 bed – 34%
- 4 bed – 2%

FURTHER COMMENTS: (24/10/13)

- 4.41 We are disappointed at the level of affordable housing proposed for this scheme. Other than that, we have no further comments.

FURTHER COMMENTS: (01/11/13)

- 4.42 Following our earlier discussions, please find below a breakdown of affordable housing needs in Great Wakering. I have included overall percentages for the different unit types and the number of properties we ideally need (based on 11 units being provided with 80% social/affordable rented (nine units) and 20% shared ownership (two units)).

- 4.43 Analysis of the Housing Register (social and affordable rented need):-

- 1 bed – 44% (4 units)
- 2 bed – 33% (3 units)
- 3 bed – 19% (2 units)
- 4 bed – 4% (0 units)

- 4.44 Analysis of intermediate need (shared ownership):-

- 1 bed – 27% (zero properties)
- 2 bed – 35% (1 unit)
- 3 bed – 34% (1 unit)
- 4 bed – 4% (0 units)

- 4.45 **RDC Woodlands (21/06/12)**

- 4.46 I agree with the tree constraints information, etc., however, I will require a tree protection plan and method statement in accordance with BS:5837:2012 for the proposed layout. This should include how the areas to be re-planted will be protected for construction pressures. A landscape plan will also be required.

4.47 RDC Ecology

FIRST CONSULTATION: (22/06/12)

- 4.48 The application is accompanied by comprehensive ecological information, based on surveys that have been carried out according to all relevant guidelines. As the development is now all within the previously developed part of the site, ecological issues are limited and the mitigation measures suggested by the ecological consultants appear to be reasonable, although lacking in specific detail. I note that none of these measures appears in the application's supporting documents and so there is currently no mechanism to ensure that they are carried out. Should consent be granted, I recommend that a condition is applied requiring the submission of a mitigation plan illustrating the location of all mitigation measures and details of any plant species or other materials to be utilised, the plan to be approved by RDC prior to the commencement of construction.
- 4.49 For lasting benefit, I strongly recommend that bird and bat boxes are incorporated into the fabric of the new buildings rather than using the boxes illustrated in the ecological report. I would request that the use of integral bat and bird boxes be made a condition of any consent and would be happy to provide advice on their type and positioning.
- 4.50 I am concerned that the main road into the development appears to anticipate a continuation at the eastern boundary of the application site, which would then take it into the Local Wildlife Site.
- 4.51 On ecological grounds there is no reason to object to the application, bearing in mind the comments made above.

FURTHER COMMENTS (10/09/12)

- 4.52 I was suggesting that the condition apply to the mitigation mentioned in the ecology report, which is all on site, as I understand. The report makes reference to the following mitigation work:-
- 7.15 wild flower grassland, tree and hedgerow planting;
 - 7.16 Reptile mitigation by habitat manipulation;
 - 7.20 bat and bird boxes, creation of new habitats
- 4.53 There is no information about locations, extent, type, method statements, etc., within the report and it is these details that need to be agreed to ensure that the conclusion of no adverse ecological effect, which is dependent on these measures, is justified.

SECOND CONSULTATION: (12/06/13)

4.54 From an ecological perspective, my views, as explained by comments in a letter dated 22 June 2012, remain unchanged.

4.55 **RDC Waste & Recycling**

4.56 FIRST CONSULTATION: (13/07/12)

1. All access roads should be constructed to take the weight of a refuse freighter, which is 26 tonnes gross weight. The maximum distance that a wheel bin should be moved by a refuse collection operative is 25 metres on any roads that cannot take the weight. In this application all type 4 and 6 roads should be constructed to take the weight of 26 tonnes.
2. The access and turning circles, length, width, height and weight of the vehicles need to be considered at the design stage. Turning circle 18.5m to 21m; length 9.25m plus 1m for bin lift; width 2.53m, height 3.4m.
3. The Council provides a weekly collection of mixed garden and food waste and an alternate week collection of domestic refuse and recycling in three wheeled bins. The bins for recycling are 240l capacity, the garden and kitchen waste are 140l capacity whilst the residual waste is collected in 180l wheeled bins. The dimensions of the bins can be supplied.
4. All developments must provide a dedicated storage for waste and recycling containers. All enclosures and storage areas should be located or constructed within the property boundary and be visible. Where it is not possible to locate the storage at the side or rear of the property, with access to the kerbside (e.g. terrace property), a storage facility should be located at the front of the property.
5. With regard to the terraced properties, a number are more than the 25 metres from where a refuse freighter can stop. It would mean that the residents would have to bring the bins to a central collection point. There is no indication on the plans that a point is to be provided; this would mean on the day of collection the bins would be left to cause obstructions on the paved area.
6. With regard to the flats adequate numbers of bins should be provided. The capacity of the bins will be the same as the other properties. The numbers can be agreed depending on the occupancy.
7. Drop kerbs should be provided where access paths meet the adopted highway.

8. The Council is to be indemnified against any damage to road surface and under ground apparatus before bin delivery and collections if roads are not adopted.

4.57 SECOND CONSULTATION: (17/05/13)

1. Type 4 and 6 roads must take the weight of a refuse vehicle that is 26 tonnes.
2. All properties must be able to accommodate a 240l , 180l and 140l wheeled bin. Sizes can be supplied on request.
3. It is unclear from the plans how the external storage of refuse and recycling containers will be facilitated on the site. There must be facilities for the collection of the three stream system that is refuse, dry recyclable and kitchen waste. Any bins stores for the flats must be within 10 metres of where a refuse freighter can park.

4.58 FURTHER COMMENTS RECEIVED AFTER CORRESPONDENCE WITH ARCHITECT: (31/05/13)

- 4.59 I note your comments with regard to refuse and recycling collection at the site and I have no further observations or comments on the proposals.

FURTHER COMMENTS: (20/05/14)

- 4.60 With reference to our recent meeting concerning the above site, I confirm I have no objections to the site layout with regard to the movability of the refuse freighters around the proposed estate or with the location of bin stores or collection points . The main proviso is that the roads can take a 26 tonnes weight.

4.61 **Essex County Council Public Rights of Way**

FIRST CONSULTATION: (07/06/12)

- 4.62 Presumably there will be no change to the definitive line of the current Public Right of Way Footpath 8 Great Wakering?
- 4.63 This is not clearly shown on Plan number PL101 and no reference made to it in the Planning Statement.
- 4.64 Will a temporary closure of the footpath be required during the construction of the site?
- 4.65 Would the developers consider a footpath creation through the wildlife area of the site? This can be created under section 257 of the TCPA.

SECOND CONSULTATION: (12/06/13)

- 4.66 Will the Public Right of Way – Footpath 8 Great Wakering which borders the site area, be affected in any way by the development?
- 4.67 Will the path be open to the public whilst development work is taking place?
- 4.68 **Essex County Council Minerals & Waste**

FIRST CONSULTATION: (20/06/12)

- 4.69 Having reviewed the planning statement accompanying the above application I note that there is no consideration of the impact the development would have on any safeguarded brick earth reserves as declared under Schedule 1 paragraph 7(3)(c) of the 1990 Act. This is further reinforced by the applicants' claim that no saved structure Plan Policies are relevant, whereas Policy Min4 seeks to protect workable mineral deposits from surface development.
- 4.70 Nevertheless, it is understood that the proposed redevelopment site was formerly the main brick work site and given that Policy H1 of the Rochford Core Strategy encourages alternative development of the site to residential, the Mineral Planning Authority has no objection to the application.

SECOND CONSULTATION: (29/05/13)

- 4.71 The Minerals Planning Authority (MPA) objects to the application as currently submitted.
- 4.72 The proposed development site is located within an area designated as a brick earth Mineral Safeguarding Area, as defined in the Pre-Submission Replacement Minerals Local Plan (January 2013).
- 4.73 The MPA will be shortly submitting its replacement Minerals Local Plan to the Secretary of State. In accordance with Para 216 of the NPPF, as the document has now been published, weight (albeit limited at this stage) should be applied to the plan's policies.
- 4.74 Policy S8 of the emerging Minerals Plan (submission draft) sets out, inter alia, the MPAs approach for Mineral Consultation Areas which requires the MPA to be consulted on, inter-alia, planning applications greater than 1 dwelling for brick earth.
- 4.75 The MPA will oppose such proposals that would unnecessarily sterilise the mineral resource or conflict with the effective working of the preferred site.
- 4.76 The plan and policies are available at:-

<http://www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/Policy-Consultations/Current-Consultations/Documents/MLP%20pre-submission%20Drfat%20-%20web%20version.pdf>

The policies have emerged over time and the comments of Districts and Boroughs have been taken into account especially through a number of stakeholder meetings, including sessions on Mineral Safeguarding Areas.

- 4.77 In accordance with Policy S8 it is necessary that the above application be supported by a minerals resource assessment to establish the existence or otherwise of a mineral resource of economic importance. Whilst it is appreciated that the brick works is no longer operating, any new development should not compromise the possibility of any brick earth resources being extracted in the future.
- 4.78 In order for the MPA to remove its objection it will be necessary for the applicant to demonstrate that the brick earth deposits affected by the proposed housing development have previously been worked or, if economic reserves are found to be present, that the prior extraction of the brick earth is considered.
- 479 Please also note that the NPPF (section 13) “ Facilitating the sustainable use of minerals2 equally applies to LPAs and should be given due weight and consideration, namely: Paragraph 142.
- 4.80 **Essex County Council SUDS (31/05/13)**
- 4.81 Until we become the SuDS Approval Body (SAB), likely in April 2014, we are providing informal comments on SuDS schemes, which are given without prejudice to any future application under the Flood and Water Management Act. We would ideally look for SuDS to comply with Defra’s draft National Standards and our emerging SuDS Design and Adoption Guide to keep open the possibility of ECC as the future SAB being able to adopt it. The Environment Agency remains the statutory consultee on surface water.
- 4.82 My comments on the proposed surface water drainage strategy are as follows:-
- 4.83 4.3.3- the applicant should clarify whether the maximum flow rate of 488l/s would be appropriate up to the 1 in 100 year event.
- In line with one of the key principles of SuDS and the two documents mentioned above, ideally we would look for above ground surface water features for the management of rainwater as their maintenance is easier to observe and inspect. We appreciate that soakaways may be necessary to enable access to the depths where the permeable strata exist. One option may be to provide surface water attenuation features such as

swales or detention basins prior to discharge to soakaways to provide storage during subsequent rainfall events.

- Exceedence routes should be considered to account for blockage or failure of proposed soakaways.
- Details of the proposed maintainer of any private features and the maintenance strategy proposed to be followed should be required by Condition.

Whilst we have no further specific comments to make at this stage, attached is a standing advice note explaining the implications of the Flood and Water Management Act and SABs being established, and which could be enclosed as an informative along with your decision notice.

4.84 **Essex County Council Specialist Archaeological Advice**

FIRST CONSULTATION: (30/05/12)

- 4.85 The Historic Environment Record shows that the proposed development lies on the site of the Star Lane brick works. Due to the historic significance of the brick works (EHER 15369), the commercial progress of the Milton Hall Brick Company from 1932 to 1984, its post war technological development, this department is recommending a full archaeological condition on the above application.
- 4.86 At a pre planning stage recommendations were made to archaeologically record the standing brick work buildings and structures prior to development. Although the site has now been cleared of all upstanding structures, without the record being undertaken, it still retains considerable archaeological potential for the study of the county's industrial archaeology and in particular the development of brick making within the region. Records depict this development from the use of brick clamps in the early post war period to oil fired down draught kilns by the 1970s and gas fired kilns by the 1990s. Although brick works are not necessarily considered significant in purely architectural or aesthetic terms they represent an increasingly rare site and structure type which have been identified in the regional research agendas as being of particular interest and as facing a high rate of loss through redundancy and demolition (*East Anglian Archaeology Occasional Paper 8*, 2000).
- 4.87 It is recommended that a full archaeological condition be placed on any planning consent. This should state:-
- 4.88 **RECOMMENDATION:** Archaeological desk based research and excavation

"No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of

archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority."

- 4.89 The condition requires a phased approach for archaeological research. Firstly an assessment of the documentary sources to fully explore the development of the brick work and record in detail the type, form, technology and use of each kiln and structure on site will be undertaken. This will be followed, where the documentary research is not sufficient to fully address the aims outlined above, by targeted open area archaeological excavation.
- 4.90 In addition, the development site has a number of recorded archaeological sites to its south (EHER 11157, linear feature and rectangular enclosure showing as crop marks) and EHER 11158, ring ditch showing as a crop mark) which indicates that the site is in the middle of prehistoric activity, as indicated by the crop marks. If the desk based assessment identifies areas which have not been disturbed by the brick works or quarrying these will require trial trenching and excavation to assess if further archaeological deposits are threatened.
- 4.91 The condition will only be complied with once all phases of this have been completed.

FURTHER COMMENTS: (26/06/12)

- 4.92 Further recommendations –
- The condition requires a phased approach for archaeological research. Firstly an assessment of the documentary sources to fully explore the development of the brick work and record in detail the type, form, technology and use of each kiln and structure on site will be undertaken. This will be followed, where the documentary research is not sufficient to fully address the aims outlined above, by targeted open area archaeological excavation will be required.
 - Phase one, the desk based assessment of the site has now been received although this is very disappointing and fails to appropriately assess the brick works. This concludes that the site has “potential for later prehistoric, Roman and Saxon remains”. The desk based assessment states that it is likely that archaeological features on parts of the site have been destroyed or truncated by ground reduction and the laying of concrete associated with the construction of the brick works so reducing the archaeological potential to low. Whilst this is possible, it is equally plausible that archaeological features have survived on some parts of the site where ground reduction was minimal as the report states that “the ground level reduction over the site associated with the construction of the brick works varies considerably” (from 0.1 – 0.7m over most of the site to 1.8m in the south eastern corner). Where the ground reduction is less than 0.5m the

survival of archaeological features is possible and a series of trial trenches should target these areas. The desk based assessment makes it clear that Great Wakering was a major Saxon settlement by the late 9th century and earlier Saxon finds from brick field sites nearby include high status objects including jewellery, this is then apparently contradicted by the conclusions in the desk based assessment that “should any remains have survived the construction of the brick works they will be no more than local significance”. It is quite possible that significant archaeological remains do survive on the site.

- The desk based report fails to assess the importance of the brick works and the possible features such as kilns that will have survived beneath the present ground level. When standing the site was a rare example of a surviving brick works and at the time of de-commission it was recommended by the Historic Environment Branch that a detailed record be made of the structure before its demolition. In 2011 it was recommended to a consultant that a targeted desk based report be produced on the brick works itself. This recording will still need to be undertaken.
- A brief outlining a scheme of archaeological further desk based assessment, trial trenching and excavation to target areas where archaeological deposits may have survived can be produced from this office or we can discuss the requirements with the archaeological consultant.
- The condition will only be complied with once all phases of this have been completed.

SECOND CONSULTATION: (23/05/13)

- 4.93 Same condition suggested as per first consultation response.
- 4.94 The desk based research so far produced concludes that the site has some potential for later prehistoric, Roman and Saxon remains but that it would most likely have been damaged or destroyed by the brick work structures. The desk based assessment does not, however, include an assessment of the importance and extent of the likely survival of underground features associated with the historic brick works themselves. The Star Lane Brick Works were considered to be an important heritage asset and, although the upstanding buildings have been demolished, it is possible that underground features associated with the brick works such as flues and kilns may survive. This should be assessed and if necessary a scheme for the recording of any such surviving underground structures should be considered.
- 4.95 The archaeological condition will only be complied with once all aspects of research, including an assessment of the historic brick works, have been completed,

4.96 **Essex County Council Highways**

FIRST CONSULTATION: (05/07/12)

4.97 The Highway Authority would not wish to raise an objection to the above application subject to the following:-

1. Prior to commencement of the development, The proposed bellmouth junction with the existing highway, inclusive of cleared land necessary to provide the visibility splays, shall be constructed up to and including at least road base level and be available for use prior to the commencement of any other development, including the delivery of materials. The junction shall be maintained with a clear to ground visibility splay with dimensions of 4.5 metres by 215 metres to both the north and south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.
2. The existing access along Star Lane shown on the site layout plan shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the reinstatement to full height of the highway verge/footway and kerbing, to the satisfaction of the Highway Authority immediately the proposed new access is brought into use.
3. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
4. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including construction traffic, shall be identified clear of the highway, submitted and approved in writing by the Local Planning Authority.
5. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

Additional Note:

With reference to the above condition the applicants' attention should be drawn to the recent alterations to householder "permitted development" insofar as there is now the need to provide a permeable solution (SUDS) for the hard standing to reduce the cumulative impact of surface water run off and overloading of sewers.

6. Prior to commencement of the proposed development details of a wheel cleaning facility within the site and adjacent to the egress onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The wheel cleaning facility shall be provided at the commencement of the development and maintained during the period of construction.
7. Prior to commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.
8. The carriageway(s) of the proposed estate road(s) shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road(s). The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.
9. All independent paths to be a minimum of 2 metres wide, with details of lighting and drainage to be submitted to and approved in writing by the Local Planning Authority.
10. The public's rights and ease of passage over public footpath no. 8 shall be maintained free and unobstructed at all times.
11. Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme with appropriate root barrier systems where required. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.
12. No unbound material shall be used in the surface treatment of any vehicular access within 6 metres of the highway boundary.
13. All parking shall conform to the EPOA Parking Standards Design and Good Practice September 2009. Each vehicular parking space shall

have minimum dimensions of 2.9 metres x 5.5 metres. Each tandem parking space shall have minimum dimensions of 2.9 metres x 11 metres. All single garages should have a minimum internal measurement of 7m x 3m.

14. Prior to the commencement of the development the details of the number, location and design of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient and covered and provided prior to occupation and retained at all times.
15. Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include 10 (Ten) All Essex Scratch card tickets.
16. Prior to occupation of the proposed development, the developer shall be responsible for the provision of a footway from the site access in a northerly direction to tie into the existing footway adjacent to the industrial estate. This link shall also include the provision of an uncontrolled crossing facility on Star Lane and improvements to the crossing facility at the industrial estate access. The scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
17. Prior to occupation of the proposed development, the developer shall be responsible for the provision improvements to the existing 2 bus stops adjacent to the site on Star Lane. These works shall include the provision of appropriate shelters and where applicable the appropriate ancillary infrastructure. The scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

CONTRIBUTIONS

18. A contribution of £3,000 (three thousand pounds) towards the advertising, creation and, if successful, the implementation of a Traffic Regulation Order (TRO) to move the existing speed limit to the south of the proposed site access on Star lane.

In the event of a successful outcome to the TRO changes the developer shall be responsible for all the works associated with the relocation of the speed limit including appropriate lighting levels and all other measures as deemed necessary by the highway authority.

SECOND CONSULTATION: (02/07/13)

4.98 Same as first.

4.99 FURTHER COMMENTS: (19/08/13)

- The developer for the Star Lane Brick Works site has provided a road layout in line with the Essex Design Guide that could accommodate in the region of 200 units from a single point of access. As always indicated by the Highway Authority if greater numbers are to be accessed then the larger site would require a second point of access. Early indications from the developers are that this would be from Great Wakering High Street. This would enable the numbers to be achieved that are identified within the allocation document. (SER9b)

4.100 FURTHER COMMENTS: (24/10/13)

- In its current format we would not look to adopt the footpath (goes to nowhere, however I would suggest it is constructed to adoptable standards); should the area of land to the north become available and developed into residential, then any footpath would have to be a minimum of 2m wide with appropriate drainage.

4.101 **Essex County Council Education**

FIRST CONSULTATION (29/06/12)

- 4.102 According to our forecasts, and information published in the latest Commissioning School Places in Essex plan, there should be sufficient primary school places at a local school serving this development.
- 4.103 The Commissioning School Places in Essex 2011-2016 plan shows that by 2016 there will be insufficient places to accommodate the 25.50 secondary school children likely to be generated by this proposed development. Going forward the planned growth in this area will further add to this deficit of secondary school places.
- 4.104 With regard to early years and childcare provision, the local ward for this development would be Great Wakering. According to the Essex Childcare Sufficiency Assessment the ward has places available at the moment.
- 4.105 It is clear that at secondary school level action will be needed to provide additional places and that this development will add to that need.
- 4.106 Based on the information you have provided, I estimate that this development, if approved, will result in 25.50 additional secondary school places being required. May I formally request on behalf of Essex County Council's Schools Service, that a section 106 agreement to provide a secondary school education contribution is drawn up on the basis of the formula outlined in our Developers' Guide to Infrastructure Contributions, 2010 Edition and our

standard s106 agreement clauses as stated in our Education Contribution Guidelines Supplement, published July 2010.

- 4.107 For your information I can, however, inform you that on the unit mix stated in this planning application the contribution would amount to £396,347. This figure is calculated using the April 2012 cost multipliers and would be index linked from this date using the PUBSEC index.

SECOND CONSULTATION: (17/07/13)

- 4.108 With regard to secondary provision, the Priority Admissions Area School for this development would be The King Edmund. The school has a net capacity of 1,630 places and our latest confirmed forecasts show that by 2016 the school is likely to have 1643 pupils on roll rising to 1744 by 2019.
- 4.109 With regard to primary and early years and childcare provision, the latest forecasts and information indicate that there will be sufficient provision at these levels to serve the needs of the development.
- 4.110 It is thus clear that additional provision will be needed at secondary level and that this development will add to that need. I must therefore request on behalf of Essex County Council that any permission for this development is granted subject to a section 106 agreement to mitigate its impact on education. The formula for calculating education contributions is outlined in our Developers' Guide to Infrastructure Contributions 2010 Edition. Our standard s106 agreement clauses that give effect to this formula are stated in our Education Contribution Guidelines Supplement, published in July 2010. For information purposes only, should the final development result in the suggested net increase stated above the sum would be £337,371 index linked to April 2013 costs.
- 4.111 If your Council was minded to turn down the application, I would be grateful if the lack of education provision in the area can be noted as an additional reason for refusal and that we are automatically consulted on any appeal or further application relating to the site.

FURTHER COMMENTS: (14/08/13)

- 4.112 We do not have any plans to expand Great Wakering Primary School but our current forecasts indicate that there are likely to be sufficient places to accommodate the primary aged children generated by the development without expansion. I am unable to comment on capacity of Friars Primary School.

FURTHER COMMENTS: (27/03/14)

- 4.113 We will start indexing from April 2014 in relation to applications received after this date and therefore April 2013 is still appropriate for this application. I can

also confirm that the change in unit mix does not change the amount of the contribution sought (£337,371 indexed to April 2013) as we do not differentiate between house size other than discounting 1 bedroom units.

4.114 Essex County Council Urban Design

COMMENTS: (20/06/12)

4.115 I note the comments of the police. I think they are referring to the alleyways which provide access to the rear of the properties. Their concerns can be overcome by having lockable gates. I would not want to eliminate these passageways as they provide a route for the occupiers' bins from the garden to the highway.

FIRST CONSULTATION: (25/06/12)

4.116 I am very disappointed with these proposals. We have had a number of discussions on proposals for development on this site yet there have been no improvements in the approach to the layout, in fact the proposals are worse than previous incarnations of the layout. It appears that the main driver is to maximise the number of units on the site rather than create an attractive place to live and which would provide an appropriate response to the context of the site and the wider context of Great Wakering.

4.117 My main concerns are –

1. The layout is an overly rigid grid, which is rather monotonous. The consequences are that there are no serial views and visual stops are also not satisfactorily terminated. There is not even an attempt to create any variety of space. Whilst I accept that a number of roads in Great Wakering are long and straight I do not consider that the 20 century developments, which for the most part do not have a strong character, should provide cues for the layout but rather it should be the background urban texture of the more historic settlement of Great Wakering found on the High Street and Common Road that should inform the proposals. The High Street has a strong sense of enclosure which gently curves to afford serial views [Conservation Area Appraisal] with subtle changes in alignment. The scheme should aim to provide changes in road alignment and create spaces rather than just linear streets that would act as nodes in the layout to aid legibility.
2. The layout is overly dominated by car parking in front of the dwellings which also results in poor enclosure to the streets [see page 61 EDG].
3. The layout and proposed built form for the scheme creates densities that are not in keeping with the surrounding built form of either the older areas or newer developments. It is not clear to see the link between the character and contextual studies other than the use of materials.

4. This site is peripheral to Great Wakering with open space/local wildlife site countryside to the east, west and south of the site. An earlier layout showed a stronger landscape structure with avenue planting and more planting in the public realm which seems to have largely been lost in this current proposal. Given the location of the site I would have thought that developing a strong landscape structure should have been a starting point for the development.
5. The proposals suggest that the development and its landscaping will form a gateway feature to the SW edge of Great Wakering [page 5 of Landscape and Visual Assessment]. I note that the drawings are indicating a walled boundary to Star Lane in front of which is some planting. Turning the backs of properties onto this road hardly creates a gateway to Great Wakering, is contrary to good urban design practice and general settlement patterns. The existing hedgerow also seems to have been removed and replaced by some new planting and trees. This landscape strip diminishes in width to nothing at the south west corner of the site so that the boundary wall and rear of properties will be the first close view of development from Star Lane from the south. I believe the better approach would be to retain and supplement the existing hedgerow with buildings facing the road but served by a private drive from within the site. If, however, the intention is to hide development then the landscaped hedge needs to be much wider [see some photos attached].
6. Information supplied by the applicant states that proposed landscaping is helping to integrate and anchor the development into the landscape [Paragraph 4.11 Landscape and Visual Assessment]. The local landscape character assessment of the Essex Coastal Towns states 'any new development should include strong new woodland and hedgerow framework'. However, the landscape strategy seems weak – how is the landscaping integrating the development with the surrounding area? The development is very inward looking apart from the end of the main access road and I think there is generally a poor relationship with the surrounding landscape with backs along all boundaries.
7. House types/elevations – I am concerned about some of the street elevations, in particular the amount of three storey development. The scale of some blocks appears too urban and unrelated to the characteristics of Great Wakering. Three storey blocks [with the possible exception of the apartments at the entrance, which relate to the scale of the industrial buildings adjacent] should be more dispersed and incidental in the layout unless higher buildings are required to provide enclosure to a wider static space such as a square [PG 49 EDG].

Finally I would like to make it clear that I do not agree with the comment in the Planning Statement that the current proposals have been favourably received. I have raised a number of concerns in the past on a number of layouts presented for discussion.

SECOND CONSULTATION: (24/05/13)

- 4.118 The layout is generally acceptable, however, I have a number of concerns, which I have detailed below.

Boundaries/Edges

- 4.119 The boundary treatment to the southwest corner of the site is still not resolved to my satisfaction. The hedging on the frontage to Star Lane gradually diminishes until the brick wall edges the site at this south west corner point [see drawing no. PL113, which indicates the location of the walls and fences]. This length of Star Lane is currently edged by planting and has rural characteristics and to preserve this characteristic the rear garden boundaries should be adequately screened by trees and tall hedging. There will, of course, be an impact on the garden sizes of the units in the south west corner of the site and if the garden size[s] are below standard, it may be necessary to substitute the house type for a smaller unit i.e. two-bed house.
- 4.120 A close-boarded fence along the southern boundary is also to be avoided – this will appear far too urban. This edge will be visible from the public domain and a softer landscaped treatment is required that would be more appropriate as countryside edge. A green screen would be acceptable.
- 4.121 The view at the end of the main access road is terminated by close-boarded fencing. This is not acceptable. Whilst it may be considered prudent to allow this road to extend further east in the future, in the short or medium term there is no reason why a more attractive edge treatment cannot be provided in the form of a green screen/hedge.
- 4.122 In respect of the apartments, I would also expect that the tree and hedge planting would create an edge to Star Lane. The brick wall should be screened in this location by hedging. I note also that on the elevations that the small communal garden area at the rear of Block 2 is fenced to a height of 1.8m, though this fencing is not indicated on the drawing LO176LO8 General Arrangement. I would not wish this area to be fenced as a more open aspect will allow for better supervision of the car parking area - low hedging would be more appropriate.

Landscaping

- 4.123 In my comments of June 2012 I referred to the local landscape character assessment of Essex coastal towns, which states that 'any new development should include a strong new woodland and hedgerow framework'. Whilst

these revised proposals indicate some additional planting within the development the solid fenced boundaries to the site are inappropriate creating barriers to wildlife and a poor relationship with the surrounding landscape .[See comment on boundaries above].

Elevations

- 4.124 Wide span gable ends, which are highly visible, should be avoided. This occurs when deep plan houses are placed on corners such as the 'M', 'E' and 'F1' house types at the southern end of the site. In some cases, roofs should be turned through 90 degrees and flank walls fenestrated to provide visual relief and a greater natural surveillance. A particular area of the site that needs this attention is to be found at the junction of the three type 6 roads at the southern end of the site. See pages 59 and 60 of the Essex Design Guide.

Dormers

- 4.125 The dormers are too bulky in appearance. E.g. On house types 'G' and 'K' from the front the GRP presents a wide frame to the window and from the side the large flat flank of the dormer will be viewed. This will be an over dominant feature on the roof.

Materials

- 4.126 Roofing – Large format concrete tiles with thick leading edges will not be acceptable. Bricks from the Hanson Ecostock range will be acceptable but samples will be required to be submitted and approved.
- 4.127 Ground surface finishes - The 'tarmac with chippings' looks most unattractive. There does not appear to be sufficient quantity of chippings to give an overall texture or colour. Normally with a high stone content in the wearing course, provided there is sufficient volume of traffic, the stone would rise to the surface to give an overall colour to the road surface. On lower category roads there is not the volume of vehicular movements for this to happen. I think it would be more appropriate for the shared surfaces to be paved. Car parking spaces off these shared spaced should also be paved.
- 4.128 If the above matters can be resolved then I would raise no objections to the application.
- 4.129 I would recommend that the following conditions are applied to any consent granted:-
- Details of all external materials, together with samples when requested, should be submitted to and agreed by the LPA prior to development commencing.

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- Details of windows, window frames, glazing bars, window and door surrounds, canopies, and porches shall be submitted at scales between 1:20 to 1:1 as appropriate and agreed by the LPA before development commences.
 - All windows in brick elevations shall be inset 100mm from the front face of the brick work.
 - Verges and eaves details shall be submitted at scales between 1:20 to 1:5 as appropriate and agreed by the LPA before development commences.
 - Details of roof lights and dormers to be submitted and agreed by the LPA.
 - Details of balconies at a scale of 1:20 to 1:1 as appropriate shall be submitted to and agreed by the LPA prior to development.
 - The location and detailed design of all boundary walls, fences, railings, car port doors and gates adjoining/facing the public realm (streets and spaces), shall be submitted to and agreed by the planning authority prior to construction.
 - Details of the green screens are to be provided including plant species and spacing. A maintenance plan for the green screening should be submitted to and agreed by the LPA. Any plants within a period of five years of planting date which die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season or sooner, with others of similar size and species as those originally planted, unless the Local Planning Authority gives written consent to any variation.
 - Details of all ground surface finishes including kerbs, channels, manhole covers and tree surrounds shall be submitted to and approved by the Local Planning Authority prior to their installation.
 - The detailed design of the public realm, including all ground surface finishes, lighting columns, fences, railings and street furniture both within adoptable highways and unadopted areas on public frontages, shall be submitted to and approved by the Local Planning Authority prior to their installation.
 - No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the site and those to be retained, together with measures for their protection in the course of development and a programme of maintenance. All planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding season following commencement of the development (or such other period as may be agreed in writing by the local planning authority) and any trees or plants

which within a period of 5 years from occupation of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the local planning authority gives written consent.

- All service intakes to dwellings shall be run internally and not visible on the exterior.
- All soil and waste plumbing shall be run internally and shall not be visible on the exterior.
- The rights of utility companies to deemed consent under the General Permitted Development Order to construct electrical substations and gas governors within the development are withdrawn and planning consent will be required.

4.130 FURTHER COMMENTS: (02/10/13)

- The wire trellis structure on the southern and eastern boundaries looks too urban. Native hedge plants should be planted along both these boundaries. I have spoken to Place Services Landscape Architect and he considers that wire stock netting attached to timber posts could be used in places where privacy is not an issue. Where close boarded fencing is provided then the fencing needs to be set back from the boundaries to allow hedge planting on the outside face. In respect of the southern corner I still consider that the hedge planting is not of a sufficient depth. Unless an agreement can be reached with the adjacent land owner to allow hedge planting on their land, the fence to the south-west corner plot will need to be inset to allow for greater depth of planting – the 351mm is not sufficient - it should be at least a metre. This minimum depth of planting on the outside of privacy fencing also applies further along the southern boundary.
- The developer should also be aware that all privacy boundaries on public frontages within the site would be expected to be walled and not fenced.
- In respect of the house types, I still consider the gable end to type M to be too wide for such a prominent location at the junction of the three roads, as it terminates the view down the street . This plot should therefore be appropriately animated with windows/bays /doors . The flank of the F1 house type at the entrance to the site should also be elevated appropriate to its location – one window in a large expanse of unrelieved walling is really not appropriate for a ‘gateway’ building. This development would benefit from house types designed to ‘perform a particular role in the street scene’ such as terminating a view and corner turning [see Page 65 and Picture C Page 60 of the Essex Design Guide].

- Materials. The tokenistic use of pavers at the junctions is not related to the shape of the space or traffic calming. A more thorough and rigorous approach to the design of the public realm is required. For example, the central green creates a space and it might be expected that the treatment of roadway/driveway could reinforce the character of this space. Generally paved gullies/channels, non-standard edging like granite/stone kerbing or setts carried across the carriageway to break up areas of tarmac, are also devices to improve the appearance of tarmaced streets.

4.131 Southend Borough Council

FIRST CONSULTATION: (03/07/12)

- 4.132 It is not considered that the proposed development is in a sustainable location and should be considered against Paragraph 55 and 70 of the NPPF. The nearest centre providing a range of shops and facilities is located within Southend on Sea (Shoebury) which is not within walking distance. There is a bus service and bus stops located near to the site entrance, however the bus service does not operate into the evenings. In order for the development to be catered for, consideration should be given to extending the bus service into the evening. Presently Star Lane has not got a suitable footway for pedestrians. The proposed development is thus likely to be heavily car-dependant.
- 4.133 The proposed development should encourage the use of sustainable modes of travel. Southend BC is considering the installation of a cycle lane along Bournes Green Chase and would seek a contribution towards cycleway Improvements, which will encourage residents of the development to use sustainable transport modes.
- 4.134 The main route to the site will likely be the A13 and B1017. Considering the size of the development (309 parking spaces) Southend BC would recommend the applicant model the generated development traffic 15 years into the future using the Southend Multi-Modal-Model. The outcomes of the model may suggest highway improvements are required to mitigate the impact on the highway network.
- 4.135 Presently the site access is located within the national speed limit of 60mph. In order for the volume of traffic that the development will create to safely access and exit the site it is advised the speed limit will be reduced as the Transport Statement provided by Glanvilles suggests that the access to the site shall need to be within the 30mph speed limit. Considering this it may be appropriate to make Star Lane a 30mph speed limit. The road physically suggests that the speed is fast and it may be appropriate to install some traffic calming, such as road narrowing, a gateway to the village or a mini roundabout to give access to the site and a mini roundabout at the junction of Poynters Lane/Star Lane.

4.136 The TS suggests that frequency of collisions are not considered to be of particular concern, however as the TS's collision statistics suggest there have been a number of collisions within the area and a number on Star Lane. A number of the collisions have been at the south end of Star Lane, which, with the sharp bend onto Poynters Lane and an increase in traffic generated from the proposed site the risk of collisions is likely to increase. In order to reduce the impact of collisions it may be appropriate to reduce the speed limit of Star Lane and introduce a mini roundabout at the junction of Poynters Lane/Star Lane.

4.137 The site lies between Great Wakering Primary School and Friars Primary School (which is within Southend). Should Essex CC be increasing primary school capacity within Great Wakering then Southend BC has no objections. However, if provision is not being made within Great Wakering, Southend BC would expect a contribution towards the provision of primary and secondary education (in accordance with DfE multipliers), as capacity in this area is limited.

SECOND CONSULTATION: (21/08/13)

4.138 We are no longer seeking a contribution for this cycleway, however the development should cater for all sustainable modes.

4.139 **Environment Agency**

FIRST CONSULTATION: (03/07/12)

4.140 Surface Water Management:

- No objection to the proposed surface water drainage strategy which proposes soakaway drainage for this site. Both the Site Investigation Report and Flood Risk Assessment demonstrate this concept to be feasible.
- The site drainage proposal follows the drainage hierarchy as laid out in Part H of the Building Regulations. This prioritises infiltration drainage ahead of surface water discharges to water courses or sewers where this is proved to be practical. The proposal is also in accordance with Policy ENV4 of your Core Strategy Submission Document.
- We would therefore strongly recommend that a planning condition be imposed requiring a detailed design for the site drainage to be submitted, including design calculations for soakaways and for the site drainage network leading to the soakaways and for the management of any system exceedence. The detailed design should be agreed with the LPA prior to the commencement of development at the site.
- Suggested condition –

No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The detailed drainage strategy should include design calculations and analysis for the hydraulic performance of site soakaways and of the overall site drainage network leading to the soakaways. The design should demonstrate that surface water run-off generated by storms up to and including the 1 in 100 year frequency critical storm (including allowances for climate change over the development lifetime) will be adequately managed within the boundaries of the site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

4.141 Contaminated Land – risk to the water environment:

- We refer to the Ground Conditions and Contamination Assessment, prepared by Ellis & Moore and referenced 13005, for the above site.
- Based on the information provided, and given the geological and hydro geological conditions present, we do not consider this site a priority. We therefore will not be providing detailed site specific advice or comments with regard to land contamination issues for this site. The developer should address risks to the water environment (particularly the ponds located close to the eastern site boundary), from contamination at the site, following the requirements of the National Planning Policy Framework and our Guiding Principles for Land Contamination Document.

4.142 Ecology:

- We have reviewed the submitted Ecology Assessment and are satisfied that no aquatic habitats will be affected by the proposals and that issues related to protected species have been adequately addressed. We would encourage the applicant to incorporate measures to ensure enhancements to the Local Wildlife Site are incorporated into the scheme where possible.

4.143 Climate change and sustainable construction:

- New development, if not carefully planned, can exacerbate these pressures. Opportunities should therefore be taken in the planning system, no matter the scale of the development, to contribute to tackling the problem. This is supported in PPS1 and the NPPF.
- We therefore recommend you append suitable planning conditions to any approval granted to ensure the development is carried out in as sustainable a manner as possible. The following information should form

the basis of the applicants' considerations:

- *Water efficiency* – simple water efficient systems and fittings should be considered by the applicants, such as dual-flush toilets; water butts; water saving taps and showers; and appliances with the highest water efficiency rating as a minimum. Wherever possible grey water recycling and rainwater harvesting schemes should be considered to produce the highest water efficiency ratings. Any submitted scheme should include detailed information (capacities, consumption rates etc.) on proposed water saving measures.
- *Save water, save energy* – with the current high and rising energy prices, taking measures to use more efficient fixtures and fittings (such as showers, baths and hot water taps) will result in major cost savings for the user in both energy and water bills. Development should also seek to reduce the demand for energy by incorporating, for example, passive systems which take advantage of natural light, air movement and thermal mass. To meet the remaining energy demand the use of renewable sources should be explored and implemented where possible.
- *Waste* – the management of waste should therefore be considered as early as possible during the design phase to ensure that minimal volumes of waste arise during the construction of the development and the demolition at the end of its life. This can include measures such as preventing the over-ordering of materials, reducing damage to materials before use by careful handling and segregating waste on site into separate skips. The developer should consider how they will incorporate recycled/recovered materials into the building programme, including the use of secondary and recycled aggregates, and re-use of any on-site demolition waste. The design of the development can also influence the ability of residents to recycle their waste and we would suggest that designs incorporate facilities to aid in this, especially in multiple-occupancy buildings. We would also suggest that consideration is given to the provision for recycling within public areas.

SECOND CONSULTATION: (30/05/13)

4.144 Same as first consultation except for the following:-

4.145 Surface Water Management:-

- We have no objection to the proposed surface water drainage strategy which proposes soakaway drainage for this site as both the site investigation and Flood Risk Assessment (referenced 4242358, dated February 2013) demonstrate this concept to be feasible.

- With reference to sections 8.2.15 and 8.2.17 of the submitted FRA, the developer should ensure that discussions regarding maintenance of road drainage in adoptable highways are held with the Highways Department.

4.146 Contaminated Land:

- The “Ground Conditions and Contamination Assessment”, Report Reference 13005, prepared by Ellis & Moore for the above site, appears to be a re-submitted copy of the report previously provided.
- We therefore do not wish to amend our previous comments for this planning application in that regard.

4.147 Natural England

FIRST CONSULTATION: (03/07/12)

4.148 The application site is in the vicinity of the Foulness SSSI. This SSSI is part of the Foulness Special Protection Area and Ramsar site.

4.149 Natura 2000 site – no objection:

- The proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which the Foulness Special Protection Area and Ramsar Site has been classified. Your authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site’s conservation objectives.

4.150 SSSI – no objection:

- Given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted.
- We therefore advise your authority that this SSSI does not represent a constraint in determining this application.
- Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

4.151 Protected Species:

- If the LPA is aware of, or representations from other parties highlight the possible presence of a protected or Biodiversity Action Plan (BAP) species on the site, the authority should request survey information from the

applicant before determining the application.

- Natural England Standing Advice is available on our website to help local planning authorities better understand the impact of development on protected or BAP species should they be identified as an issue for particular developments.

4.152 Local Wildlife Sites:

- If the proposal is on or adjacent to a local wildlife site, e.g., Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site before it determines the application.
- In particular, Natural England notes that the Ecological Assessment (Chapter 3 of the Environmental Report) states that there is no public access to the adjacent Star Lane Pits Local Wildlife Site (LWS) and that there will therefore be no impact upon this site arising from the proposed development; whilst the Design and Access Statement states the long-term intention of creating an access from the proposal site to the Star Lane Pits.

4.153 Green Infrastructure:

- Natural England is concerned that the proposal as currently submitted does not appear to contain any provision of on-site Green Infrastructure (GI) beyond private gardens and some limited tree planting along boundaries and roadsides.
- We consider that the development should include provision of areas of publicly accessible green space and, ideally, that such areas should be contiguous with the Star Lane Pits LWS or other areas of existing green space in order to form part of a coherent GI network.

4.154 Local Landscape:

- Natural England does not hold information on local landscape character, however the impact of this proposal on local landscape character (if any) is a material consideration when determining this application.
- Your authority should therefore ensure that it has had regard to any local landscape character assessment as may be appropriate, and assessed the impacts of this development (if any) as part of the determination process.

4.155 Biodiversity Enhancements:

- This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes.
- The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.'

FURTHER COMMENTS: (25/09/12)

- 4.156 Increased public access would be a potential problem for any site which is of importance for its populations of breeding, moulting or wintering birds. However, according to Essex Wildlife Trust's website, the Star Lane Pits LoWS was selected primarily for its rare and uncommon plants and invertebrates and, whilst the site undoubtedly has some bird interest, this is of lesser importance.
- 4.157 Therefore, subject to appropriate and adequate mitigation measures, some degree of public access ought to be acceptable. The most important mitigation measure required would be the introduction of some form of habitat management in order to maintain (and ideally enhance) the habitats which support the plant and invertebrate interest. This management should be in accordance with a Management Plan, which should be informed both by up-to-date survey information and by historical records.
- 4.158 Ideally, the production of the Management Plan should be required by a condition along the lines of xxx shall not be done until a Management Plan for the Star Lane Pits LoWS has been submitted and agreed by the Council in consultation with Natural England; whilst the actual management should be secured through a S.106 agreement or similar mechanism.
- 4.159 Within this management framework, and subject to other considerations (such as terrain, public safety, and the ability to create desirable circular routes round the site), consideration might also be given to the question of whether access should be allowed to the whole site; or whether part of the site should be set aside as a refuge area free from public access/disturbance.

SECOND CONSULTATION: (20/05/13)

4.160 Advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

4.161 **Essex Wildlife Trust**

FIRST CONSULTATION: (08/07/12)

4.162 Whilst we accept the selection of this brown field site for housing provision, we do have serious concerns regarding this particular development proposal, due to the potential for adverse impacts from increased recreational pressure on the adjacent Star Lane Pits Local Wildlife Site (R35). This LoWS has been designated for its mosaic of rough grassland, scrub and aquatic habitats, which includes the Essex rare species hemlock water-dropwort and the Essex Red List species pyramidal orchid, as well as areas of reed beds, a UK BAP Priority habitat. The LoWS supports nationally significant and Essex Red List invertebrate species; furthermore, the site has the potential to qualify under species selection guidelines SC18 (9UK BAP priority invertebrates) – due to the presence of the BAP species *odynerus melanocephalus* (the black eaded mason wasp) and SC19 – important invertebrate assemblages.

4.163 The ecological survey recorded evidence of the presence of water voles, a UK and local BAP species, on one of the lakes within the LoWS. Water voles are fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

4.164 Examination of the submitted plans for this current application has shown that the developer makes little (if any) provision for areas of open (public) green space within the development footprint; it is clear that the intention is to open up the LoWS as allocated green space provision for the development. The Design and Access document (p35) states: “to ensure that the development...enables...the opening up of the wildlife designated areas as an amenity for the wider Great Wakering population”.

4.165 Conversely, the Ecological Assessment (p37) states: “...it is not considered the proposed development will result in a significant increase in public pressure on this LWS.”

4.166 These two statements clearly contradict one another; the stated position of the developer is that the LoWS is to be “opened up” as an amenity, a move which will inevitably increase recreational pressure on this relatively small site. Star Lane pits is already suffering from the adverse effects of disturbance and serious littering and increased access will serve to further exacerbate these problems, to the detriment of the wildlife in the area. It has been suggested to EWT (pers. comm) that the developer’s plans for the LoWS include “levelling”

some sections to create picnic areas; such actions will only serve to further reduce the biodiversity of the site. It is notable that the area around the fishing lake, which has been “tidied” and partially cleared of bankside vegetation, supports significantly less wildlife diversity than the remainder of the site.

4.167 It is the opinion of the Essex Wildlife Trust that, without a clear and detailed mitigation plan in place, the proposed development will have unacceptable adverse impacts on the Star Lane Pits Local Wildlife Site.

4.168 Within Rochford District Council’s Core Strategy Submission Document, Policy ENV1 states:-

“The Council will work with key stakeholders to promote designing in wildlife schemes in order to obtain a gain in biodiversity, and ensuring any unavoidable impacts from development are appropriately mitigated against.”

4.169 Local Planning Authorities also have a duty to conserve biodiversity under Section 40 of the Natural Environment and Rural Communities Act 2006.

4.170 Before this application proceeds, we would respectfully urge you to secure a mitigation plan from the developer which demonstrates a commitment to the protection and enhancement of biodiversity on the LoWS and a recognition of its value for wildlife. The plan should set out clear habitat management priorities and actions which are linked to the designation criteria for the site. Additionally, the water vole is included in the Government’s list of species of principal importance for the conservation of biodiversity in England and thus requires special attention. Favourable management for water voles should be promoted through the adoption of a targeted habitat management plan (which should include a mink control policy). Furthermore, the encouragement of increased access by the public onto the LoWS would need to be very carefully managed, with clear strategies to minimise disturbance to wildlife and to control the problem of litter. Such strategies should be clearly described in the mitigation plan and made available for examination and comment.

4.171 In summary, EWT wishes to register a holding objection with regard to this application. We are of the opinion that the developer should be expected to produce a detailed mitigation plan for the Star Lane Pits LoWS before the application is allowed to proceed.

SECOND CONSULTATION: (24/07/13)

4.172 Due to a lack of time and resources I have been unable to provide any detailed comments on this application. EWT’s concerns would relate to the impacts of the development on the Local Wildlife Site; mitigation would be required to ensure that disturbance and disruption to wildlife during construction was avoided or minimised, following best practice guidelines; we would also expect an ecological management plan, outlining the post-construction management of the LoWS for the benefit of wildlife, to maximise

biodiversity and enhance the habitat for protected species (water voles, great crested newts, etc), to be produced. The future management of the LoWS for the benefit of wildlife should be secured by a s106 agreement with the developer.

4.173 Anglian Water (04/07/12)

4.174 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

4.175 The foul drainage from this development is in the catchment of Southend Sewage Treatment Works that at present has available capacity for these flows.

4.176 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

4.177 The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option.

4.178 Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to water course and then connection to a sewer.

4.179 The surface water strategy/flood risk assessment submitted with the planning application is not relevant to Anglian Water and therefore this is outside our jurisdiction for comment and the Planning Authority will need to seek the views of the Environment Agency.

4.180 We request that the agreed strategy is conditioned in the planning approval.

4.181 Trade effluent - Not applicable

4.182 Primary Care Trust/NHS Property Services

FIRST CONSULTATION (20/06/12)

4.183 I can confirm that for major developments such as this NHS South Essex PCT makes application for S106 contribution calculated using the HUDU Model. For this development that model calculates a contribution of circa £95,000; however I am unable to calculate this exactly as I do not have the development split between market and affordable housing (the £95,000 figure is based on 100% market housing).

FURTHER COMMENTS: (30/07/12)

4.184 You have confirmed that the proposal is for 125 market and 15 affordable dwellings. I have now been able to access the application and note that the affordable dwellings comprise 6no 1-bedded and 9no 2-bedded flats or maisonettes; I have revised my calculation accordingly and can confirm that the revised figure is £93,160; equivalent to £665 per dwelling.

SECOND CONSULTATION: (22/07/13)

4.185 Background

1. The proposal comprises a residential re-development of the site to provide 116 dwellings, which is likely to have significant impact on the NHS funding programme for the delivery of healthcare provision within this area, and specifically within the health catchment area of the development. NHSPS would, therefore, expect these impacts to be fully assessed and mitigated by way of a developer contribution secured through a Section 106 planning obligation.

4.186 Review of Planning Application

2. With regard to the applicant's assessment of the healthcare impacts arising from the proposed development, it is noted that the HIA identifies GP surgeries that are located within a 3km catchment of the application.
3. Using the average patient list size for the total number of GPs at each surgery, and comparing this to the optimum list size of 1,800 patients per GP, the applicant concludes that there is "significant capacity to absorb the projected number of occupiers of this development" (HIA paragraph 6.5).
4. NHSPS does not consider that the assessment of the healthcare impacts arising from the proposed development to be appropriate, as it does not reflect the GP capacity calculated on the basis of an optimum list size of 1,800 patients per whole time equivalent GP. The use of the total number of GPs at each surgery would result in a misleading representation of capacity for those GPs who do not work on a full time basis.
5. An HIA has therefore been prepared by NHSPS to provide an appropriate basis for a developer contribution towards capital funding to increase capacity within the GP Catchment Area.
6. A GP Catchment Practice Plan to identify the location of the GP practice serving the development proposal is attached to this consultation response. This plan differs to the one provided by the applicant as it identifies surgeries that are located within a 5 minute drive-time of the

application, rather than a 3km distance. Therefore, Thorpe Bay Surgery is not shown on the NHSPS GP Catchment Plan but is included in Table 1 below for completeness.

4.187 Healthcare Impact Assessment

The Capital Funding Implications of the Proposed Development

7. Table 1 below provides a summary of the capacity position for the catchment GP practices (identified within the applicant's HIA) once the additional staffing and floor space requirements arising from the development proposal are factored in, including an estimate of the costs for providing new floor space and/or related facilities.
8. As shown in Table 1, there is a capacity deficit in the catchment surgeries and a developer contribution of £33,600 to mitigate the 'capital cost' to the NHS for the provision of additional healthcare services arising directly as a result of the development proposal is sought.
9. NHSPS therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 Agreement.

4.188 Developer Contribution Required to Meet the Cost of Additional Capital Funding for Health Service Provision Arising

10. In line with the Government's presumption for the planning system to deliver sustainable development and specific advice within the National Planning Policy Framework and the CIL Regulations, which provide for developer contributions to be secured to mitigate a development's impact, a financial contribution of £33,600 is sought, which would be payable before the development is first occupied.
11. NHSPS is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF and in Section 122 of the CIL Regulations, which require the obligation to be a) necessary to make the development acceptable in planning terms, b) directly related to the development and c) fairly and reasonably related in scale and kind to the development.

4.189 Conclusion

12. In conclusion, NHSPS raises a holding objection to the proposed development on the grounds that the applicant has not proven that the application fully delivers sustainable development, as it does not assess the likely healthcare impacts of the development or provide for the necessary mitigation.

13. On this basis, the application is considered to conflict with the provisions of the Development Plan, which seek to achieve sustainable development and provide for the necessary physical and social infrastructure (and funding) to support residential led development. Specifically, it is considered to be inconsistent with policies CLT1 and CLT4 of the Rochford Core Strategy (2011).
14. The application is also considered to conflict with the intentions and objectives of national guidance and other material considerations set out in the NPPF (with its presumption in favour of sustainable development) and the Draft Rochford Allocations DPD (2012). Specifically, it is considered to be inconsistent with:-
 - Paragraphs 17, 69, 70, 156, 162 and 196 of the NPPF; and,
 - Policy BFR1 of the Draft Rochford Allocations DPD (2012).
15. Notwithstanding the above, NHSPS would be content to lift its objection in the event that an appropriate level of mitigation is proposed by the applicant and secured through a Section 106 Agreement. In this respect, it is considered that a developer contribution of £33,600 would fairly and reasonably address the identified healthcare impacts.

FURTHER COMMENTS: (01/04/14)

- 4.190 As discussed in our telephone conversation on 21 March 2014, over the last three months NHS England has undertaken a review of the number of whole time equivalent GPs across its administrative area (calculated for GP contact purposes).
- 4.191 This review confirms the number of GP WTEs included within its consultation response to the above planning application.
- 4.192 Therefore, NHS England maintains the position outlined in its consultation response dated 22 July 2013 and confirms that a developer contribution of £33,600 would fairly and reasonably address the identified healthcare impacts arising from the proposed development.
- 4.193 **Health & Safety Executive**

FIRST CONSULTATION: (12/06/12)

- 4.194 It is a legal responsibility of the Planning Authority to put into PADHI+ any planning application which falls within the consultation distance of a hazardous installation, pipeline, nuclear site, explosive site or quarry site. Once the planning application has been entered into PADHI+, a decision either Do Not Advise Against (DAA) or Advise Against (AA) will be generated. PADHI+ then produces legal documents for your files, and will give you information on how to proceed with the advice given.

SECOND CONSULTATION: (16/05/13)

4.195 Similar to previous, planning application needs to be entered into PADHI+ software.

4.196 FURTHER COMMENTS: (letter generated by PADHI+ software) (18/06/13)

- The assessment indicates that the risk of harm to people at the proposed development is such that HSE's advice is that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case.
- Since there is a major pipeline adjacent to the site it is, in my view, likely that HSE would advise against this development on grounds of safety. However it remains the responsibility of the Planning Authority to enter the details and obtain the official advice.
- Major hazard sites/pipelines are subject to the requirements of the Health and Safety at Work etc. Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation.
- As the proposed development is within the Consultation Distance of a major hazard pipeline you should consider contacting the pipeline operator before deciding the case. There are two particular reasons for this:-
 - The operator may have a legal interest (easement, wayleave, etc.) in the vicinity of the pipeline. This may restrict certain developments within a certain proximity of the pipeline.
 - The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.
- HSE's advice is based on our assessment of the risks from the pipeline as originally notified to us. It may be that in the vicinity of the proposed development the operator has modified the pipeline to reduce the risks by, for example, laying thick-walled pipe. If you wish to contact the operator for this information then HSE is willing to reassess the risks from the pipeline, relative to the proposed development, if all the following details are supplied to HSE by you:-

- Pipeline diameter, wall thickness and grade of steel
- Start and finish points of thick-walled sections

4.197 FURTHER COMMENTS: (letter direct from HSE after PADHI+ letter)
(22/07/13)

4.198 As you are aware, the proposed development is within the HSE Consultation Distance of the Ashingdon/Shoeburyness major accident hazard pipeline. We have considered the application together with the pipeline details supplied by National Grid in their email to Phillip Dean dated 20 June 2013.

4.199 Such installations are subject to the requirements of the Health & Safety at Work, etc. Act 1974 which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the major accident hazard pipeline.

4.200 The Chemicals, Explosives and Microbiological Hazards Division 5 (CEMHD5) of the Health & Safety Executive (HSE) has assessed the risks, from the pipeline, to people who might be at the proposed development.

4.201 CEMHD5 has considered the probability of a range of possible major accidents due to loss of containment of the hazardous substance. It has estimated the quantity of hazardous substance that would be released and predicted its subsequent behaviour. It has also considered the consequences of such an event for people at the proposed development taking into account factors such as the location, nature, size and likely occupancy of the development.

4.202 In the process of forming a judgment, the HSE has recognised the views of the Advisory Committee on Major Hazards as expressed in paragraphs 108 and 109 of their Second Report which reads as follows:-

108...The HSE is also frequently asked to comment on the proposals to develop or to re-develop land in the neighbourhood of an existing hazardous undertaking where there may already be other land users which are closer and possibly incompatible. In these cases HSE tell us that it takes the view, which we fully endorse, that the existence of intervening development should not in any way affect that advice that it gives about the possible effects of that activity on proposed developments which may appear to be less at risk than the existing ones.

109...The overall objective should always be to reduce the number of people at risk, and in the case of people who unavoidably remain at risk, to reduce the likelihood and the extent of harm if loss of containment occurs....

4.203 On the basis of this assessment HSE concludes that the risk of harm to people at the proposed development, from the hazardous substances, is sufficiently high to justify advising against the granting of planning permission on grounds of safety.

4.204 However, if a condition such as:-

“Any part of the pipeline within 40m of the site boundary is to be fitted with impact protection slabs and marker tape. The slabs shall be installed to a suitable standard such as National Grid Gas standard T/SP/CE/12.”

formed part of the planning permission then the risks would be reduced and HSE would not advise against.

4.205 If, nevertheless, you are minded to grant permission without a condition requiring impact protection then your attention is drawn to paragraph A5 of DETR Circular 04/2000. This states that:-

“Where a local planning or hazardous substances authority is minded to grant planning permission or hazardous substances consent against HSE advice, it should give HSE advance notice of that intention, and allow 21 days from that notice for HSE to give further consideration to the matter. During that period, HSE will consider whether or not to request the Secretary of State... to call-in the application for his own determination.”

4.206 If you decide to refuse planning permission on grounds of safety, HSE will provide the necessary support in the event of an appeal.

FURTHER COMMENTS: (17/01/14)

4.207 Based on a re-assessment of the pipeline at Great Wakering, provided that it can be confirmed that the depth of cover is at least 1.2m and that no part of the development is within 9m of the pipeline, the requirement for slabs and marker tapes is no longer necessary. No other additional protection would be necessary for the pipeline at this depth.

4.208 **Essex Police**

FIRST CONSULTATION: (14/06/12)

4.209 Essex Police object to this application due to the unnecessary through routes that will generate crime, fear of crime and anti-social behaviour. The application is encouraging access down the side of and to the rear of properties by way of footpaths that are not overlooked, narrow and include blind spots.

- 4.210 Secured by Design is mentioned on page 50 of the design document but the principles are not achieved. The document also mentions several times "eyes on streets;" again, this is not the case where pedestrian routes are encouraged.
- 4.211 I would recommend these rear access routes are segregated and not linked, offering no through routes and only access to a small number of properties from each. In this way they will have identified guardians. Many older developments across the country with this design problem suffer high volumes of ASB and crime - this new development must not.
- 4.212 To encourage a more secure and sustainable development that will reduce the fear of crime, opportunities for crime we would seek a planning condition that Secured by Design certification be achieved across the site on all new builds. The applicant mentions SBD so a condition should not be problematic. Crime generates a high carbon footprint and cost to the community. SBD is a proven crime prevention initiative that will also help the LA, developers and emergency services to achieve low carbon footprints.

SECOND CONSULTATION: (22/05/13)

- 4.213 Essex Police object on the grounds of poor design aligned to excessive permeability caused by the large number of rear access alleyways. The DandA states they will be security coded gates. I would suggest they should also be self-closing/locking and robust in design and at least 2mtrs in height to limit damage and climbing.
- 4.214 Alley gating has its place where it's used because of old designed estates that aid crime and disorder. If the design is right it should not be needed.
- 4.215 Essex Police would much prefer to see where the necessary need for alleyways is required that they have no corners/turns in them and lighting is provided.
- 4.216 The alleyways can be reduced in length by increasing the length of one or two properties gardens across the alleyway to block off through routes.
- 4.217 Essex Police request Secured by Design certification is required on all housing within this development. Essex Police Architectural Liaison Service will work with the architects/developers to achieve SBD certification as a planning condition.
- 4.218 Crime and disorder is a material consideration that must be addressed.

4.219 Essex & Suffolk Water

FIRST CONSULTATION: (15/06/12)

4.220 We would advise you that our existing apparatus does not appear to be affected by the proposed development.

4.221 We give consent to this development on the condition that a new water connection is made onto our company network for each new dwelling from water mains laid on the site.

SECOND CONSULTATION: (23/05/13)

4.222 We have no objection to the proposed development.

4.223 We would advise you that our existing apparatus does not appear to be affected by the proposed development. We give consent to this development on the condition that new water mains are laid onto the site, and a connection is made onto our company network for each new dwelling for revenue purposes.

4.224 Highways Agency

FIRST CONSULTATION: (15/06/12)

4.225 Although this location is remote from the strategic road network, it may be possible that the development could adversely affect the operation of trunk roads. Therefore please find enclosed a form TR110 indicating a requirement for an agreed Travel Plan as condition, should you be minded to grant permission for this application.

Suggested condition:

No part of the development shall be occupied unless and until a Residential Travel Plan for the development hereby approved has been submitted and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority and the Highways Agency.

SECOND CONSULTATION: (28/05/13)

4.226 The proposal is unlikely to have an effect upon the A12. The Highways Agency therefore raises no objection and I enclose a TR110 to this effect.

4.227 **Sport England (21/06/12):** Sport England does not wish to comment on this particular application.

4.228 London Southend Airport

FIRST CONSULTATION: (19/06/12)

4.229 No safeguarding objections.

SECOND CONSULTATION: (03/06/13)

4.230 No safeguarding objections, subject to any planning consent having the following conditions:-

- Any lighting scheme should comply with CAP 168
- Any landscaping scheme should comply with CAP 168

4.231 Please note that if you require a crane or piling rig to construct the proposed development, this will need to be safeguarded separately and dependent on location may be restricted in height and may also require full coordination with the Airport Authority.

4.232 **Essex Bridleways Association (10/04/14):** No observations

4.233 **Response to Neighbour Notification**

4.234 Responses received from 64 addresses:-

48 Lee Lotts

5, 8 and 10 Mason Way

Unit 4 (N P Autos), 9-10 (Wiggle Wiggle), unit 16 (Two A's Coachworks), 13-15 (Clark Campion) and 35 (Harjo Ltd.) Star Lane Industrial Estate

17, 60, 76, 68, 190, 191A, 215, 255, 267, 279, 291, 295, 296, 312, 327 and 329 High Street

6, 45, 60b, 60c, 64, 84, 119, 139 and 165 Alexandra Road

1 Police Houses, Southend Road

22 Milton Hall Close

Land South of Coombes Farm, Stambridge Road, Rochford

58 Elizabeth Tower, Baxter Avenue, Southend

Quinta Rosa, Barrow Hall Road

4, 12 and 18 North Street

Ropers Farm, Mucking Hall Road, Barling Magna

Land between Star Lane & Alexandra Road

42 Twyford Avenue

1, 58 and 266 Little Wakering Road

51, 139, 161, 169, 187 and 191 Conway Avenue

49 Goldsworthy Drive

21 Whitehall Road

14 Newstead Road

Willow End, Chapel Lane

3 The Cedars

9 Victoria Drive

Glenwood, Southend Road

(in addition, 3 addresses unknown)

4.235 And which in the main make the following comments (also including comments received from a Parish Council open day held in 2012):-

FIRST CONSULTATION RESPONSE:

4.236 Consultation:

- There has not been any consultation with many of the residents of Wakering, and I only found out about this proposal via a work colleague.
- Review period to respond is ridiculously short.
- “Open day” (operated by Parish Council) does not enable the community to hear each other’s views or to hear the developer’s answers to questions. “Question time” meeting suggested.

4.237 Views and Layout:

- Loss of view and light and night sky.
- This planned development is too big for allotted site, will not make a pleasant living environment.
- This development looks like a divorced site from the village and could become isolated.
- After care of maintenance of site?
- The density of the development seems excessive, will our amenities be able to cope with such an influx?
- Any development can only improve its appearance - the site is currently a magnet for fly tippers.

4.238 Housing Need and Brown Field:

- I don't really believe Great Wakering needs 140 new houses, but if Government housing targets mean houses must be built, then this site is probably the best location available in Great Wakering for them. This is because: - it's a brown field site - since the brick works closed, the site has been an unattractive concrete wasteland.

- Plenty of empty houses in Wakering waiting.
- The current application raises a number of matters that the Council will need to address, including the consideration of the effects of the proposals on the adjacent Local Wildlife Site (LWS); the desirability of improving public access to the LWS as part of the need to enhance publicly accessible green space provision within Great Wakering; the cumulative effects of development proposals on existing infrastructure and facilities; and the need for consistency in the application of the Environmental Impact Assessment regulations.
- The size of the development qualifies as a strategic site and was not clearly covered in the Core strategy.
- Where will development stop? After initial building on this land – will it encroach further onto Green Belt?
- Totally opposed to a housing development in Great Wakering.
- If you want to build then why don't you make retirement homes, and make it into a village. I'm sure residents would welcome this more than 140 new homes.
- Can the developers or local Councillors assure us that the proposed development is confined to the former boundaries of the brick field site and that there is no intention to extend further into the agricultural land and the adjoining lakes, which attract a great variety of wildlife?

4.239 Population:

- Page 9 “A population of 4350 according to the electoral register” This statement may be factually correct (I have not checked), but it gives a false impression of the population, as it excludes those under 18 and those who don't want to vote. The census 2001 showed population 5512, households 2171. It has only increased since then and is believed to be around 8,000 now.

4.240 Land Use:

- This land should remain as Industrial to allow for more jobs for local people.

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- Page 21 Not an accurate plan; very out of date and wrong, e.g., Blue mark in Alexandra Road where there are residential properties, green houses shown as part of school, former police houses still shown as public service, former dentist shown as retail – now residential, public service shown opposite Bell House – possibly former library moved a long time ago further down High Street, more public service shown either side of evangelical church – these are houses, retail shops opposite the butchers converted to houses still shown as retail, no sign of the library, Memorial Hall shown as retail.
 - Surely the site is more suited for industrial development that would provide for employment within walking distance of the village thus reducing the environmental impact of traffic within the area.
 - Further consideration should be given to the fact that even within the present economic climate the existing industrial estate has a very high level of occupancy demonstrating the need for similar premises albeit that the proposed residential units may be a further move in the plan to integrate Great Wakering into Shoeburyness.
 - It should be better used as a recreational area with perhaps more commercial units in keeping with what exists in Star Lane today.

2.241 Impact on Great Wakering Village:

- I think a big development like this could destroy our community spirit and this site will lose Great Wakering as being a village.
- Saddened to have yet more new properties erected in Great Wakering.
- Wakering is slowly being joined to Shoeburyness, and will lose all identity if you continue to allow developments.
- The size of the development is not in keeping with the current size of the village.
- Query regarding those who would occupy the dwellings.
- Nature of the village will be vastly altered – it will become a small town.
- Whole area will be degraded by this plan.

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- If the builders go broke – what cover/insurance is there for village?
 - How does this village benefit from the proposed development, how about re-establishing and contributing to the development and upkeep of the village sports centre?
 - This proposal will contribute nothing positive to the existing communities, only negatives.
 - The new homes this village needs is small deployments of low cost homes for people living here and wishing to stay in their home villages.

2.242 Loss of Agricultural Land:

- We do appear to be rather narrow minded in this country using up all our agricultural land. I can remember, when we first moved to the village in 1970, the fields were used for growing daffodils, potatoes, green vegetables, onions etc. and people fishing in the reservoir. Can the land be used for allotments and people pay a reasonable rent or for small holding use?

2.243 Neighbouring Industrial Estate:

- Please could you make it clear to the developers and erstwhile residents that they are adjacent to an industrial estate? Possible future complaints in our direction will not be welcomed.
- Our premises are floodlit to enable our security cameras to fully function. This is a necessity as any police presence has long since stopped. Also HGVs are coming and going serving the estate.
- As a very noisy industrial estate the estate was put here so businesses could work all night without disturbing residents.
- Unacceptable and very limited consideration has been made to the proximity of the residential units to the well established commercial estate. The estate is positioned in close proximity to the village, allowing easy commuting but sufficient in distance to avoid conflict between residential and commercial use. Sufficient “gap” land should be warranted and agreed to preserve the existing uses of the industrial estate and to preserve the relationship within the community.

- I'm happy as I own and work on the industrial estate and welcome an influx of potential staff.
- What will happen to Star Lane Industrial Estate, will it still be there?

2.244 Noise Report:

- The noise and vibration report is insufficient. The report does not consider or take into account: (a) any reference to vibration monitoring results; consideration must be made to this aspect of use of the estate. (b) the positioning of the microphones were irrelevant, too distant from the main sources of noise i.e. should be positioned where residential units are proposed to be constructed adjacent to the industrial units.
- Recommendation of a 2.4m acoustic fence is totally insufficient.

2.245 Environmental Implications:

- Average vehicle emits about 4 tonnes of carbon dioxide each year. So this development could easily be contributing well over 1000 tonnes of carbon dioxide into the atmosphere each year.
- Unnecessary further depletion of oil reserves.
- Cars will produce further noise pollution and water pollution as oil and particles run-off from roads into storm water drains and 'soak aways'. These then feed into creeks and rivers, which eventually run into the sea

2.246 Crime:

- There are currently 4 pubs in the village, one of which has a licence until 0200. This is unacceptable and not necessary and the extra customers in The Exhibition Inn as a result of this new development - this is the nearest pub to this location, will cause an increase in disorder, violence, assault and anti-social behaviour. All of which this village has too much of already.
- Local policing is currently non-existent due to the 20 per cent Government budget cuts, the closure of the local Rochford police station and the reform of Essex Police which has resulted in this area not being policed as it should be. Due to the increase in the numbers of residents from this development, crime will rise and the number of incidents or disorder will increase. We are so remote from other areas and the nearest officers are now based at Southend. This is unacceptable and will have a major impact

on the current residents of this small village.

- Are the local police able to manage the extra inhabitants?

2.247 Infrastructure Provision:

- By instigating further residential building with as much effect on Southend and Rochford, with no thought to creating industry and infrastructure to go with it, seems to me to be putting the cart before the horse.
- Will we be having extra shops in the village? I know there is Asda but OK if you drive. I don't and cannot walk long distances now.
- I do not believe that the local schools will be able to accommodate extra pupils, and I do not wish for my children to be denied local education because more residents are being squeezed in. Local doctors will be placed under more pressure. Are there any plans for the housing to be made available to DSS? What consideration has been given to who the houses will be available to?
- No room at schools, doctors, roads for more people (we have just had a load of flats built on the old service garage and all those people have got to fit in somehow).
- The village is not sufficiently equipped to deal with the needs of 500 extra residents, the shops, schools, library and chemist are all unsuitable for the large numbers being proposed. The local supermarket, churches and access roads are all too small and will not be able to cope with the increased demand placed on them.
- I very much feel that this development is a done deal and that my concerns will not have any effect on this planning application but Rochford District Council has already closed the leisure centre in the village and this has resulted in an increase in groups of youths hanging around in the recreation ground as they have nothing better to do and nowhere else to go. This will be compounded with the extra number of children in the village with the same issues of nowhere to go and nothing to do. I strongly object to this development as Great Wakering does not have the capability to cope with the extra demand.
- Public transport would have to be improved. This is already insufficient to serve the village as it is.

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- Our health centre will also not be able to cope with more patients (it's hard enough now to get an appointment). Our village school will not be able to cope with what could be up to or more than 300 extra children; the school is full to the brim now.
 - The village simply cannot take on this number of new properties. There is only one primary school which, although having lower pupil levels recently, cannot take this number of new children. This is already one of the largest in the area. There is no local secondary school. Pupils have to travel to Rochford for secondary education. There is only one small surgery which has to cope with a large proportion of older residents due to the large number of OAP residences in the village. There is already inadequate access into and out of the village. Finally, over the past 20-30 years the village has expanded significantly without any increase in resource allocation or facilities. In fact facilities have declined with the demise of the local sports centre and cuts to bus services. This application makes no sense other than to the developers making a quick turn on their investment.
 - What provision has been made for increase in school numbers at Great Wakering and Foulness Infants/Junior School?
 - What provision has been made for increase in number of residents requiring the doctors/medical centre?
 - The surfacing of North Street and Chapel Lane by the developers should be part of the approval.
 - Querying need for a new secondary school as local school will be swamped.
 - Village amenities have declined with no new ones starting up i.e. sports hall, fast food and village shops shutting.
 - Great Wakering school is already over subscribed. Barling school and Shoebury schools would need own transport.
 - Think that the developers should help regenerate the school in turn for planning, update it etc.
 - What about local infrastructure, no shops, petrol station etc.

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- Why are there no plans for a small convenience store or another newsagents?
 - Think about a senior school and a youth project before you build more houses.
 - On what basis do you expect parents to walk their children to school from this site? Nobody does this unless they live less than 100m from a school; where can the cars park?
 - Fire service? Nearest Shoebury and Rochford
 - Very little in terms of either public transport or leisure facilities, for what could easily be another 300 children.
 - Lack of proposed open play areas cannot be good for children's health and will only further increase car dependency as parents take their children to parks, swimming pools etc. for recreational purposes.
 - Local schools would have to integrate up to 300 new school children, with class sizes already at 30+ in many instances; how are these schools going to absorb that intake without seriously affecting the education of children already attending?
 - Trips to dentist will increase car dependency, few NHS dentists available, impact on health of children's teeth.
 - Waiting times at hospitals will increase.

4.248 Utilities:

- How will the already overloaded utilities be improved to accommodate the increased use, i.e. gas, electricity, water, sewage.
- Services to the village (water, electrics, communications) are old and in need of improvement or upgrading.
- Sewers unable to cope in Conway Avenue/High Street now – cannot stand another 140 houses or more.

4.249 Flooding & Surface Water:

- This field floods.
- More pressing matters to deal with first i.e. flooding of North Street.
- We are supposed to be the driest village so with another 140 dwellings, that means sucking more water out of the ground, thus lowering the water table further.
- No drainage plan

2.450 Traffic and Highway:

- With road access only from Star Lane, there should be little impact on traffic levels in the High Street or other parts of the village.
- The roads and infrastructure are not capable of dealing with the amount of traffic currently using them and the extra traffic that this large development will bring will cause pollution and access difficulties to Great Wakering.
- Junction 4 - The improvements suggested to Junction 4 are a good idea. However, the current pedestrian facilities at this junction are very poor. In order to cross Poynters Lane (west) to enter the North Shoebury estate you have to cross blind to any traffic coming down (southbound) on Star Lane. Given the increase in population introduced by this development and given the potential attractiveness of a pedestrian route to Asda to residents of the new estate, then even allowing for the junction improvements already proposed, it is suggested that more needs to be done to improve pedestrian crossing facilities at this junction.
- Junction 5 - The improvements suggested to Junction 5 are a good idea.
- Junction 6 - New T Junction with the brick works estate. I have concerns about the implications of estate traffic wishing to turn right from Star Lane into the estate. Given that this turn would cover journeys such as commuter traffic from Southend and local stations, school runs from the Bournes Green area, shopping trips from Asda, this could well become at peak times a temporary bottleneck causing traffic wishing to continue north up Star Lane to be held up as a result. There appears to be no special provision suggested to support such turning traffic; it is suggested that further consideration should be given to this aspect.

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- Pedestrian Access and Pavements - Why is the footpath on the eastern side of Star Lane not being extended down to the Emergency Vehicle entrance proposed for further south on Star Lane? Surely it must be assumed that pedestrians to / from the estate will use this entrance / exit for their southbound journeys?
 - School Bus (Route 814) - Apart from its appearance in Table 13 in paragraph 10.9 there is no discussion that I could see about the use of the school bus service to transport secondary age students to / from the new estate and KES in Rochford. Assuming that students from the new estate would need to use this facility, are the pedestrian facilities proposed adequate, for example to provide sufficient room for students to cross Star Lane safely and securely, and to wait at the bus stops for this service?
 - Star Lane Speed Limit - The extension of the 30 mph limit and the corresponding reduction in length of the National Speed limit portion of Star Lane is noted. Given that the 40 mph limit occurs just after Junction 4 westbound, I wonder whether the 40 mph limit should be extended right up Star Lane until it reaches the new 30 mph limit. This would then establish an even speed limit from Great Wakering through to the Bournes Green Roundabout (Junction 1A).
 - There will be congestion on the Star Lane road out into Southend.
 - How will the extra traffic be handled with not only the development (cement mixers, etc.) but the new residents' vehicles. The high street is already extremely busy and it's only a matter of time before an accident happens with schools situated so close.
 - Concern about the likely increase in the volume of traffic, especially through the High Street and the three-way junction at Little Wakering Corner.
 - Concerns for the school situated in the High Street with people already parking across drives and on pavements. Suggestion to relocate the school to the Star Lane site where better parking facilities and child friendly drop off at school times could be achieved. The school site could then be developed for the proposed housing.
 - Parking for school already causes problems in Crouchmans and Conway/Lee Lotts.

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- Existing capacity for parking at doctor's surgery isn't enough. People park on the footpaths and outside people's homes, the zebra crossing is extremely dangerous, no one stops and can be difficult to cross.
 - A13 and A127 are not sufficient to support the current use.
 - Existing bus services have been eroded.
 - Why not join a cycle path from site to Shoeburyness.
 - Great concerns that there is only one access road into this development.
 - It is already difficult to park around the Co-op and newsagents in the High Street, this extra traffic will make it impossible.
 - Could consideration be given to installing a roundabout at the access road to the site from the outset having regard to future development of the site.
 - Would consideration be given to extending the SBC 40mph in Poynters Lane to the southern boundary of the development and not the 30mph as proposed. Star Lane south of the development does not look like a 30mph road to drivers.
 - With such little public transport, and the development being literally isolated from any schools and shops, the expectation that almost every family there will need to use their car(s) for everything, cannot be discounted. This must go against every planning policy possible i.e. that relates to a new development being 'environmentally friendly'.
 - Although TA claims there is a zebra crossing 200m east of the High Street, does anyone seriously believe children, adults will make a round trip of 400m just to cross the road? This will decrease safety of children and increase car dependency.
 - TA is asking Council to believe that a family wishing to travel to London will walk the 3km there and 3km back from Shoeburyness train station.
 - This development will increase the reliance on private vehicles and actually deter many cyclists, particularly young people, for 'fear of their safety', further increasing reliance on private vehicle.

2.451 Highway Safety:

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- At times cars go by a lot faster than 30/40 miles an hour; I always used to cycle everywhere but you risk being knocked over particularly along Star Lane.
 - Even the pavement along part of the road is narrow for walking your dog or pushing a double buggy.
 - Paragraph 2.13 states “Vehicular accesswill be from a new Priority T Junction.....100 metres south of the existing site access associated with the former brick works factory”. This is also mentioned in another document. As this does not appear on the plans do I take it this was from a previous iteration of the design?
 - ‘.....the street lighting to be extended southwards to encompass the new junction for the development.” There is no recommendation of new lighting around the emergency entrance/exit.
 - The site boundary at this point will be a 1.8m high brick work boundary wall. The existing hedge is to be retained. There is no footpath at this point and no grass verge. I cannot see how vehicles exiting this point will have good visibility of traffic approaching from the north. Traffic from the south will be partly obstructed from outgrowth of the hedge to the south.
 - The road access would be a safety concern based on heavy usage of lorries and building equipment, mud on roads making the road a hazard. The other access road out of Wakering is becoming dangerous, especially in the winter months.
 - As a regular cyclist with children I would like to see Star Lane’s speed limit dropped from 60 to 30mph and a cycle lane or pedestrian/cycle lane developed. This is the main link road to Shoebury and is extremely dangerous. The path has overgrown shrubs/bushes and signs/posts in its way making you dangerously close to fast traffic. If a huge housing development is built this access path and road needs to be considered as many more people with children will use it. I would like to see the developers putting in better pathway/cycleway and reduce the speed limit.
 - Star Lane is very busy with residential traffic particularly at ‘school run’ times. Also main route used by Cory environmental refuse vehicles as they make their way to their Barling Landfill site. Up to 180 such vehicles per day use this route; will only increase as 30-40ft juggernauts begin to use

the planned waste transfer site in Barling. Increase in car accidents involving children likely.

- Transport Assessment figures show that Star Lane contained the highest number of fatal accidents when compared to surrounding roads and junctions. Any child trying to cycle school either from or past this development would be in serious risk of injury.
- Barrow Hall Road has had many deaths already; this road is used as a rat run to Rochford, this is clearly dangerous and will lead to more victims.

2.452 Access to SER9:

- Development must provide an unencumbered access to site SER9b secured through this consent.
- Policy BFR1 of the Allocations Submission Document states that the development in this area should be planned comprehensively to enable integration between different sites and uses. Specifically the policy requires one access onto Star Lane to also serve site SER9b, which is to be taken through the north east corner of the former brick works site.
- Whilst the exact number of units proposed for SER9b is yet to be determined, the access to the land should at least be able to cater for up to 200 units on SER9b in addition to those on the brick works site.
- The access must also connect directly to the title boundary of SER9b leaving no room for ransom strips that might threaten the comprehensive planning of the area.

2.453 Residential Amenity:

- The site is isolated from existing residential properties, so isn't in anyone's 'back yard'.
- This will impede on the light we receive into our garden, and our living quarters. Reference made to Right to Light.
- This will also be forcing us and all of the residents affected by this construction to switch the lights on earlier than necessary (wasting electricity, and giving us/them higher bills); this is surely not a green option.

- This, I am sure, will be one of many communications opposed to the development, as people/families such as ours do like to enjoy the peace and quiet, together with the views, sunshine and wildlife this proposed development will most certainly dislodge and destroy.

2.454 Public Footpath:

- Public footpath 8 runs along the southern boundary of the site; I would expect ongoing unobstructed access to this footpath to be a condition of this application being permitted.
- If this application is permitted, I suggest consideration be given to providing an all-weather surface on the eastern end of footpath 8 where it runs through scrub and out between two bungalows into Alexandra Road (this is currently just bare earth and can get very muddy). This would provide a useful walking route to the school and other amenities in the High Street for occupants of the new houses. The last part of the path is quite narrow and couldn't really be widened, so this route is unlikely to be suitable for cyclists.
- Page 29 - Route of public footpath incorrect. Pedestrian access shown incorrectly as joining Alexandra Road at about number 94 rather than between 64 and 64A.

2.455 Ecology:

- Feel sorry for the wildlife we have in this area trying to survive when gradually all their habitat is taken away.
- Loss of habitat for wildlife. Newts, bats, frogs, toads, birds etc.
- Inner London Group (ILG) submitted an eco-survey of the whole area, including Star Lane; the land behind Alexandra Road (ALEX); the land between Exhibition Lane and Star Lane (South of the High Street); and the Brick Lakes. I have concerns over the reasons why ILG have supplied a full survey of the surrounding area. If they are attempting to demonstrate that their development will not affect wildlife in the surrounding area, then they are most definitely wrong and I feel it needs to be considered as part of this planning application. If the surrounding area cannot be taken into consideration, then I believe they should remove it from the application, otherwise it may become accepted by default.

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- Whilst I appreciate that no planning application has yet been sought for the wider area, it is obvious by the fact that the developers have submitted an eco-survey of the whole area, that they have every intention of developing the whole site, not just the brick works. As ILG are effectively pulling the whole area into their application by submitting a full survey of the area, surely this means that RDC can now act on it? I believe we need to define the wildlife areas clearly, in advance, and make it a condition of any future developments that applications must be made before any land is cleared. I therefore propose that a full wildlife survey should be undertaken, under the guidance of an organisation such as Essex Wildlife Trust or Natural England.
 - The wildlife survey supplied by the developers is fundamentally flawed. Whilst I think it's unlikely that there is any significant wildlife on the Star Lane site, I would like to make it absolutely clear that we have overwhelming evidence (including dozens of photographs and videos) that their findings, in particular on the ALEX site, are completely wrong. So if the developers are including a survey of the whole site, I would like our survey (attached to my previous email on 24 May) to also be included in the planning comments, if only to make it clear that the surrounding areas would need further surveys, and consideration of wildlife protection measures, should future developments be considered in the area.
 - If our survey cannot be included in the application comments, could the developers be asked to limit their survey to Star Lane? Or maybe include a comment from RDC that the survey of the wider area detailed in the survey has not been accepted or taken into consideration as part of the application? My biggest concern is that their survey will become an accepted document, e.g., in later developments, ILG may refer to their previous survey and point out that no objections were raised at the time. I most definitely do object to it.
 - If Star Lane is to be developed, it is highly likely that the Lakes and ALEX will attract a lot more interest from dog walkers, fishermen, children, etc. This in turn is likely to put more strain on the wildlife in these areas. I think the lakes need to be tidied up and the boundaries between wildlife and public areas better defined (e.g. better defined footpaths, fences and better maintenance). And there needs to be a buffer zone next to the lakes where wildlife can feed/nest etc. Ideally this buffer zone should be the ALEX site, which is already established as an area heavily used by reptiles, birds, badgers and bats. As well as the lakes, ALEX also needs

to be maintained properly as there is a lot of rubbish and dog mess on the land, particularly beside the footpaths. I believe this is something that Essex Wildlife Trust may be able to assist with (advice on surveys/funding opportunities, etc.).

- Ideally, I feel that ALEX should be given the same recognition as the lakes, i.e., a recognised wildlife area. Both should be publicly accessible (for recreational and educational purposes) and should be properly maintained, with cordoned-off areas to protect endangered species. Essex Wildlife Trust has already shown an interest in assisting with this as an option and is already in agreement with us that this is an important wildlife site. For the record, there are many local residents, myself included, who would be interested in helping to tidy the site up and help maintain it.
- The area I'm calling ALEX is defined as scrubland. It should be noted that the term 'scrubland' is not the same as 'wasteland'. Scrubland means that the area has become overgrown with trees and/or shrubs etc. and often indicates the presence of significant wildlife. Parts of ALEX have gone past scrubland and could probably be considered young woodland. Those wooded areas are already inhabited by species such as woodpeckers, squirrels, owls, jays, bats and crows - to name just a few. The main 'scrub' areas of ALEX house numerous rare and protected species, many of which are detailed in our survey. And almost daily we are finding more. We are in the process of building an information website which will contain a full list of species found and a gallery of photographs taken by us in and around ALEX and the lakes.
- I understand the need for the scope to cover the brick works and the immediate surrounding area. I do not understand the necessity to cover from Star Lane to Alexandra Road and the High Street to Milton Hall Close. We have recently carried out an informal survey of the wildlife in the field to the west of Alexandra Road and have found species/volumes which the developer's survey did not find.
- If the developer seeks planning permission in the near future for more of the area they have surveyed, then it is my understanding that a further ecological survey may not be required and then the Planning Authority may make a decision based on flawed data.

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- To take one small part of their survey on page 17 of the report, Table 1 shows the reptile survey results wider study area – 2011. When this is viewed in conjunction with Plan EC03 this informs us that only 4 slow worms were found in the wider area, and none were found in the field to the west of Alexandra Road. Yet on most days I can find slow worms in that field provided I view them at the right time of day in the right conditions. I have many pictures of these. I have also had these in my compost heap in the past and have pictures of these. 32% of the houses in our survey had seen slow worms.
 - The same table in conjunction with Table EC03 informs us that 1 grass snake was found in the wider area. This was over the lakes – I have a picture taken by a user of the field showing a hatchling of two grass snakes in the field to the west of Alexandra Road taken on 24/5/2012.
 - I could go on... I believe that the developer's eco survey should only be used for the planning application for the brick works site alone and in the event of further planning applications on land other than recently cultivated fields an independent eco survey be sought.
 - We have visited this site for many years and found the area around the lake and land adjacent to Alexandra Road to be a haven for wildlife.
 - Many reptiles live here, including common lizards, slow worms and grass snakes. The site is also home to many species of birds some RED listed by the B.T.O., including cuckoos, turtles doves and skylarks to name but a few. Bee orchids also grow here (I have photos) as do other rare plants.
 - The site is also home to many increasingly rare insects including many types of declining bee species.
 - We feel the survey carried out is wholly inadequate and demand that a more thorough review of the area mentioned is carried out. As I am sure you are aware, some of the species living in this area are protected by law and these habitats must be looked after for us and for future generations.
 - I also share and echo the concerns of other respondents about the future of the wider area in terms of the way it might be managed and developed. For example, to have a site which provides a home to 3 of the UK's 6 species of reptile should be considered as good fortune and should be managed accordingly, rather than be viewed as a hindrance to

development.

- The Design and Access statement 2.1 refers to "a "beautiful area of water ponds", and section 2.7 refers to the significance of the Star Lane Lakes Site, and to the intention to respect it as a "unique asset". The diagrams at 2.4 (Page 20), 3.2 (Page 37) 3.5 (page 45) and 4.1 (Page 59), however, give the impression that the whole of the wider area, including the LWS, will be turned into some sort of open parkland.
- Section 9.3.11 of the Ecological Survey refers to the "dense scrub serving to limit walkers to clear paths, to minimise any adverse impacts brought about by opening up the area to greater "recreational pressure", while Section 9.3.14 suggests the LWS be used as a refuge for reptiles from the application site. Such statements imply that the area will be left very much "as is" save for any necessary tidying up to ensure that the pathways referred to are kept in good order.
- Whilst these statements are welcomed, what is less clear is that, given its designation as a LWS, exactly how it is intended to ensure that the biodiversity value of this site as reflected and recognised in its official designation, is to be conserved, protected and managed, when viewed against the statements and proposals made in this application regarding "encouraging pedestrian movement" into this area. It is suggested that the applicants be invited to provide more clarity on this subject so that the true effect of these proposals on the biodiversity value on the LWS and the wider area can be assessed by RDC and those who provide it with ecological advice.
- Given the role the wider area plays in currently supporting RDC to deliver on its biodiversity targets and ambitions, plans should be resisted that would seriously diminish or reduce the biodiversity value provided by this wider area, including both the Local Wildlife Site (LWS) and the area between Alexandra Road and the LWS.
- The Star Lane Gravel Pits are part of Great Wakering's identity.
- Having highlighted the above, my fellow residents, townsfolk and I are aware that development is inevitable, but on what final scale, is so unsure. Despite ILG owning this land, hopefully we can work together in the future. A housing (social or otherwise) development complete with nature reserve? What a marketing winner. It would be a pleasure to run such a

reserve if ILG chose such a route.

- Inner London Developments (Wakering) Ltd., have already cleared a pathway at the back of us; this caused an enormous amount of debris in our garden as well as taking away the natural cover and plants that were a home to various species of butterflies. Surely only timely conservative measures such as not allowing this proposal can protect them from total extinction.
- Since submitting my further comments referred to above, two species of orchid (bee orchids and pyramidal orchids) have now been discovered and photographed at the western edge of the LWS close to the boundary of the application site. So they are close to areas identified by the applicants as providing corridors for pedestrian access to the Lakes / LWS site.
- Section 3.28 of the Ecological Survey refers to “records of the pyramidal orchid as occurring in the Star Lane Pits LWS”, but go on to state that this species was not recorded in the application site. But the Ecological Survey does not appear to record whether or not this species of orchid was actually found in the LWS site referred to by the study.
- Also the Ecological Survey does not appear to have recorded the presence in any location of the bee orchid.
- Now that the presence of these two species of orchid has been observed and recorded in close proximity to the application site, can RDC please clarify how applicants intend to address their discovery, in the long term and during the actual development phase of the site?
- For example, can it be confirmed whether or not it is not the intention of the applicants to use any of the land between the application and the lakes, i.e., the western part of the LWS, during the development process, e.g., for storage of materials, plant, etc.?
- Also can it be confirmed whether or not it is the intention within this particular development, to do any of the soft landscaping and opening up of the LWS area, particularly this western area between the development site and the lakes, for the gateways and thresholds referred to in the Design and Access Statement?

- Also this land has been extensively excavated during its many years as a brick field and, since the demise of that industry, wild life has developed habitat I am sure.

2.456 ECOLOGY OUTSIDE OF SITE BOUNDARY

- The Ecological Survey, although of relevance to this application where it discusses the specifics of the brick field site, would need to be considered afresh in its own right, when any further applications were received covering other areas such as the Local Wildlife Site (R35) and the land to the west of Alexandra Road.
- The residents of Alexandra Road and Milton Hall Close have recently been alarmed by the clearance of a strip of land to the West of Alexandra Road in Great Wakering, and the discovery that this land is being considered for future housing development.
- Our primary concern is that the land is currently inhabited by rich and diverse species of wildlife and plants, many of which are endangered and protected.
- We have therefore put together the attached report and wildlife survey, based on observations of residents and other interested parties, and are hereby presenting them to Rochford District Council (RDC) as the Planning Authority for the area. Our aim is to help inform their current considerations and discussions regarding the potential change of use of this land from Green Belt to residential development, as proposed under Option West Great Wakering 3 (WGW3) in the Core Strategy Allocations options assessment.
- Page 10 “The water is currently only accessible to anglers with special permits”. This only applies to the main lake – the smaller lakes are accessible to anyone.
- Huge expanse of wildlife will disappear in the area.
- We have no evidence that the survey of the brick works site itself is faulty; it is the wider area which concerns us. This includes the Local Wildlife Site Star Lane Pits (R35) and the wooded area west of Alexandra Road.

2.457 RESIDENT WILDLIFE SURVEY SUMMARY

- Completed in May 2012 to summarise wildlife observed and recorded by residents over the last 12 to 18 months.
- Provides evidence of sightings of Protected Species and Species of Principle Importance.
- Partial clearance of this land by current landowners took place on 12 March 2012.
- This land was last cultivated over 30 years ago. Since then it has returned to nature. A variety of protected and unprotected wildlife has moved in. A diverse and in places dense mixture of vegetation (trees, bushes, flowers) has taken over the land and has grown and matured.
- The site conforms to at least two separate types of environment identified on the Natural England Habitats and Features Decision Tree – Woodland (including scrub and hedgerows) and ponds or slow flowing water bodies.
- The western border of the southern part of the site, directly borders for several 100 yards the Local Wildlife Site (LWS) R35 – Star Lane Pits, identified in the RDC CS as a site of “significant wildlife value”. It is difficult to detect on the ground the actual boundary between this land and the LWS.
- Recorded species:
 - Protected species – badgers, bats (in particular pipistrelle bats), slow worms, grass snakes, adders.
 - Species of Principle Importance – common lizard, bullfinch, common cuckoo, dunnock, grasshopper warbler, house sparrow, lesser spotted woodpecker, song thrush, starling, tree sparrow, turtle dove, yellowhammer, hedgehog and cinnabar moth.
 - Other species – crested newts, frogs, toads, black cap, cetti’s warbler, chiffchaff, goldfinch, heard grass hopper warbler, greenfinch, heron, kestrels, king fishers, owls, red legged partridge, reed warbler, sparrow hawks, tawny owl, thrush, wagtail, waxwings, willow warblers, woodpeckers, field vole, hare.

- The following were frequently seen in gardens of the houses – fox, rabbit, blackbird, collard dove, chaffinch, bullfinch, greenfinch, jay, magpie, moorhen, pheasant, robin, house sparrow, starling, blue tit, great tit, long tailed tit, song thrush, pied wagtail, wood pigeon.
- Visit to the site by a representative of Essex Wildlife Trust has recorded separately the presence of some of the above species.
- Essex Wildlife Trust has described the land including Star Lane Pits LWS and the adjoining scrub habitat as representing “a biodiversity hotspot” in an area which is predominantly composed of residential developments and agricultural land.
- In view of the results of the survey showing the presence of these protected and important species, an enhanced level of scrutiny by interested parties of any actions on or proposals involving this land can be anticipated throughout the planning process. Such scrutiny will apply not just to this land, but also to any changes that might be proposed regarding the adjoining LWS, particularly where such proposals would result in a reduction of the biodiversity value of either or both of these sites.
- These findings clearly demonstrate the biodiversity value of this land. They show the contribution this land is already making to support RDC in meeting its stated commitment to “the protection, promotion and enhancement of biodiversity throughout the District” as described in paragraph 8.4 of the Local Development Framework Core Strategy (CS).

2.458 TREES

- It is noted that whereas the Design and Access Statement and the Ecological Survey refer specifically to the presence in the wider area of the LWS, the Tree Survey document makes no direct reference to the LWS, even though this is right in the middle of the site / wider area that this survey covers. Section 3.2 refers only to "private fishing lakes".
- It might have been expected that some observations about the way the trees within the LWS help to support the different types of animal life found within the LWS would have been made in this document, or is it the job of the Ecological Survey to do this?
- The statements made about the low value of the trees found in the "pink area," i.e., at Section 4.12 and at Section 5.5 are noted. For completeness

enclosed are a couple of photographs taken from the public footpath at the rear of the properties in Alexandra Road, showing vegetation at the eastern edge of the "pink" area, in the same area as the ash tree group G34. These give all the appearance of being trees which are above 3 metres in height and not the young small specimens of low value, as claimed in paragraph 4.12.

- What this raises is the broader question of the relationship between the findings of the tree survey and the role trees play in delivering value in terms of the ecology and biodiversity they support in the area. RDC may wish to pursue this question further with the applicants.

2.459 SECOND CONSULTATION RESPONSE: (some earlier comments reiterated but not repeated here)

- This corner of Essex is over-developed and our road system, in and out of Southend, is already inadequate.
- Future complaints from erstwhile residents in relation to commercial activities on our adjacent estate will not be welcomed.
- The re-development can only be a good thing. The site is derelict and an eyesore.
- It will also give much needed affordable housing to younger couples wishing to stay in the village. We are hopeful that this development would enable us to buy a 3-bedroomed house as we have researched and we believe the cost of a new build would be cheaper, especially if there would be an option for shared ownership on them. We also love the village and want our children to grow up here.
- Don't feel the development will have a negative impact at all as it is not overlooked so wouldn't affect the neighbours' outlook greatly and the land has previously been used so is not going to be taking away from the local wildlife in any way.
- Don't think any increase in traffic would be noticeable as Star Lane is busy anyway and is the main route into and out of the village so there won't be any extra traffic actually going through the village.
- We are very hopeful that these plans are approved.

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- The reduced number of proposed dwellings no.116, together with the removal of the 3 storey dwellings and being replaced with a number of 2.5 storey dwellings, is a significant improvement.
 - However, there are still concerns over the access to the site, and improvements to the footpaths. The construction of the Garrison estate in Shoebury has seen a big increase in traffic using Star Lane to travel to and from Rochford and other areas in that region. It is not clear how this will be addressed. The very fact that Great Wakering is fortunate to be surrounded (at least for the moment) by agricultural land means that access to housing estates is severely restricted, eg, Lee Lotts, Alexandra Road, North Street, Seaview Road and Victoria Road. Access and egress to these estates is under severe strain at peak commuting times and school arrivals and departures. The new estate is similarly restricted.
 - With regard to the land covered by the ecological survey I understand that this will become public open space; my question is 'Who will pay to maintain this valuable amenity site?'
 - At the moment it is not at all certain that the existing residents of Great Wakering will see any direct benefit from this or the other proposed developments, just more people and more traffic, lots of inconvenience but no financial/amenity benefits for the indigenous population.
 - Affordable housing of a part-rent part-buy nature would be very much appreciated in with this development, particularly regarding 3-bedroom houses. My family and I live in a 2-bedroom shared ownership flat on the high street and have little options in Southend at present for upscaling to 3- bedroom houses. There is a real need for it, as the one house we did apply for had multiple applications on its release date alone.
 - Query regarding the occupants of the proposed dwellings.
 - If development is to occur, this brown field site seems to fit the bill although it is disappointing that it is not for commercial usage.
 - I believe this to include Green Belt land, which, when I bought my house, was assured no building could happen on it.
 - It would ruin my aspect and all the building would affect me and my family – noise pollution.

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- There will be further pressure on local schools, doctors and hospitals.
 - Infrastructure seems already near to breaking point.
 - Loss of a Right of Way to access the rapidly dwindling countryside we have in this area. (Southend's "Green Lungs").
 - There will be further loss of much needed Wildlife Habitat.
 - Layout continues to be bland and the open space sporadic and incidental.
 - Application site, along with the industrial land to the north, is anticipated in the Allocations DPD to deliver a total of 131 units. This site alone represents approximately 60% of the total allocation and as such should be looking to provide approximately 79 dwellings. 116 conflicts with policy.
 - Application site required by policy BFR1 to be comprehensively planned to ensure integration between BFR1 and SER9a to the east. Amended layout appears to comply with this requirement. However, planting on this edge suggests a ransom strip is retained. No submitted documents make reference to the need for the access to serve the neighbouring land. No comment or design advice in TA which considers the suitability of this road design and its junction with Star Lane to serve the neighbouring land to the east, which is allocated for approximately 185-200 additional units.
 - Boundary of the LWS is not correct on the applicant's submitted plans. LWS boundary, as shown on the Local Plan proposals map, stops short of the application boundary.
 - LPA should liaise with Highway Authority re: policy BRF1 and access through to SER9a.
 - Any approval issued should, at the very least, be subject to Grampian style planning conditions or suitable s106 requirements, which prevent any development commencing on this site, until a comprehensive access strategy capable of serving allocation SER9a is in place and is deliverable.
 - The developer's eco survey should only be used for the brick works site alone and in the event of further planning applications on land other than recently cultivated fields an independent eco survey should be sought.

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- Despite many people's concern there is no footpath proposed on the east side of Star Lane south of the main entrance. Pedestrians leaving the south end of the estate, perhaps going to Asda, will attempt to cross to the west side of Star Lane to reach a footpath. It will be very difficult for traffic travelling south to see them as the verge at this point will be 1.0m with a 1.8m brick wall adjacent to it.
 - Emergency exit onto Star Lane - poor visibility for emergency vehicles, pedestrians or cyclists. The legend is incorrect when referring to the emergency access/exit as the layout does not allow for such a visibility splay, taking into account 1.8m high brick walls to rear gardens and the narrowness of the verge.
 - There is no indication that this application has taken into account the other developments in Wakering, as recommended in the Allocations Submission DPD, i.e., that there should be a comprehensive plan for the roads.
 - There is still an east to west main road into the site. This seems to be the only one with kerbs. There is nothing to indicate whether this could cope with traffic to SER9b.
 - I have no objection to the revised development of the application site itself. I welcome the reduction in the number of dwellings proposed in this revised application.
 - I am in favour of this development going ahead. My partner has lived in Great Wakering his whole life and it is where we would like to live for the foreseeable future. We currently have shared ownership on a 2-bedroomed flat on the new development at Mason Way in Great Wakering but we are wanting to move up the property ladder and buy a 3-bedroomed house which would give us the space required in order to increase our family. Unfortunately this is not an option for us at the moment as there is a lack of affordable housing (to buy) in Great Wakering. I feel this development would enable us and many other young local families like us to stay in the area they have grown up in and to buy a long term home. The development would not be overlooking any other homes and as the site has been previously developed and used as a brick works this would not have an impact on local wildlife.

- Will it be the same eyesore as the new build put on the old garage land at the top of the High Street?
- How will the Council ensure that the area does not become gridlocked and an urban jungle?
- There has been much new housing development in Great Wakering in recent years without any improvements to the infrastructure. The roads are already struggling to cope with current traffic levels.
- This sort of concentrated development in a relatively small area leads to overcrowding, lack of places for children to play and a generally poor standard of housing. No consideration has been given to the effect such a development will have on local roads, schools and healthcare.

5 MATERIAL PLANNING CONSIDERATIONS

Principle of Residential Development

- 5.1 The Allocations Plan 2014 was adopted on 25 February 2014. This allocates Star Lane Industrial Estate for residential development under policy BFR1 with existing Green Belt allocated for residential development to the west of Great Wakering under policy SER9. This represents two sites, one of which (SER9b) lies to the north east of the application site and provides a link to the Star Lane brick works site. Policy NEL2 of the Allocations Plan also looks to provide a new employment site to the south of the application site in place of the employment land that would be lost at Star Lane Industrial Estate.
- 5.2 The site of the current application represents a re-development of previously developed land in accordance with Policy H1 to the Council's adopted Core Strategy 2011. Within this policy it specifically states that *'The Council will seek the re-development of Rawreth Lane Industrial Estate, Eldon Way/Foundry Industrial Estate, Stambridge Mills and Star Lane Industrial Estate for appropriate alternative uses, including residential development, with alternative employment land allocated in appropriate locations as identified in Policy ED4'*. Therefore policy H1 looks particularly towards the re-development of Star Lane Industrial Estate, which includes the brick works site, for residential development. It goes on to state that *'residential development must conform to all policies within the Core Strategy, particularly in relation to infrastructure, and larger sites will be required to be comprehensively planned'*.
- 5.3 Policy H1 also requires various new infrastructure and services to accompany residential development of the Star Lane Industrial Estate site listed under Appendix H1 to this policy including:-

- 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
 - public open space
 - play space
 - youth and community facilities
- 5.4 Policy BFR1 of the Allocations Plan also details the requirements of residential development at this site. It should be noted when referring to Appendix H1 and policy BFR1 that these refer to the Star Lane Industrial Estate as a whole. The current application looks at the development of only a part of this site. The total site area of the BFR1 allocation equates to 5.8 hectares. The current application site equates to 3.278 hectares, approximately 57% of the total allocation site. Therefore any infrastructure and service requirements must be proportionate to this part of the site.
- 5.5 Paragraph 2.33 of policy BFR1 states that financial contributions towards local highway capacity and public transport infrastructure improvements and service enhancements will be required to accompany development of this site. ECC Highways has sought a £3000 contribution towards a Traffic Regulation Order. By planning condition a pedestrian link is also suggested to the industrial estate footpath along Star Lane, an uncontrolled crossing facility on Star Lane, improvements to the crossing facility at the industrial estate access and improvements to the bus stop facilities on Star Lane. The transport assessment also proposes two junction improvements. Such works could be required by planning condition and s106 legal agreement. The applicant has accepted the financial contribution sought. A suggested planning condition by ECC Highways also seeks the provision and implementation of a Residential Travel Information Pack for sustainable transport, which could be attached to an approval. No works are proposed to the local cycling/bridleway network and no such specific works have been sought from ECC Highways with regard to this network. Therefore it is not considered reasonable to require any works in relation to this particular point in addition to the highway works that will already be required to be undertaken highlighted above.
- 5.6 Sustainable drainage is proposed in the method of soakaways. It is considered this and other sustainable drainage methods incorporating above ground options could be controlled by planning condition; this is discussed in more detail later in the report. Public open space and play space is provided for at the site. This is discussed in more detail later and the quantity put forward is considered to be acceptable, albeit less than the specific quantity sought within policy BFR1 of the Allocations Plan. No physical youth and community facilities are provided for on the application site. However, a £25,000 contribution has been put forward by the developer for a multi use games area (MUGA) in Great Wakering, which is considered acceptable in terms of this requirement.

- 5.7 The principle of the re-development of this site is therefore considered to accord with the development plan.

Layout and Design Considerations

- 5.8 Policy BFR1 of the Allocations Plan explains that the Star Lane Industrial Estate site has the potential to accommodate between 116 and 174 dwellings based on a calculation of 50% and 75% developable area respectively with the expectation that the site could deliver 131 dwellings. The application site represents 57% of the overall site area with 116 dwellings proposed. The density of the proposed scheme equates to 35 dwellings per hectare. Using the maximum 174 dwelling figure potential across the entire site and the 116 dwellings proposed at the brick works section, this would result in 58 left to be constructed at the Industrial Estate to the north. Whilst this would result in a greater quantity and density of properties on the brick works part of the site, the National Planning Policy Framework is supportive of the re-development of previously developed land. For this reasoning, maximising such residential development on this previously developed site is not considered objectionable and the density, falling between the 30 and 40 dwellings per hectare within policy BFR1, is considered acceptable. Whilst it remains a long-term aspiration for the industrial estate part of the allocation to come forward for residential development, there is no guarantee that this will occur so a greater quantity of dwellings on the brick works part of the site is also not objectionable for this reasoning.
- 5.9 Policy DM2 of the Development Management Submission Document (unadopted) states that proposals for residential development must make efficient use of the site area in a manner that is compatible with the use, intensity, scale and character of the surrounding area. The proposal does make efficient use of the site area and as it is located independently of the main Great Wakering residential area it is not necessary for it to strictly relate to the scale, character and intensity of Great Wakering. The proposal design and layout, whilst taking some character elements present in Great Wakering, aims to form its own character with quite different house types to those present in Great Wakering. It is not considered that the density proposed would have a detrimental impact upon the adjacent Local Wildlife Site (LWS).
- 5.10 Paragraph 2.34 of policy BFR1 of the Allocations Plan refers to the need for integration between the Star Lane Industrial Estate allocation and the SER9b site, which is proposed for release from the Green Belt for residential development post-2021. It states that access/egress should not go through the Local Wildlife Site (LWS) but should be provided to the north east corner of the southern section of the industrial estate, if delivered prior to the northern section. The current proposal, due to the positioning of the main access on the brick works development, would result in the access being provided through the LWS but, as highlighted within the ecology section of the report, this is not considered objectionable. In order to ensure a ransom strip is not left by the Star Lane brick works developer which would go against the

need to ensure integration and comprehensive planning of these residential allocations, there will be a requirement by planning condition for the Star Lane brick works main access road to finish at the site boundary. There should not be any planting/hedging that could present a ransom strip and conflict with the aspirations of linking these two sites.

- 5.11 ECC Urban Design in their initial consultation response raised concerns about the inward looking nature of the development. The apartment block would front Star Lane and form a prominent entrance to the development and would be considered in proportion to the neighbouring industrial unit. This would form a more attractive entranceway to the development. Whilst it would have been preferable for other properties to the south of the apartment block to also front Star Lane it is not considered that the layout, as submitted, is significantly detrimental to justify refusal of this application.
- 5.12 Policy H5 of the Core Strategy requires new developments to have a mix of dwelling types, as specified in consultation with the Council's Housing Strategy team. The proposal consists of flats (one and two-bedroomed) and houses (two, three and four-bedroomed). Whilst no bungalows are proposed, the floor plan drawings demonstrate how the majority of the lifetime homes criteria can be achieved for the new properties, which would cater for people in later life. It is considered that a reasonable mixture of property sizes has been provided at this site in accordance with this policy.
- 5.13 Paragraph 2.15 to policy BFR1 of the Allocations Plan and policy H6 of the Core Strategy require all dwellings to comply with the Lifetime Homes Standard. The design and access statement addendum explains that all units within the scheme will be built to the Lifetime Homes criteria 2 – 16 and that 40% are able to meet criteria 1 of the standard, which either requires parking spaces to be or to be capable of being increased to a width of 3.3m. As the statement explains that the majority of the criteria can be met and is shown on the floor plan drawings this is considered to be acceptable here.
- 5.14 Paragraph 2.15 to policy BFR1 requires a minimum of 2 dwellings to be built to full wheelchair accessibility standards. However, policy H6 of the Core Strategy requires 3% to be provided, which would equate to 3 dwellings. This requirement is met by the house type M1, which is wheelchair accessible and 2 wheelchair adapted apartments within block B to the apartment block.
- 5.15 Policy DM4 of the Development Management Submission Document requires proposals to meet minimum habitable floor space standards. None of the proposed dwelling types would adhere to the minimum criteria. However, this document is not formally adopted and can only be given some weight. The current application was initially submitted in 2012 and it is considered that it would be unreasonable to refuse the application due to the lack of compliance with a policy, which is still yet to be formally adopted. Whilst the properties proposed are small internally, they would still provide usable residential dwellings with good internal layouts.

- 5.16 Essex Police in their consultation response have raised concern with regard to the rear and side access ways to the terraced F1 and K house types. Alterations were made to the plans during the course of the application to reduce the quantity and length of these access ways and it is considered that those that remain can be sufficiently addressed by requiring by planning condition for them to be lit, have security coded and self closing/locking gates at least 2m in height, as suggested by Essex Police. Essex Police has also requested that secure by design certification is achieved on all housing. Details looking to meet these criteria could be required by planning condition.
- 5.17 SPD2 requires that 1m separation is provided between the side boundaries of the hereditament and habitable rooms of the dwelling house. Whilst mostly applicable to infill plots within existing residential areas, SPD2 makes clear that this should also be applied to development of new estates. The aim is to achieve a total separation of 2m between the sides of the buildings with reference within SPD2 to such separation being important to the overall appearance of new estates. This criterion is not adhered to across the majority of the proposed layout. However, a large majority of the house types on the estate actually provide car parking spaces to the sides of the properties, thereby forming a visual gap of 3m between the side elevations of dwellings. Although this does not in a literal sense comply with the 1m criteria, it does adhere to the aspirations of this guidance, which seeks to improve the appearance of new estates by providing visual gaps. It is not considered a reason for refusal would be justified on the lack of strict adherence to the 1m separation criteria as the layout and design would still provide visual separations for most house types, whilst still trying to retain a continuity of frontage.
- 5.18 The land levels across the hard surfaced brick works site are relatively even, however there is a land level drop between the eastern edge of the site and the Local Wildlife Site (LWS) varying between 1m and 2m with the brick work site located on higher ground level. It is considered that a more detailed section drawing is required by planning condition for this edge to ensure that the properties close to this boundary would not appear too prominent here due to this land level drop. It may be the case that via this condition the site level in this location is lowered to ensure no detrimental impact upon visual amenity.
- 5.19 Views are terminated across the development in various locations by dwelling positioning. Others are terminated by trees/soft landscaping. There are two key areas where views are not terminated; this includes to the eastern end of the main access road and to the southern end of the road where the emergency access is located. However, as these need to provide access through either for emergencies or in the future it would not be possible to terminate these easily with buildings using the current grid layout. Such lack of view termination in these locations is not considered to represent a reason to refuse the application. The layout is not vehicle dominant with parking predominantly located to the sides of dwellings or within parking courts.

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- 5.20 The design of the house types proposed is modern and unique to the Rochford district using sites such as Newhall in Harlow and Accordia in Cambridge as a reference. It aims to create a development with its own character whilst still relating the design back to features present within Great Wakering. 8 different house types are proposed offering variety within the street scene and helping to form character areas in parts of the layout. It is considered that the design represents good, high quality design in accordance with policy CP1 of the Core Strategy.
- 5.21 Wide roof spans are used on some of the house types, which was highlighted as a cause for concern by ECC Urban Design where these are in highly visible locations. This was altered during the course of the application and now all prominent corner plot properties no longer have wide gable ends and features have been included to add variety to the elevations of the properties on these corner locations.
- 5.22 Dormers are proposed to some of the house types, including to the front elevations. The dormers sought are modern looking box style dormers. Whilst SPD2 requires front/side dormers to have pitched roofs, this does not allow for modern style dormers such as that proposed. The modern style is not considered objectionable, but the size of the dormers, particularly on house types G and K, has been raised as a cause for concern by ECC Urban Design. A planning condition requiring these to be reduced in scale with a new design to be submitted to and agreed could be attached to an approval.
- 5.23 Whilst the aspiration exists via the Allocations Plan for the industrial estate to the north to be developed for residential purposes, it must be assessed on the basis of the current usage. Close to the northern boundary lie two industrial units of two storey height (no. 27 and no. 40) sideways onto the boundary and with a yard in between. This is followed by a row of linked single storey buildings (no. 8 – 17) with their rear elevations along this northern boundary and then a yard area is located to the north eastern corner (no. 36/37) which was previously occupied by a waste transfer company but has more recently been used for car storage and maintenance purposes.
- 5.24 The apartment block is located in closest proximity to the industrial estate located 2.5m from the side elevation of the industrial unit closest to Star Lane (no. 27). Whilst having a close relationship with this unit it is not considered that such a relationship would be so detrimental to the occupiers of the apartment block that it would justify refusal of this application. An acoustic barrier is proposed to the northern boundary and acoustic glazing could be required where necessary to the apartment block although such glazing is only currently proposed to the western elevation. The houses along this boundary all have gardens that back onto the industrial estate with a minimum distance of 14.5m between the rear elevation of properties and the boundary, except for the property to the north eastern corner, which has a closer relationship. With a landscaped buffer within the garden areas of these properties and acoustic barrier along this boundary, together with the depths

of the garden areas, such a relationship is not considered objectionable. Where necessary, acoustic glazing could also be required by planning condition to the rear elevation of these properties. The G type dwelling to the north eastern corner would have an even closer relationship to the acoustic barrier, however any proposed purchaser of this plot would be aware of such a relationship and the acoustic barrier along the northern and eastern boundaries should provide an effective barrier.

- 5.25 The acoustic barrier with heights of 4-5m by the apartment block, 2.4m to the north of the G type houses and 5-6m in height to the north-eastern corner does have the potential to appear obtrusive. However, where the apartment block is located the 4-5m height will be somewhat absorbed into the two storey height of both the neighbouring industrial units and the apartment block. The proposal to use climbers and trees to help mask the barrier in places would also assist in limiting its impact. The 2.4m acoustic barrier to the boundary between the industrial estate and the boundary with the G type properties would not be visible to the street frontage and its visual impact would also be reduced by the use of climbers and a landscaped buffer. The 5-6m high acoustic barrier section to the north-eastern corner is likely to be the most obtrusive barrier across the estate. However, it would be absorbed to some extent by the height of the G house type to this corner, together with climbers and trees. This would be sufficient to ensure that the acoustic barrier would not appear so prominent here that it would be detrimental to the street scene of the new development.
- 5.26 To the southern boundary there is the long term aspiration for an industrial estate to be located. However, it would be unreasonable to require an acoustic barrier to this boundary on the basis of any potential employment development at this stage. Any future employment development will need to consider noise implications for existing residential dwellings and this would need to be incorporated into the layout of the employment site.
- 5.27 The open space and play space is considered to be located in usable and appropriate positions within the development easily accessible to residents. It is not considered that the positioning of the proposed communal spaces formed through communal amenity space, communal bin storage, parking courts or open spaces/play spaces would be located in positions that would be detrimental to surrounding dwellings on the development.

Amenity and Refuse

- 5.28 SPD2 requires that for three-bedroomed plus detached and semi-detached dwellings 100m² of private amenity is provided. All properties of this sizing have private amenity areas measuring a minimum of 100m² at this site.
- 5.29 The K house types are 3-bedroomed terraced properties. SPD2 requires such properties to have garden areas 2 ½ x the width of the house which is adhered to here. The F1 house types are 2-bedroomed and the bedrooms

provided are not considered to be of a size and layout whereby sub-division could easily occur. On that basis, it is considered that these should provide 50m² of private amenity space. Such a requirement is adhered to for these house types. For the apartment block and FOG units, minimum balcony areas of 5m² should be provided with the ground floor flat having 50m² or a communal garden on the basis of 25m² per flat could be provided with the ability to combine these methods. The FOG units each have a balcony measuring 5m² minimum. The 8 flats located within the apartment block would have both communal amenity space and balcony areas. All of the balcony areas would measure a minimum of 5m². If only communal amenity space were proposed for these flats, 200m² of amenity space would be required. However, the 75m² proposed combined with the balcony areas supplied to each flat is considered to form acceptable amenity space provision here. The layout plan shows communal amenity to the front of the block, however, this is not considered to represent private space. The communal amenity space to the rear is considered to be located within a private and usable area within the site for residents. Whilst located in close proximity to the industrial estate, acoustic fencing would assist in reducing any impact to the enjoyment of this area.

- 5.30 The Council operates a 3 bin system per dwelling consisting of a 240l bin for recycle (1100mm high, 740mm deep and 580mm wide), 180l for green and kitchen waste (1100mm high, 755mm deep and 505mm wide) and 140l for residual waste (1100mm high, 555mm deep and 505mm wide). The design and access statement addendum provides a refuse strategy identifying bin storage within the garden areas of each house plot with a proposal to bring the bins through to the street on the day of collection. For the terrace plots this would involve using the access ways to the rear/side of relevant plots with four of the F1 house types with deeper frontages having bin stores to the front. This arrangement is considered acceptable. However, the terraced F1 house types to the southern boundary would not provide access ways. The refuse strategy shows that bins for these properties will be stored in rear gardens and brought through car parking spaces within the parking court. This is acceptable if gates are provided to the rear boundaries of these plots and the parking spaces immediately to the rear of these dwellings are specifically allocated for individual properties. Bins for these plots could be brought round to their frontages or left within the parking courts on collection day. Such requirements could be controlled by planning condition.
- 5.31 The apartment block would locate bin storage internally at ground floor level with close access to the main road through the development. This area is shown to provide space for 12 bins to serve the 8 flats. Whilst technically 24 bins would be required, the size of bins shown in this area are larger, with four 380l and eight 240l shown. This is considered to provide sufficient refuse storage space for the apartment block. The Council's waste and recycling team advises that Type 4 and 6 roads must be able to take the weight of a refuse vehicle, that is 26 tonnes. A planning condition will need to ensure that this is the case. There are no dedicated collection point areas for residents to

present bins on collection days. However, every property has hard surfaced areas to their frontage where bins could be located on collection days. The FOG units are only shown to provide storage space for 2 bins per unit rather than the standard 3 required. However, the areas shown for bin storage for the FOG units do have the capacity to accommodate 3 bins to the Council's sizing.

- 5.32 The swept path analysis within the transport assessment shows that a refuse vehicle could access all areas of the development with only a few properties where a distance greater than 15m would need to be walked by waste collection officers. This is not considered to be objectionable and RDC Waste & Recycling has advised that there is no objection to the site layout with regard to the movability of refuse vehicles around the proposed estate.

Landscaping and Boundary Treatment

- 5.33 Various soft and hard landscaping is proposed across the site. To the western edge along Star Lane there is an existing native hedge. Some of this would need to be removed in particular to allow for the visibility splay, however, where possible, hedging would be retained and then supplemented with further native planting. Such hedging would be to a depth of 1m. Within the highway visibility splay a mown wild flower verge is proposed. Behind this the 1m depth hedge would be located and then a 1.8m high boundary wall which would also form an acoustic barrier to reduce noise from Star Lane traffic. This is considered to form an acceptable arrangement to this boundary providing sufficient soft landscaping to this edge which is important within this section of Great Wakering and considering the hedged boundary that exists on the other side of Star Lane. Concerns were raised by ECC Urban Design with regard to the south western corner where the hedging was shown to reduce significantly. The house type on this corner was altered during the course of the application to allow for more planting to the Star Lane edge and private access to the south outside of the garden area of the property to this corner. To the apartment block frontage a 1.1m high brick wall is proposed. Whilst such a wall is not considered objectionable, native hedge planting should occur to the front of this wall to soften the visual appearance and retain a more rural aspect. A 1m strip of hedge planting is shown, however, a greater quantity is possible here with the wall set further back and should be required as part of a condition.
- 5.34 To the northern edge which borders the industrial estate an acoustic barrier is proposed and to the rear garden areas of the G house types a 3m wide landscaped buffer strip with tree planting is proposed. Some soft landscaping would also be located along the northern boundary within the apartment block section of the layout. This is considered to form an acceptable relationship.
- 5.35 To the southern edge, which borders the access track and where a future industrial estate may be located, a 1.8m high close boarded fence is proposed with trees planted along this boundary. A planting strip is proposed where the

open space would be located and along the side of the F1 house types. ECC Urban Design raised concerns with the use of a close boarded fence to this countryside edge and suggested use of a green screen instead. Revised proposals now show wire stock netting fixed to both sides of the fence and the fence measuring 1.8m high along garden boundaries and 1.4m high along the amenity space boundary. It is considered that a close boarded fence would appear too urban in this location and a screen of a greener appearance, such as with use of the wire stock netting, should be used instead and controlled by planning condition. This, together with good quality trees planted within the amenity spaces and garden areas of plots along this boundary, would form an acceptable arrangement.

- 5.36 To the eastern edge which borders the Local Wildlife Site rear gardens border half of the boundary with a 1.8m high close boarded fencing proposed with wire stock netting fixed to both sides of the fence. The remainder of the eastern boundary would have a strip of planting where trees would also be located measuring a minimum of 600mm in depth fronting a 1.1m high close boarded fence with wire stock netting fixed to both sides of the fence . Where the main access road meets the eastern edge of the site it is important to ensure that no planting takes place in this area that could enable a ransom strip to be formed. Other alternatives to provide a form of green screen without creating a potential ransom strip should be pursued and required by planning condition.
- 5.37 Ideally, as advised by ECC Urban Design, the fencing should be set back from the site boundaries and hedge planting provided in front of the green screens. However, there is limited flexibility within the site layout to allow this to occur. It is considered that the provision of green screens alone would be acceptable here if there is not the ability to provide planting to the front of such screens.
- 5.38 Sufficient tree planting is proposed across the development. Within the site itself soft landscaping is relatively limited. However, each property would have some element of soft landscaping to the frontage consisting of shrub, herbaceous and climbing planting, which is considered acceptable.
- 5.39 With regard to the hard landscaping proposed, ECC Urban Design has raised concern in relation to the tarmac with chippings proposed in various locations across the site. It is considered that the shared surfaces and parking spaces in particular should provide a paved surface which generates a more attractive visual appearance. This could be controlled by planning condition. Any surface material must also be suitable for a refuse vehicle. With regard to internal boundary treatment, all visual boundaries should use walling, rather than fencing, which can be controlled by condition.
- 5.40 Changes to landscaping and boundary treatment type can be sufficiently addressed by planning condition. As soft landscaping in particular is important

at this site, a more detailed landscaping strategy will be required to be submitted to and agreed in writing by planning condition.

Residential Amenity

- 5.41 The Essex Design Guide requires a minimum of 25m distance between the backs of houses to provide acceptable privacy distancing. Where the backs of houses are at more than 30 degrees to one another this separation may be reduced to 15m from the nearest corner. This is complied with across the majority of the development, although there are some instances whereby corner plot properties do not provide the 15m separation. However, in these instances the potential overlooking from first floor rear windows would be from bedroom or bathroom windows where limited time is spent. It is not considered reasonable to refuse the application due to the lack of strict compliance with this criterion. The Essex Design Guide, as referred to in policy CP1 of the Core Strategy, should help provide guidance without being overly prescriptive.
- 5.42 The 45 degree angle is used to assess impact of overshadowing from proposed two storey rear extensions, but is also a useful guide to assess overshadowing on new developments; in this case the rule would not be breached across the majority of the development. It would be breached by a plot to the north eastern corner, but due to the size of the neighbouring plot's garden area it is not considered that such an impact would be sufficiently detrimental to justify refusal of this application. This is similarly the case with a breach of the 45 degree angle affecting a property to the west of the sub-station.
- 5.43 Some windows across the development, particularly first floor side windows, will need to be controlled by planning condition requiring them to be obscure glazed and fixed shut below a height of 1.7m to avoid unacceptable overlooking between plots. All of these windows serve bedrooms where more than one window is present and thus such a condition could be reasonably imposed.
- 5.44 All of the apartment block balconies face towards Star Lane limiting overlooking of nearby houses on the development, and first floor windows facing the houses would serve bedrooms and bathrooms where less time is spent by occupants. The balconies to the FOG units would either look towards balconies of other FOG units or ground and first floor front windows of houses serving bedrooms and front doors/WC facilities. With a minimum 17.5m distance between such balconies and the front elevation of properties, this is not considered an unacceptable relationship that would justify refusal of this application.

Affordable Housing

- 5.45 Policy H4 of the Core Strategy seeks at least 35% of dwellings on all developments of 15 or more units, or on sites greater than 0.5 hectares, to be

affordable. However, such quantity can be relaxed where the developer is able to demonstrate that 35% provision will be economically unviable, rendering the site undeliverable.

- 5.46 The current proposal puts forward a 10% provision with 11 units comprising 8 affordable rent units and 3 intermediate units. The applicant argues that this proportion would still enable the scheme to be viable taking into consideration factors such as the costs associated with bringing the site forward for residential development, including the need to remove contamination from the site. An independent assessment of the appraisal provided by the applicant has been undertaken for the Council by DVS.
- 5.47 The DVS assessment has concluded that the development would actually run at a deficit when incorporating all the relevant costs, including £400,000 in financial contributions towards healthcare, education, highways and youth/community facilities and incorporating 10% affordable housing. The applicant has advised that they would be prepared to accept this deficit because it would be absorbed into the scheme. On this basis, it is considered that 10% affordable housing is an acceptable level of provision at this site when considering all relevant factors and contributions to ensure this development would still be viable.
- 5.48 Since these appraisals were undertaken, the Council's Strategic Housing team have advised that affordable housing needs within this area have altered with regards to property types. The overall quantity of dwellings to be affordable however, would remain at 11 and the precise mix could be agreed by section 106 agreement negotiations with the developer. The specific siting of the affordable housing across the development is not specified but its integration can be addressed within the legal agreement to ensure that the affordable units are spread throughout the estate. By nature of the need for three bedroomed units, it will not be the case that all affordable housing would be confined to flatted blocks. The proposal has provided an 80%/20% split between social/affordable and intermediate units in accordance with policy H4. Policy H5 of the Core Strategy requires that a proportion of the affordable housing provision within developments be in the form of three-bedroom or larger dwellings. The proposal in the format submitted would provide 3 out of the 11 units at this size and this would accord with the Council's Strategic Housing team's needs assessment and policy H5.

Highways

- 5.49 The site is considered to be located in a sustainable location within walking distance of Great Wakering and with access to bus stops within Star Lane which provide access to neighbouring towns and train stations. Policy T5 of the Core Strategy requires a travel plan to be submitted for an application of this scale identifying a series of practical measures to encourage residents to be able to use methods of transport other than the car. No such travel plan has been provided with this application, however, such a travel plan could be

required by planning condition and ECC Highways has suggested a condition be imposed for the provision and implementation of a Residential Travel Information Pack for sustainable transport which could be incorporated within such condition.

- 5.50 Star Lane is a single carriageway which is subject for the most part to a speed limit of 60mph. The assessment advises that on the basis of the current 60mph speed limit, a visibility splay measuring 4.5m x 215m would be required. However, there is a proposal via the transport assessment to move the 30mph speed limit to the southern boundary of the site using a Traffic Regulation Order (TRO). If the 30mph were to be agreed, a visibility splay of 4.5m x 90m would be sufficient. However, as a TRO has not yet been agreed, it is important to ensure that the maximum visibility splay required could still be achieved at the site.
- 5.51 The assessment advises that removal of some of the Star Lane hedgerow would be required to accommodate the splay. The design statement explains that the visibility splay would consist of a mown wild flower verge. Behind this a 1m native hedge would be located maintained to a height of 1.5m with native trees located within this hedge and then a 1.8m boundary wall behind. ECC Highways put forward a suggested condition requiring any new boundary planting to be a minimum 1m back from the highway boundary and any visibility splay. This would result in the current proposal providing a 1m set back between the mown wild flower verge and the native hedging. Such a requirement could not be achieved within the existing layout but it is not considered that this would justify a refusal of this application as the visibility splay would still be provided with sufficient soft landscaping to this prominent edge.
- 5.52 The ability to definitely provide a 1m deep hedgerow along this boundary was raised and alterations to the plan made to ensure that such a depth could definitely be delivered, particularly where it meets the access road to the development. Such a thickness in native hedging could increase going south along Star Lane as the visibility splay meets its point with Star Lane. Concerns were raised with regard to the thickness of the hedging to the south western corner, outside of the visibility splay, which has been addressed with amended drawings showing a smaller house type and thus allowing for greater hedging at this point. The visibility splay to the north of the access can be achieved whilst still maintaining sufficient verge and soft landscaping due to the siting of the apartment block from Star Lane. In order to ensure that sufficient soft landscaping is proposed along this frontage that does not interfere with the visibility splay, a planning condition requiring details of this frontage should be submitted to and agreed in writing by the Local Planning Authority. This northern visibility splay would extend outside of the site boundary but the footpath and verge to the west of the industrial estate would ensure such visibility could be achieved outside of the site boundary. Future maintenance arrangements of the verge, hedge and trees will need to be

secured. This would be best arranged through a management company and secured through s106 legal agreement.

- 5.53 The proposal includes vehicular access to the site from a new priority (give way) T-junction. The existing access would be closed off and the footway and kerbing reinstated. ECC Highways does not object to this style of junction and this is considered acceptable here.
- 5.54 The transport assessment accompanying the application explains that the main access road has been designed as a type 4 road with all other internal roads designed as type 6 shared surface roads. The proposed access to the development would be located in virtually the same position as the existing access, which is considered to be acceptable. Whilst the development would only provide a single access direct from Star Lane such single access is not raised as a concern by ECC Highways and an emergency access is provided to the southern boundary.
- 5.55 The Essex Design Guide provides advice as to the measurement criteria for Type 4 and 6 roads. The type 4 road proposed correctly measures a minimum of 4.8m in width. It should provide a 2m and 1.5m wide pedestrian walkway either side of the carriageway. To the south a minimum 1.5m is provided, to the north the majority is 2m with some sections measuring 1.5m. As the majority measures 2m, part of this section measuring 1.5m is not considered objectionable. 1.5m x 1.5m visibility splays are provided at properties and 2m x 3.3m visibility splays can be achieved where properties exit onto this type 4 road. Hedging/planting within these splays should not be greater than 600mm in height, which could be controlled by planning condition.
- 5.56 The type 6 roads proposed correctly provide a minimum width of 5.8m for a combined pedestrian and vehicular surface. The required pedestrian visibility splays are also provided on these roads. Traffic calming is provided at all internal junctions in the form of raised tables, which is considered acceptable. ECC Highways has advised that in principle these roads could be adopted, if put forward by the developer.
- 5.57 A second vehicular access is proposed on the southern boundary of the site for use by emergency vehicles only. It is explained within the transport assessment that this would have a lockable barrier to prevent others from using this access. There is no detail within the application to explain who would maintain this access and lockable barrier and how emergency vehicles would gain access. Therefore a planning condition requiring details of how this would work most effectively should be attached to an approval. With regard to maintenance, as with the noise barrier and open spaces, it is considered that a maintenance company could be responsible, required by S106 legal agreement. A condition should also ensure that this access is retained locked unless in an emergency. It is envisaged that the emergency services would retain the key to this barrier.

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- 5.58 The highway impact assessment has concluded that modifications are required to Junction 1A (A1159 Royal Artillery Way/A13 Southchurch Boulevard/Thorpe Hall Avenue/A13 Bournes Green Chase) and junction 2 (A13 Bournes Green Chase/Maplin Way North). The proposed works involve minor realignment of the nearside kerb lines in order to increase the flare length on these approaches. Works are not considered necessary to any other junctions close to the development. These mitigation works are relatively minor and located on junctions within the control of Southend Borough Council. This Council's agreement to such works would be needed and such works should be secured by S106 legal agreement. As the works are relatively minor in terms of highway works, it is not considered that such agreement is required by Southend Borough Council before reaching a view on this application.
- 5.59 The highway safety assessment undertaken concluded that the frequency of accidents at the key junctions within the study area is less than two per year. It concludes that the increase in traffic generated by the development could be accommodated on the local road network without detriment to highway safety and without the need for any safety-related mitigation measures.
- 5.61 ECC Highways has asked for a £3000 financial contribution towards the advertising, creation and if successful, the implementation of a Traffic Regulation Order (TRO) to move the existing 30mph speed limit to the south of the proposed site access on Star Lane. This has been accepted by the applicant and will be provided by S106 legal agreement.
- 5.61 There is a pathway to the north-east corner of the site running parallel with Star Lane linking the main access road with the boundary to the industrial estate. This could potentially provide pedestrian access through to future residential development to the north. ECC Highways has advised that it may adopt this in the future if 2m wide and with appropriate drainage. However, with an approximately 1m width and no easy capacity for it to be widened without removing limited planting, there is no guarantee that it will be adopted in the future. It is therefore considered that this path should form part of the management arrangement at the site by S106 legal agreement.
- 5.62 ECC Highways and Public Rights of Way emphasise that public footpath no. 8 should not be obstructed. This footpath is located to the south of the site within the access track and continues to the south of the Local Wildlife Site exiting on Alexandra Road. An informative should be attached to an approval advising that this footpath should not be obstructed, though there is no indication that this footpath would be obstructed during the course of the works. There is no proposal to realign this footpath as part of this application. ECC Public Rights of Way has suggested that a footpath creation through the LWS could be developed and a resident has suggested an upgrade of the existing footpath, but there is concern that this could add further recreational pressure to this area which this development seeks to avoid.

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- 5.63 A new footway would be located to the north western boundary with Star Lane linking to the industrial estate footpath. Installation of this, which goes beyond the site boundary, should be required by S106 legal agreement. Works to improve the Star Lane bus stop facilities, required by ECC Highways by planning condition, should also be incorporated.
- 5.64 Concerns have been raised with regard to the lack of visibility splay from the existing access track to the south, which would be used by emergency vehicles to gain access to the emergency access to the south of the site. However, this access to the application site would rarely be used, mainly remaining in a locked and inaccessible form and the access track to the lakes is also not in such regular use that a visibility splay, which would reduce the quantity of hedging to Star Lane, would be considered necessary or justified. ECC Highways has not raised this as a concern.
- 5.65 Where considered reasonable, the planning conditions suggested by ECC Highways department could be attached to an approval.

Parking

- 5.66 The Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010 requires dwellings with one bedroom to provide a minimum of one off-street parking space and dwellings with two bedrooms or more should have a minimum of two off-street parking spaces. These spaces would serve the residents of the dwellings. On the current proposal for 116 dwellings, 110 dwellings would have two bedrooms or more and 6 dwellings would have one bedroom. Therefore, these 6 dwellings would need to provide one space each with the remaining 110 dwellings providing two spaces each. This would result in a need to provide a minimum of 226 spaces across the development. 226 spaces are provided, in accordance with this minimum requirement, with 12 in a parking area allocated for the apartment block. One extra space is provided within the layout; this is not labelled as a visitor space but for the purposes of parking calculation this will be treated as a visitor parking space.
- 5.67 The Parking Standards document requires 1 secure covered cycle space per dwelling to be provided for residents. The car ports to House type D would be considered to provide secure cycle storage, however, none of the other dwelling types would be considered to provide such storage with only driveways within their curtilage. A planning condition could require a secure and covered area for cycle storage within the curtilage as part of a planning condition. House type D would also need to provide such secure storage due to the need to ensure there are no doors to their car ports, as referred to later.
- 5.68 If parking is located within the curtilage of dwellings disabled parking spaces are not required. 34 dwellings incorporating the apartment block, flat over ground dwellings and F1 house types do not have parking within their

curtilage and disabled bays for these must be considered under the visitor/unallocated criteria.

- 5.69 The Parking Standards document requires a minimum of 0.25 visitor parking spaces per dwelling (unallocated). For 116 dwellings, this would equate to the need for a minimum of 29 visitor parking spaces. The design and access statement explains that 29 spaces are provided, but 31 appear to be present on the layout plan. 1 cycle space should be provided per 8 dwellings for visitors. This would result in a need for 15 cycle spaces to be provided in communal areas across the development. The proposal shows space for 24 cycle spaces, 10 within the apartment block, 5 at ground floor level below each FOG unit and 4 in a more central position on the development.
- 5.70 The Parking Standards document requires 1 powered two wheeler space plus 1 per 20 car spaces (for 1st 100 car spaces) and then 1 space per 30 car spaces (over 100 car spaces). Therefore 11 spaces would be required for this development. The current proposal adheres to this providing 3 spaces on the area of the apartment block and 8 on the wider site.
- 5.71 With regard to disabled bays, the requirement is for 200 vehicle bays or less, 3 bays or 6% of the total capacity should be provided, over 200 bays should provide 4 bays plus 4% of total capacity. The application site has dwellings which predominantly have parking within their curtilage. In order to calculate this requirement it is therefore considered appropriate to apply the disabled standard to the number of visitor parking spaces rather than the 226 total number of spaces overall. Therefore, for 31 visitor spaces, 3 should be to a disabled standard. 2 such spaces are provided within the apartment block area and 1 within the northern amenity area, in accordance with this requirement. A space is also provided on the plot for the M1 house type.
- 5.72 The quantum of parking provision is considered acceptable at the site with the ability for planning conditions to be applied as outlined above.
- 5.73 The Parking Standards document requires parking spaces to meet preferred bay size criteria of 5.5m x 2.9m per space. This criterion is adhered to across the development. Garage spaces should internally measure 7m x 3m. House types D and K have car ports. However, house type D's car port has doors to the front, more akin to a garage where items could be stored, reducing the effectiveness of this area for parking. Equally, house type K does not show doors to the car port but the inclusion of doors could lead to similar concerns. So long as doors are not included on these house types, controlled by planning condition, it is not considered that they would be required to meet the 7m x 3m garage size criteria. The disabled bay sizing of 6.5m x 3.9m, where such spaces are shown, is met across the development. 6m reversing distances are providing across the estate.
- 5.74 Vehicle spaces across the development are considered to be located in usable positions for residents. Most would have parking to the side of

properties whilst some would have spaces within parking courts. All F1 units whereby parking would be located within courts would have access to spaces near to their properties within such parking courts. The K house types to the centre of the site would have an unusual arrangement whereby their second parking space would be located within a parking court to the rear of their dwelling accessed from a different road. Whilst this is unusual, their main parking space would be located on site and rear pedestrian access would still enable easy access to their second space.

- 5.75 The visitor spaces are spread throughout the development in reasonable locations. In order to make it clear to residents that these are visitor spaces they should be demarcated as such and a requirement for such markings/signage could be controlled by planning condition. The parking courts should be well lit and where possible use low walling surrounds to improve their security.

Ecology

- 5.76 An ecological assessment has been submitted as part of this application. The site has been designed in layout terms so that there is no easy integration with the Star Lane Pits Local Wildlife Site (LWS) bordering the site to the east and incorporates its own public open space. It is recognised that recreational pressure from the development may be detrimental to the ecology that inhabits this area. This addresses initial concerns raised by Essex Wildlife Trust with regard to the potential for adverse impacts from increased residential pressure on the LWS.
- 5.77 The site was assessed for bat, badger, water vole, reptile and great crested newt activity in 2010 and 2011. No bat activity was actually recorded on the application site but the wider study area did show bats to be present. No badger activity was recorded on the application site but it is considered that the scrub, wooded belt, rough grassland and arable set-aside habitats within the wider study area offer suitable foraging opportunities for badgers. Due to the predominance of hard standing on the application site the report concludes that it offers limited foraging opportunities or other suitable habitat for badgers. No evidence of water vole was recorded within the application site and the report concludes that it is not considered the habitats present offer suitable opportunities for this species. Water vole was recorded within the wider study area incorporating the LWS.
- 5.78 Evidence of rabbits and birds was found within the application site and wider study area. A small population of common lizard was recorded within the re-colonising grassland habitats within the application site and small populations of common lizard, slow worm and grass snake were recorded within the rough grassland habitats of the wider study area. No ponds or suitable aquatic habitat are present within the application site although the hedgerows and scrub provide some limited areas of suitable terrestrial habitat for amphibians, including great crested newts, although the majority of the application site is of

no suitability for this group as it is dominated by hard standing. No great crested newts were found in the wider study area. Given the habitats present within the application site the report concludes that it is likely an assemblage of common invertebrate species would be present within the application site. However, it also states that there is no evidence to suggest that any rare or notable species would be present, given the predominance of hard standing.

- 5.79 The ecological assessment considers that the proposals would not have any significantly adverse effects on the Foulness or Crouch and Roach SSSI/SPA/Ramsar sites either alone or in combination with other plans or projects. The assessment considers that impacts to the LWS are limited to an increase in light spillage, hydrological effects and construction effects and that there should not be any recreational effects arising, particularly as the dense scrub on the LWS serves to limit walkers to clear paths.
- 5.80 On the basis of the ecological report provided and the response from Natural England, it is not considered that the proposal would have a detrimental impact upon Foulness or Crouch and Roach SSSI/SPA/Ramsar sites.
- 5.81 RDC's ecological consultant does not object to the proposal but suggests a planning condition requiring details of mitigation measures to be submitted to and agreed by the Council as those suggested are lacking in specific detail. Mitigation is suggested in section 5 'Ecological Evaluation' of the ecological assessment, including: provision of wildflower grassland areas, native tree, hedgerow and shrub planting (including berry bearing species), a sympathetic lighting scheme, bat boxes, clearance of nesting vegetation to occur outside the bird nesting season, bird nest boxes and relocation of common lizards to an off-site receptor or through habitat manipulation to the LWS. However, more details are considered to be required. The ecological consultant also suggests a condition requiring the incorporation of bird and bat boxes within the fabric of the buildings rather than using the boxes shown which could be incorporated into the suggested mitigation condition.
- 5.82 Natural England also does not object to the proposal, but does make various comments and suggests a condition requiring a habitat management plan for the LWS to be submitted to and agreed by the Council. It suggests that such a plan should be secured through a section 106 agreement and Essex Wildlife Trust makes a similar suggestion. However, the applicant does not own or have control over the LWS and it is considered unreasonable to require such a plan, especially when the ecological assessment and the Council's ecological adviser confirm that mitigation would satisfactorily address the ecological impact of the development.
- 5.83 Natural England advises that areas of publicly accessible green space on the application site should be contiguous with the Star Lane Pits LWS in order to form part of a coherent Green Infrastructure network. The open space on the application site is spread between 3 areas, none of which directly border or link to the LWS, although the southern space does border the access track

which leads to the LWS. Concerns have been raised with regard to integration with the LWS. Therefore, it is considered more acceptable for the site to distance itself and its open spaces from the LWS to relieve potential recreational pressure on this area. On this basis, the location of the proposed open spaces is considered to be acceptable.

- 5.84 Essex Wildlife Trust in its initial consultation response advised that the developer should be expected to produce a detailed mitigation plan for the LWS before the application is allowed to proceed. However, bearing in mind that the application site itself is not located within the LWS, limited ecology has been recorded on the application site and the site has now been designed so as to limit integration with the LWS and provides its own public open space, it is not considered justified to refuse the application due to the lack of a detailed mitigation plan. The requirement for a more detailed mitigation plan, not for the LWS itself which is owned separately to the application site, could be adequately addressed by imposition of a planning condition.
- 5.85 With sufficient control around mitigation possible on the application site it is not considered that the proposal is objectionable on ecological grounds.
- 5.86 The siting of the new access road into this development would result in any future housing development to the north east (SER9b) potentially connecting to this access via a continuation that would cut across the north-eastern corner of the LWS. This is not for detailed consideration within the current application, however, it is important to consider integration between these sites. The acceptability of such linkage cutting across the north-east corner of the LWS would need to be assessed with any future planning application for this area. However, it should be noted that whilst it would cut across this north eastern section, this is an area of mostly hard standing (labelled as re-colonising ground within Plan ECO3 of the ecological assessment) with general rubbish and a building in this location. Therefore, this is not an area which provides the best form of ecological environment within the LWS and a continued roadway within this location is unlikely to be objectionable. The area shown to supply such a potential link within the Allocations Plan 2014 is outside of the LWS. If the industrial estate to the north were to come forward for residential development in advance of SER9b a potential link could be provided from the industrial estate rather than via the north eastern corner of the LWS.
- 5.87 Local residents have raised particular concerns with regard to ecological issues but this relates largely to the area within and in close proximity to the LWS rather than the hard surfaced remains of the brick works site. A resident's wildlife survey has been submitted in response to concerns, viewed by Essex Wildlife Trust and Natural England. This survey relates to the wider area rather than the brick works site itself and is in response to the ecological assessment submitted with the application, which itself surveys the wider area and not just the brick works. Residents' concern relates to the accuracy of survey data gathered on the ecological position of the wider site. However,

whether this data is accurate or not, it is the brick works site itself which is under consideration as part of this application. Any proposal for the development of the wider area outside of the site boundary currently under consideration would require new detailed ecological surveys to be undertaken.

Arboricultural Matters

- 5.88 A tree survey submitted with the application, completed in 2011, shows that only one group of trees to the northern boundary labelled '002' (*leylandii*), one tree labelled '006' (elder) and the Root Protection Area of part of group '008' (*leylandii*) would be located within the brick works site.
- 5.89 The '002' group and tree '006' are categorised as trees of such poor condition that any existing value would be lost within 10 years and thus are not suitable for retention. The '008' group are categorised as trees of low quality but having adequate vitality, condition and form to remain until new planting can be established. With 10 – 20 year life expectancies such trees could be retained in the short term.
- 5.90 Whilst the '008' group lies outside the application site the Root Protection Area for '008' would extend partly into the site within the north eastern corner. Within this corner a detached house is proposed with garden. A footpath and acoustic barrier would be installed within the RPA and in close proximity to the trees. However, the trees forming group '008' are of low quality and it is not considered that the construction of the acoustic barrier and footpath within the RPA and in close proximity to the trees would de-stabilise them. Such impact is considered to be limited and not sufficiently detrimental to this low quality group to justify refusal of the application.
- 5.91 Trees are shown across a much wider site within this survey, however, it should be emphasised that the application currently under consideration only includes the brick work site outlined in red on the layout drawings supplied.
- 5.92 It is recommended that the small planted woodland within group 001 be retained within any re-development plans for the site. This woodland lies outside the boundary of the application site to the south, separated from the proposed development by an access road which is also outside of the site boundary. The applicant does own the access road and a section, but not all of, the woodland. As this woodland area is only part owned by the applicant and lies outside the application site it is not considered that there are any reasonable means by which it could be required to be strictly retained as part of this application. This woodland is within an area allocated as future employment land under policy NEL2 of the Allocations Plan 2014 although paragraph 5.35 does refer to it as forming an important buffer.
- 5.93 The Council's arboricultural consultant agrees with the tree constraints information, but also requires a tree protection plan and method statement for the proposed layout and a landscape plan, including how the areas to be re-

planted will be protected from construction pressures. These requirements could be sufficiently controlled by planning condition.

- 5.94 The report does explain that the findings are appropriate for the next 12 month period but due to the limited tree coverage at this site and the low quality nature of trees present it is not considered necessary to require an updated survey to be submitted before reaching a decision on this application. A more up to date report should be required by planning condition.

Land Contamination and Light Pollution

- 5.95 Policy ENV11 of the Core Strategy requires applicants who wish to develop suspected contaminated land to undertake a thorough investigation of the site and determine the risks. The current application provides a ground conditions and contamination assessment, which incorporates a geo-environmental desk study report, envirocheck report, initial ground investigation report, geotechnical report and enviroinsight report. This policy also makes clear that the presence of contaminated land on a site will not, in itself, be seen as a reason to resist its development.
- 5.96 Two intrusive site investigations were undertaken on the site, one in 2006 which looked at contamination only and another in 2011 which looked at geotechnical aspects only. These identified elevated levels of extractable petroleum hydrocarbons, arsenic, lead, nickle and benzo-a-pyrene in 2 of the 17 investigation points and recommended further more extensive investigation be carried out.
- 5.97 The assessment proposes that a remediation strategy be drawn up following the compilation of the intrusive investigation report and be submitted to the Council's Environmental Services team for their approval. After reviewing the documents and reports currently submitted, the Council's Environmental Services team does not raise concerns with regard to land contamination, but advises that full model contaminated land conditions be attached to an approval, which should be imposed here.
- 5.98 Policy PN7 of the Local Plan 2006 requires details of any lighting scheme required as part of any new development to be submitted as part of the planning application. Applicants will be expected to demonstrate that the scheme proposed is the minimum needed for security and working purposes. Policy DM5 of the Development Management Submission Document (unadopted) also requires such a scheme. No such scheme has been supplied with this application.
- 5.99 Policy DM5 also explains that in certain environmental zones lighting proposals are not considered to be acceptable. Because of the proximity of the proposed site to the Star Lane Pits Local Wildlife Site (LWS) the site is considered to fall within Environmental Zone 1. Lighting proposals in this zone are only to be permitted in exceptional circumstances. However, the Star Lane brick works site is allocated for residential development through the

Allocations Plan 2014, which would require lighting of some form, with acknowledgement as to its proximity to the LWS. Therefore, it would be unreasonable to refuse the application due to the implications of a potential lighting strategy upon the LWS. It is considered that an acceptable scheme, looking carefully at lighting in relation to the LWS, could be required to be submitted by planning condition showing the minimum lighting required. Such a scheme could then be discussed with Natural England, Essex Wildlife Trust and the Council's ecologist to ensure that the most sympathetic lighting scheme is achieved to reduce the impact of such lighting on the LWS. However, it is not considered justified to refuse the application on the lack of submission of such a strategy at this stage or on the proximity of lighting in general to the LWS. At paragraphs 5.2.20 and 5.3.8 of the ecological assessment submitted measures are suggested, which would assist in minimising light spillage into the LWS. Further details incorporating measures such as these could be controlled by planning condition. Such a lighting scheme should also ensure no detrimental impact upon the neighbouring commercial area, highway safety and the night sky.

Air Quality and Noise

- 5.100 The air quality assessment submitted with the application focuses on road traffic and construction impacts. The assessment concludes principally that:-
- The overall air quality impacts of the scheme are judged to be insignificant and that road traffic emissions do not provide a constraint to the development.
 - Construction works have the potential to create dust and mitigation measures are proposed to minimise dust emissions. Even with these measures in place there remains a risk that a number of existing off-site properties might be affected by occasional dust-soiling impacts, but any effects will be temporary and relatively short-lived and will only arise during dry weather with the wind blowing towards a receptor, at a time when dust is being generated and mitigation measures are not being fully effective.
- 5.101 The industrial estate to the north was not observed to be a source of dust or emissions during a visit made by the applicant's air quality consultant. The consultant advises that releases from vehicle repair and maintenance units caused by vehicle re-spraying activities are likely to be short-term and infrequent and were not examined further.
- 5.102 Policy ENV5 of the Core Strategy which refers to air quality requires consideration. This policy states that new residential development will be restricted in Air Quality Management Areas (AQMAs). The Star Lane brick works site is not located within an AQMA. This policy goes on to state that where poor air quality threatens to undermine public health and quality of life the Council will seek to address such impacts. There are no suggestions within the assessment submitted or from the Council's Environmental

Services department that there is poor air quality within or in close proximity to the site. The assessment confirms that impacts on air quality are considered to be insignificant. Mitigation measures to reduce the impact of dust emissions during the course of the development are suggested, which include a suggestion for wheel washing facilities on the site. The Council's Environmental Services department suggests a planning condition be attached to an approval requiring details of on-and off-site dust suppression to be submitted and agreed. Whilst some mitigation measures are put forward within the air quality assessment it is considered that further details should be provided and could be sufficiently controlled by planning condition.

- 5.103 The noise assessment submitted with the application concludes that noise levels within the site are principally influenced by road traffic travelling along Star Lane and the operation of Star Lane industrial estate. The assessment concludes that noise levels on the site are considered to be acceptable for residential development, however, to protect future occupants of dwellings adjacent to Star Lane and to ensure that should operation of the industrial estate change, occupants of the development would still maintain an acceptable noise environment, mitigation measures are proposed. These include: acoustic glazing/ventilation to the western façade of the apartment block, 2m high close boarded fence/wall with minimum surface density of 10kg/m² to properties with gardens backing onto Star Lane and a close boarded fence/wall to the northern and north eastern boundary where the industrial estate is located varying from 5-6m to 2.4m in height, acoustically treated on the industrial estate side within the 2.4m height section.
- 5.104 It is considered that all the mitigation measures suggested could be implemented. RDC Environmental Services team does not object on grounds of noise, but suggests planning conditions be attached to an approval. One of these would require full specification of the acoustic barrier to the northern and north eastern boundary to be submitted to and agreed in writing. The barrier would be particularly high in places rising to a maximum height of 6m in the north eastern corner and 4-5m within the grounds of the apartment blocks. It is considered that within the details provided, more information regarding how the visual impact of the barrier will be mitigated should be provided. This could include for example, different designs of acoustic barrier between the various sections to create a visual difference and break up the monotony of one style, embankments and then a barrier on top to reduce the quantity of solid walling/fencing, living acoustic barriers and planting directly in front of the barrier. The Council's Environmental Services team does not refer to the need for details of the western boundary acoustic barrier, however, it is considered necessary to also require details of this barrier to be submitted to and agreed by the Council.
- 5.105 No mention is made within the noise assessment with regard to future maintenance arrangements for the barrier. Management of the barrier is important to ensure its effectiveness. The agent for the application has confirmed that their intention is that open space and play provision within the

application site will be maintained by a management company. It is considered that this should equally apply to the acoustic barrier and the agent has confirmed that this arrangement would be acceptable. If each individual household were to be responsible for their section of the barrier it could result in alterations being made by individuals that would affect the overall effectiveness of the barrier. Such maintenance arrangements could be sufficiently dealt with by S106 legal agreement.

- 5.106 The second condition suggested by RDC Environmental Services team relating to noise includes details of the glazing serving the properties along the northern and north eastern boundaries of the site. The mitigation proposed within the noise assessment only requires acoustic glazing to the western façade of the apartment block. To ensure no detrimental impact to occupiers of the properties to the northern and north eastern boundary, it is considered reasonable that such a condition is imposed, which could result in the requirement for acoustic glazing to the rear elevations of properties along this boundary.

Renewable Energy and Code for Sustainable Homes

- 5.107 Policy ENV8 of the Core Strategy requires developments of five or more dwellings to secure at least 10% of their energy from de-centralised and renewable or low carbon sources, unless this is not feasible or viable. Policy ENV9 requires Code Level 4 of the Code for Sustainable Homes to be met as a minimum.
- 5.108 A sustainability statement has been provided with the application. This confirms that a code level score of 68.3% is predicted for the Star Lane site, meeting the target of Code Level 4. Code for Sustainable Homes is commonly dealt with at Building Regulations stage so it is not necessary to impose a planning condition here requiring code level 4 to be met.
- 5.109 After assessing other forms of renewable technology and the suitability of it for the Star Lane site, the proposed renewable energy strategy for this development is photovoltaic panels. The energy statement explains that the installation of 552 panels would generate a 10.9% CO2 reduction across the development. Some detail regarding the panels has been provided, but no specific details as to where these would be located across the site has been supplied. Submission of such detail could be controlled by planning condition. Such a condition could also ensure that 10% of the energy from the development would be provided from such panels and/or other renewable methods.

Flooding

- 5.110 The application site lies within flood zone 1 and the majority of the site is hard standing and essentially flat. The NPPF technical guidance advises that 'more vulnerable' uses are acceptable within flood zone 1. A site specific flood risk

assessment (FRA) has been produced for this site; this is a requirement of the NPPF via footnote 20 because the site is greater than 1 hectare in size.

- 5.111 This FRA concludes that there is no significant fluvial, tidal, land, groundwater, sewer, reservoir, canal (and other artificial sources) flood risk. The FRA also goes on to explain that as no significant sources of flood risk have been identified no specific measures are required to protect the proposed development from flooding other than to ensure adequate drainage provision is made. The FRA also explains that as the proposed development lies entirely within Flood Zone 1, it will not have any adverse impact on the flood risk to others by virtue of obstruction to flood flows or the reduction of flood plain storage.
- 5.112 With regard to surface water drainage, the FRA advises that rainfall intensity is likely to increase by 30% over the lifetime of the development (assumed at 100 years), which will place additional pressure on the surface water drainage infrastructure. It is therefore concluded that the proposed development should have an effective surface water drainage system that will mitigate the predicted increase in rainfall intensity. The FRA goes on to explain that re-development of the site would actually reduce the quantity of impermeable surfacing by approximately 40%. It is proposed to dispose of surface water run off by means of chamber soakaways excavated into the underlying superficial river terrace deposits comprising sand and gravels. The report explains that this is considered the most sustainable option as there are no public sewers in the vicinity of the site to which a connection could be readily made. Soakaways will not be located in areas where contaminants have been identified in the near surface deposits unless the ground has been fully remediated. It is intended that road surfaces and parking areas will be drained by deep-trapped gullies.
- 5.113 The FRA explains that if the drainage system were to be overwhelmed either by a storm event with a magnitude greater than that designed for, or due to a blockage, given the general topography of the site and that of the surrounding land, it is unlikely that significant flooding would develop across the site. With regard to future management, it explains that where the highway and associated drainage system is offered for adoption, it will be managed and maintained by the Adopting Authority. The remainder of the drainage system will be maintained by a management company or other suitable body.
- 5.114 The Environment Agency does not object to the surface water drainage strategy proposed, although suggests a condition requiring a detailed scheme to be submitted to and agreed by the LPA, which could be controlled by planning condition. The Essex County Council Sustainable Urban Drainage (SUDs) team has commented that, ideally, above ground surface water features should be used, such as swales or detention basins, in preference to soakaways to provide storage during rainfall events. At the moment the ECC SUDs team is providing advice but will become the SUDs Approval Body (SAB), likely to be from autumn 2014.

- 5.115 It is not considered that the proposal would have a detrimental impact in terms of flooding due to its location within flood zone 1. Policy ENV4 of the Core Strategy requires all residential development over 10 units to incorporate run off control via SUDS to ensure run off and infiltration rates do not increase the likelihood of flooding. Whilst soakaways are sustainable drainage options, it is also important, as advised by ECC SUDS team, for above ground surface water features to be incorporated into schemes as these are easier to observe and inspect and provide storage in times of heavy rainfall before discharging to soakaways. This site has open spaces/verges where there is the potential for swales, detention basins and bio retention depressions/units. Therefore whilst soakaways are acceptable it is considered that other above ground options should also be explored for this scheme and this could be controlled by planning condition. An engineer's report supplied with the application has confirmed that soakaways would be feasible here.
- 5.116 The Environment Agency has also stated that the developer should ensure that discussions are held with ECC Highways regarding maintenance of the road drainage in adoptable highways. Future maintenance of the SUDS systems would be best controlled by a maintenance company, as per the open spaces/play spaces and noise barrier. Such maintenance could be sufficiently dealt with by legal agreement and such an arrangement is considered acceptable by the applicant.

Archaeology and Minerals

- 5.117 The desk based assessment submitted with the application concludes that the site has potential for later prehistoric, Roman and Saxon remains. However, it also concludes that due to the works undertaken to construct the brick works, it is likely that any remains will have been damaged or destroyed and that those that do remain will only be of local significance. The assessment considers that there is little justification for further archaeological investigations of the site.
- 5.118 However, the ECC archaeological team considers that further work is required. It recommends that, contrary to the conclusions of the desk based assessment, a full archaeological condition should be attached to an approval. This would require a phased approach for archaeological research. Firstly, including an assessment of the documentary sources to fully explore the development of the brick works and record in detail the type, form, technology and use of each kiln and structure on site. This would be followed, where the documentary research is not sufficient to fully address the aims outlined above, by targeted open area archaeological excavation. If the desk based assessment identifies areas, which have not been disturbed by the brick works or quarrying. ECC has stated that these will require trial trenching and excavation to assess if further archaeological deposits are threatened. This is particularly considered to be the case as the ground level reduction, as referred to within the desk based assessment, appears to have varied between 0.1m and 0.7m. ECC considers that any reduction that has taken

place measuring less than 0.5m should be subject to trial trenches. ECC also considered that it is not necessarily the case that any findings are only likely to be of local significance.

- 5.119 A planning condition relating to the need for a written scheme of archaeological work to be submitted to and agreed in writing by the Local Planning Authority could be attached to an approval. In particular, this should include a targeted desk based assessment on the brick works itself with archaeological excavation where necessary and trial trenching and excavation to assess if further archaeological deposits are threatened, particularly in areas where ground level reduction has not exceeded 0.5m. Policy ENV1 of the Core Strategy states that the Council will protect landscapes of historical and archaeological interest and the supporting text to this policy refers to the potential archaeological interest within Great Wakering. For this reasoning, such a condition is considered justified here.
- 5.120 ECC Minerals and Waste team has raised an objection to the proposal. It has advised that in order for its objection to be removed it will be necessary for the applicant to demonstrate that the brick earth deposits affected by the proposed housing development have previously been worked or, if economic reserves are found to be present, that the prior extraction of the brick earth is considered. A planning condition requiring further investigative work to be undertaken and any brick earth discovered to be removed could be attached to an approval.

Open Space, Play Space and Community Facilities

- 5.121 Appendix H1 to Policy H1 of the Core Strategy identifies new infrastructure and services to accompany residential development in those areas allocated for development via the Core Strategy. Public open space, play space and youth facilities and community facilities are all identified as requirements for this site. An open spaces statement has been submitted as part of this application.
- 5.122 Policies CLT5 and CLT7 of the Core Strategy look at open space and play space provision. The Allocations Plan 2014 identifies site BFR1 for residential development, which incorporates both the current site and the existing industrial estate to the north. Therefore, policy BFR1 refers to a larger site than that currently under consideration. This policy advises that 0.6 hectares of public open space should be provided across the entire site with this number increasing if the dwelling numbers were to exceed 87 unless demonstrated to be unviable. This policy specifies that the open space should take the form of natural/semi-natural green space or amenity green space. It should be noted that the Allocations Submission Document initially required both forms of green space but the adopted document gives an option of either. This would be the reason why the open spaces statement attempts to argue that natural/semi-natural green space is not required, as this statement

and the application were submitted before the Allocations Plan was adopted in February this year.

- 5.123 The proposal would provide three areas of amenity space within the development. The first would form a space overlooked by a row of detached houses to the north east of the site. This would measure approximately 489m² not including the footpath to the south of this space along the Type 4 road and the 6 visitor spaces, which have been inserted into this space. 6 trees would be planted within this area. The second area is located to the centre of the site measuring 367m²; a Local Area of Play (LAP) would also be located within this space measuring 106m². The third area is located along the southern boundary of the site. It would measure approximately 455m² and the second LAP would be located within this area measuring 91m². 8 trees would also be planted within this area. The amenity space total then would equate to 1311m² (0.1311ha) or 1114m² (0.1114ha), not including the space used by the proposed LAPs.
- 5.124 Policy BFR1 states that a LAP on a minimum of 0.01 hectares should be provided. Developers should also look to provide Local Equipped Areas for Play (LEAP) and/or Neighbourhood Equipped Areas for Play (NEAP). The two LAPS proposed would equate to 197m² (0.0197ha). No on site LEAP or NEAPs are proposed, however the policy states that developers should look to provide these so it is not an absolute requirement of this policy, but something which is rather encouraged in schemes such as this.
- 5.125 The open spaces statement explains that the site is 58% of the overall BFR1 site (officers calculate it to be 57%), therefore it is reasonable for a lesser more proportionate quantity of open and LAP space to be provided than the total amount detailed in this policy. The proportionate requirement would therefore represent a figure of 0.342ha compared with the 0.1114ha of space proposed. Whilst a greater quantity of open space and LAP space would be preferable than is proposed, that proposed is still considered to represent a reasonable quantity. Requiring a greater quantity would have implications for other aspects of the scheme, which as a result are likely to reduce in quantity such as financial contributions towards education, healthcare and highways and affordable housing, in order to make the scheme viable.
- 5.126 Policy CLT5 of the Core Strategy encourages the provision of public conveniences and art within public open spaces. This could be controlled by planning condition to further encourage the use of these areas. Paragraph 2.17 of policy BFR1 requires a planning condition to be attached to an approval encouraging green space to incorporate measures to add ecological value to the scheme, which could be attached to an approval. It also requires a landscape strategy promoting green links and biodiversity corridors to be prepared for the site. An ecological assessment has been submitted and has already been discussed within this report, however, there is no landscape strategy considering these particular issues. The submission of such a strategy could be required by planning condition. The open spaces are

located in prominent usable locations throughout the estate and would add amenity value to the street scene. The LAPs are considered to be positioned in easily accessible locations and overlooked by houses for security.

- 5.127 Policy CLT7 refers to the need for the Council to refer to the Play Strategy 2007- 2012. This strategy looks at play spaces and how they work. The LAPs at the proposed scheme should refer to this strategy when the detail surrounding them is supplied as a requirement by planning condition.
- 5.128 Policy BFR1 also states at paragraph 2.25 that youth or community facilities shall be provided either on site or as financial contributions such as towards a Multi Use Games Area (MUGA). At paragraph 2.26 it goes on to state that the type of youth facilities should reflect the needs of the target age group; this could take the form of indoor or outdoor facilities. Policy CLT8 of the Core Strategy refers to the need for proposals for youth facilities to show that the views of young people have been incorporated into the development. The applicant proposes a financial contribution of £25,000 towards youth and community facilities within Great Wakering. In consultation with the Council's leisure team and as referred to in policy BFR1, it is suggested that such finances be put towards provision of a MUGA at the local primary school. Such a quantity of contribution could potentially fund a MUGA entirely based on research undertaken by the applicant. Such a facility is considered to be required for youths and the Great Wakering community and as such a particular assessment incorporating the specific views of youths is not considered to be entirely necessary here. The agent has advised that the proposal could be expected to generate a yield of approximately 22 young people (as opposed to children) of secondary school age based on an occupancy factor of 0.2 for houses and 0.1 for flats (this is based on figures set out in the ECC document '*Developers' Guide to Infrastructure Contributions*'). The proposed contribution would therefore be approximately £1140 per person of secondary school age. It is considered that the contribution sought would meet the tests in paragraph 204 of the NPPF and Circular 05/2005 and this contribution has been agreed with the applicant, subject to a section 106 legal agreement.
- 5.129 Management of these areas is important to ensure their success. A legal agreement should incorporate maintenance arrangements for all communal open/play space, which could involve the establishment of a maintenance company. The agent for the application has confirmed that their intention is that open space and play provision within the application site will be maintained by a management company.

Education

- 5.130 Policies CLT2 and CLT3 of the Core Strategy 2011 require applications of this scale to consider capacity of primary and secondary education, along with early years and childcare facilities.

- 5.131 ECC Education team and Southend Borough Council were consulted for their views with regard to this. Both consider that there is a need for additional provision at secondary level and that this development will add to this need. ECC uses a formula outlined in its Developers Guide to Infrastructure Contributions 2010 Edition to calculate education contributions resulting in a contribution figure of £337,371 for this development, index linked to the April 2013 costs. The developer has agreed to provide this contribution and this can be addressed by section 106 legal agreement. Southend Borough Council does not provide a specific contribution quantity and thus the quantity put forward by ECC Education team with understanding as to its calculations is considered to represent the reasonable quantity here.
- 5.132 With regard to primary, early years and childcare provision, ECC Education team states that the latest forecasts and information indicates that there will be sufficient provision at these levels to serve the needs of the development. However, Southend Borough Council, in its initial consultation response based on 140 dwellings, states, that if ECC is increasing primary school capacity within Great Wakering, it has no objections, but if it is not, Southend would expect a contribution as capacity in this area is limited. Further correspondence with ECC Education team has confirmed that it does not intend to expand Great Wakering Primary School, but that its current forecasts indicate that there is likely to be sufficient places to accommodate the primary aged children generated by the development without expansion. Southend Borough Council did not respond to the second consultation to the revised scheme on this particular point. It is not considered that it would be justified to require a financial contribution towards primary education at this site.
- 5.133 It is considered that the contribution sought towards secondary education would meet the tests in paragraph 204 of the NPPF and Circular 05/2005 and this contribution has been agreed with the applicant, subject to a section 106 legal agreement.

Healthcare

- 5.134 Policy CLT4 of the Core Strategy requires proposals for more than 50 dwellings to be accompanied by a Health Impact Assessment (HIA) and an assessment of their impact on healthcare facilities. The application provides such an assessment, which concludes that the proposal would not significantly impact upon the provision of existing health services within the local area or result in an under-provision of services for the existing and proposed population. The assessment looks at doctor and dental surgeries, pharmacies, opticians and hospitals.
- 5.135 NHS Property Services Ltd. was consulted for its views. It disagrees with the conclusions of the HIA and considers that the development is likely to have a significant impact on the NHS funding programme for the delivery of healthcare provision within this area and specifically within the health

catchment area of the development. In particular, the GP capacity within the HIA is not considered to be an accurate reflection according to the NHS and a capacity deficit in the catchment surgeries is shown in the NHS HIA.

Mitigation is considered necessary and a contribution of £33,600 is sought to this effect to mitigate the 'capital cost' to the NHS for the provision of additional healthcare services arising directly as a result of the development proposal.

- 5.136 The applicant contests this NHS response and provides a further report, which again concludes that no mitigation is required. There appears to be some conflict in particular between the GP figures per surgery gathered by the applicant and those gathered by the NHS. However, NHS has responded confirming that in the first few months of 2014 NHS England has undertaken a review of the number of whole time equivalent GPs across its administrative area and confirms the number of GPs included within its initial consultation response matches that of the review. On that basis NHS maintains its position for a contribution of £33,600 towards healthcare impacts. The agent has advised that the applicant is more inclined to accept their own evidence, but in the interests of resolving the issue they have agreed to pay the NHS contribution, which will be subject to a section 106 legal agreement.

Utilities

- 5.137 The public utility search report submitted with the application looks at water, gas, electricity, telecom and other utilities and their proximity to the site. It explains where connections would take place in terms of foul drainage, which would occur to the north of the site within the industrial estate and it also explains that surface water would be disposed of via soakaways or outfalls to the adjacent lakes. It confirms that further investigations would be needed in relation to gas, electricity and telecom connections.
- 5.138 Policy UT2 of the Local Plan 2006 requires connection to mains sewerage, which is proposed within the current application via a connection to the pumping chamber to the north located within the industrial estate. Anglian Water does not object to the proposal. It advises that there is currently available capacity for these flows to the Southend Sewage Treatment Works. Paragraph 2.37 of the Allocations Plan 2014 advises that applicants should demonstrate that there is adequate capacity in the Works. Such demonstration has not been provided, however, Anglian Water has not suggested capacity is a cause for concern here within its consultation response so such demonstration is not considered necessary to reach a view.
- 5.139 Essex & Suffolk Water does not object to the proposal, but has suggested a planning condition is imposed stating that a new water connection is made onto its network for each new dwelling from water mains to be laid on the site. Water connections such as this are commonly addressed via Building Regulations therefore such a condition is not considered necessary here.

- 5.140 There is a mains gas pipeline located within the field opposite the site running parallel with Star Lane. Due to the proximity of the site to the pipeline it was necessary to input the proposal via the Planning Advice for Developments Near Hazardous Installations (PADHI) software operated by the Health and Safety Executive. This produced a standardised letter advising the Council that there are safety grounds against granting planning permission, but suggesting further detail is provided regarding the pipeline so the HSE can reassess the risks. A further letter from HSE was then provided advising that the risk of harm to people at the proposed development, from the hazardous pipeline is sufficiently high to justify advising against the granting of planning permission on grounds of safety. However, it also stated that if a planning condition requiring any part of the pipeline within 40m of the site boundary to be fitted with impact protection slabs and marker tape formed part of the planning permission then the risks would be reduced and HSE would not advise against.
- 5.141 During the course of the application the applicant provided further information from their engineers to confirm that the reinforced concrete slab could be undertaken. However, National Grid working with the applicant, also undertook a radar survey of the pipeline and believes the pipeline to be further underground than initially thought. Upon further consultation with HSE it was confirmed that provided that the depth of cover is at least 1.2m and that no part of the development is within 9m of the pipeline, the requirement for slabs and marker tapes would not be necessary and that no other additional protection would be necessary for the pipeline at this depth. Further trial trenching has also been undertaken and the results of these is pending. Therefore, there is the possibility that no further works would be required, but further investigations would be needed to confirm this. The pipe is located 9m away from the proposed development according to location plans. The agent has advised that any cost of works required to the pipeline and to the neighbouring landowner would not affect the viability assessment undertaken; these additional costs would be taken from the land value and thus the quantity of contributions and affordable housing would not be affected. The agent has also advised that agreement of the landowners will be forthcoming if works are indeed required and National Grid has advised that, whilst it would like to avoid slabbing of the pipeline, it will be in agreement with this, if required. On this basis, it is considered that this matter could be sufficiently addressed by a planning condition requiring further investigative works to be undertaken to the pipeline prior to works commencing and any subsequent necessary works undertaken.
- 5.142 The report submitted does lack detail in terms of site requirements in relation to electricity and telecom connections. Electricity and telecom equipment is located within the site and the report explains that further investigation will be required prior to commencement of construction activities regarding this. It would be for the developer to investigate this privately with the relevant utility companies.

5.143 A new sub-station is also proposed to the northern boundary. This is modest in scale, rising to a height of 2.8m and located in an acceptable positioning. The ownership and operation of the sub-station would be a matter for the applicant to address if planning permission were to be granted.

6 CONCLUSION

6.1 The proposal is considered not to cause undue demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area or residential amenity such as to justify refusing the application; nor to surrounding occupiers.

7 RECOMMENDATION

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

That planning permission be granted, subject to the following:-

HEADS OF CONDITIONS:

1. Time limit
2. Materials/external details of dwellings to be agreed, including:-
 - a. Windows, window frames, glazing bars, window and door surrounds, canopies and porches
 - b. Verge, eaves, roof light and balcony details
3. All windows in brick elevations to be inset 100mm.
4. Ground surface finishes, including kerbs, channels, manhole covers and tree surrounds, to be agreed.
5. Detailed design of the public realm, including all ground surface finishes, lighting columns, fences, railings and street furniture, to be agreed.
6. All service intakes to dwellings and soil and waste plumbing shall be run internally.
7. Soft and hard landscaping strategy to be agreed. Soft landscaping should incorporate measures to add ecological value to the scheme and to promote green links & biodiversity corridors.
8. Pedestrian link along Star Lane joining the footpath outside the industrial estate.
9. Uncontrolled crossing facility.

10. Improvements to a crossing facility at the industrial estate access.
11. Improvements to bus stop facilities on Star Lane.
12. Residential travel information pack for sustainable transport.
13. Surface water drainage scheme. including sustainable urban drainage methods to be agreed incorporating other above ground methods, as well as soakaways.
14. Open space/play space to be implemented as shown.
15. Main access to finish at eastern boundary edge to enable future unobstructed access to allocation SER9.
16. Lifetime Homes to be adhered to as shown.
17. Security measures to rear/side access ways to terraced units to be agreed incorporating security coded self-closing/lockable gates.
18. Secured By Design compliance to be agreed.
19. Dormer size reduction to house types E, G and K to be agreed.
20. Acoustic glazing to be agreed.
21. Bin store details to be agreed.
22. Roads to take weight of refuse vehicle/
23. Landscaping/boundary treatment to Star Lane frontage to be agreed.
24. Boundary treatment to be agreed incorporating green screens and walling to all public vistas.
25. Obs windows.
26. First floor window restrictions.
27. Travel plan to be agreed.
28. No hedging/planting greater than 600mm in height within pedestrian visibility splays.
29. Details of emergency access arrangements to be agreed. Barrier to remain locked except in emergencies.

30. Secure cycle storage details to be agreed.
31. No doors to be installed to any of the car ports across the development.
32. Demarcation of visitor spaces to be agreed.
33. Ecological mitigation and plan to be agreed. This should incorporate bird and bat boxes within the fabric of buildings.
34. Tree protection plan and method statement to be agreed and an updated tree report submitted.
35. Full model contaminated land conditions.
36. Lighting strategy to be agreed showing minimum lighting required and methods to reduce lighting impact on LWS, neighbouring industrial estate, highway safety and the night sky.
37. Wheel washing facilities to be agreed.
38. Dust emission mitigation to be agreed.
39. Full specification of acoustic barrier to be agreed. including methods to reduce visual impact.
40. Details of 10% renewable energy through photovoltaic panels to be agreed.
41. Written scheme of archaeological work to be agreed and programme of work to be implemented.
42. Provision of public conveniences and art within open spaces to be agreed.
43. Further investigative works to be undertaken to main gas pipeline and any required work implemented.
44. T junction & 4.5m x 215m visibility splay to be installed.
45. Plan showing loading/unloading/reception/storage of building materials and manoeuvring of all vehicles on site to be agreed.
46. Plan showing discharge of surface water from development onto highway to be agreed.
47. Details of estate roads and footways to be agreed.

48. Carriageway constructed prior to erection of dwellings.
49. No unbound material within 6m of highway boundary.
50. Parking spaces to be 5.5m x 2.9m, tandem parking 2.9m x 11m.
51. Site level drawing of eastern boundary of the site and the LWS to be agreed. The site level in this area may need to be lowered as a result of this plan.
52. Investigative work for brick earth to be agreed and any brick earth discovered removed.

HEADS OF TERMS FOR S106 LEGAL AGREEMENT:

1. Highways
 - a. £3000 contribution towards a traffic regulation order (TRO)
 - b. Two junction improvements
2. The following to be maintained by management company:-
 - a. Public open space
 - b. Play space
 - c. Star Lane soft and hard landscaped frontage
 - d. Emergency access to southern boundary
 - e. Footpath to north eastern corner
 - f. Acoustic barrier
 - g. Sustainable urban drainage systems
3. Youth/community facilities - £25,000 contribution towards a multi use games area (MUGA).
4. Affordable housing – 11 units.
5. Education - £337,371 contribution towards secondary provision.
6. Healthcare - £33,600 mitigation towards capacity deficit.



Shaun Scrutton

Head of Planning and Transportation

Relevant Development Plan Policies and Proposals

H1, H3, H4, H5, H6, CP1, ENV1, ENV3, ENV4, ENV5, ENV8, ENV9, ENV11, CLT1, CLT2, CLT3, CLT4, CLT5, CLT6, CLT7, CLT8, T1, T2, T3, T4, T5, T6, T7, T8, ED3 and ED4 of the Core Strategy 2011

HP6, HP10, HP11, HP21, UT2 and PN7 of the Local Plan 2006

DM1, DM2, DM4, DM5, DM25, DM26, DM27, DM29, DM30 and DM31 of the Development Management Submission Document 2013 (unadopted)

BFR1, SER9, NEL2 and ELA1 of the Allocations Plan 2014

Local Wildlife Sites Review 2007

Supplementary Planning Document 1 – Educational Contributions

Supplementary Planning Document 2 – Housing Design
Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010

Essex Design Guide 2005

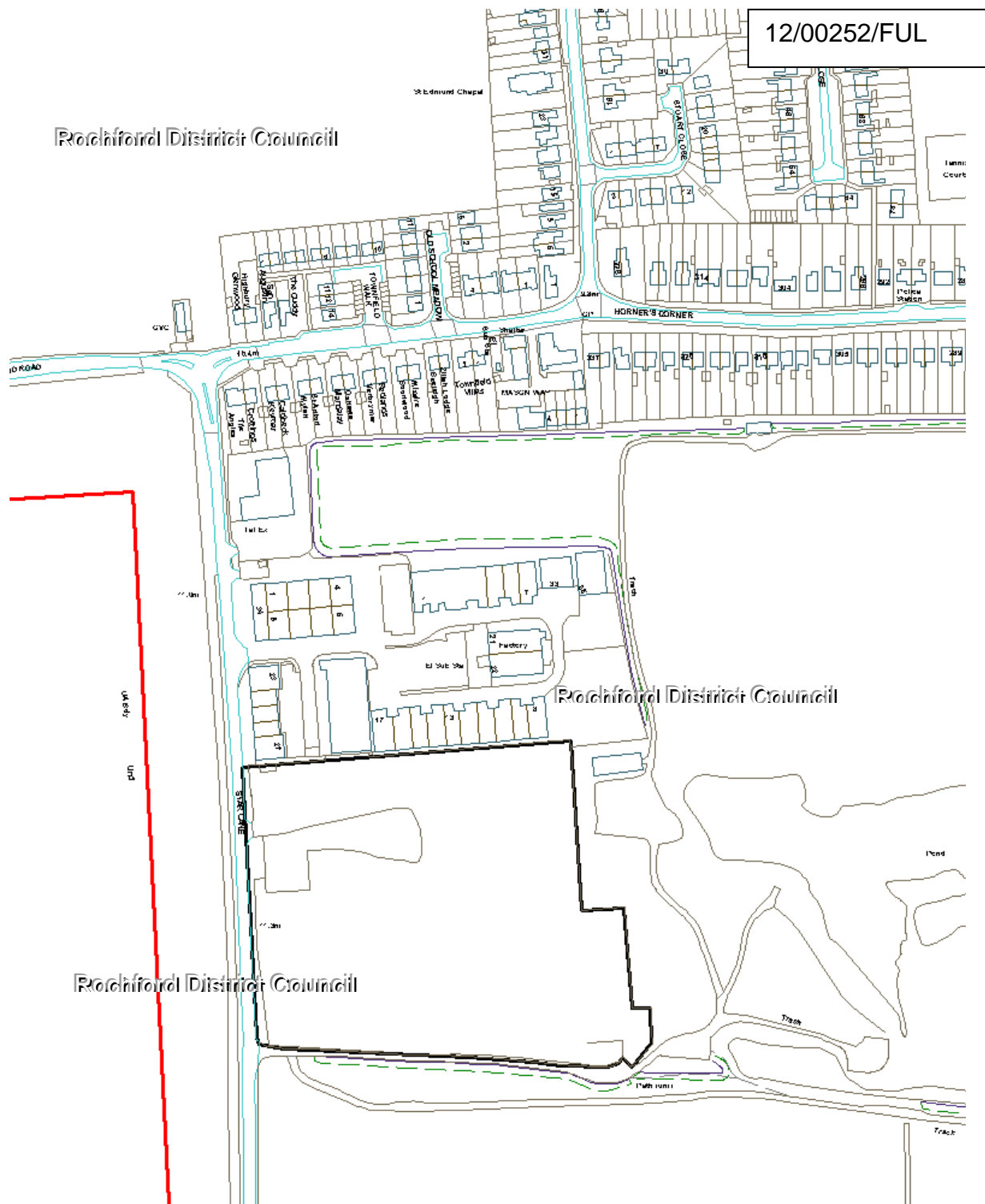
National Planning Policy Framework 2012

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