

19/00315/REM

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

**RESERVED MATTERS APPLICATION FOR THE
CONSTRUCTION OF A SPINE ROAD (CENTRAL SECTION),
THE ERECTION OF AN ADDITIONAL PUMPING STATION
AND AN ELECTRICITY SUB STATION, CONSTRUCTION OF
A SURFACE WATER ATTENUATION POND AND
ASSOCIATED STRATEGIC LANDSCAPING**

APPLICANT: COUNTRYSIDE PROPERTIES (UK) LTD

ZONING: SER1

PARISH: RAWRETH

WARD: DOWNHALL & RAWRETH

1 RECOMMENDATION

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

That planning permission be approved, subject to the following conditions:

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

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

2 PLANNING APPLICATION DETAILS

2.1 The application site is on the southern side of Rawreth Lane. It represents part of the site that has outline planning permission for up to 500 residential units and other associated development. This application considers a section to the central area of the wider site. The site consists of open land with some existing trees.

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- 2.2 The Allocations Plan 2014 allocates the majority of this area for residential development within policy SER1 of this document with a section to the western edge of the wider site located within the Green Belt.
- 2.3 The application currently before the Council is a Reserved Matters application for the construction of the spine road (central section), erection of an additional pumping station and electricity sub station, construction of a surface water attenuation pond and associated strategic landscaping at land North of London Road and South of Rawreth Lane and West of Rawreth Industrial Estate, Rayleigh.
- 2.4 This application follows outline approval (reference 15/00362/OUT) onrd June 2016 for:
- Outline Planning Application (with all Matters Reserved) for the erection of Residential Development with associated Open Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-Residential Floorspace to Part of Site, Uses including any of the following: Use Class A1(Retail), A3(Food and Drink), A4(Drinking Establishments), C2(Residential Institutions), D1a(Health or Medical Centre) or D1b(Crèche, Day Nursery or Day Centre).
- 2.5 The development the subject of this application incorporates the following:
- Construction of the spine road (central section) measuring 6.75m wide with landscaping and swales. Bus stops would be located close to the playground and in a central location within the spine road and there would be 6 access points from this road
 - Additional pumping station to the north of the attenuation pond with turning head for access
 - Electricity sub station (this would replace the previously approved sub station 3 under the reserved matters application reference 17/01114/REM) measuring 3m wide, 3m deep and 2.55m high with a potential 1m roof uplift located near to the pumping station to the west of the central spine road
 - Construction of a surface water attenuation pond to the east of the pond already approved under application reference 17/00588/REM
 - Strategic landscaping (this links with the strategic landscaping already approved for phase 1 under application reference 17/00588/REM)
- 2.6 The works listed above are strategic works in association with the land forming phase 3 of the wider development.

3 MATERIAL PLANNING CONSIDERATIONS

Planning History

- 3.1 19/00456/DOC - Discharge of condition 34 (surface water drainage scheme) on approved application reference 15/00362/OUT: Outline planning application (with all matters reserved) for the erection of residential development with associated open space, landscaping, parking, servicing, utilities, footpath and cycle links, drainage and infrastructure works and primary school. Provision of non residential floor space to part of site, uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). PENDING CONSIDERATION
- 3.2 19/00424/DOC - Application to Discharge Conditions 21 (landscaping) to residential development approved on 3rd June 2016 under application reference 15/00362/OUT. PENDING CONSIDERATION
- 3.3 19/00420/DOC - Discharge of Conditions 12 (driveway/garage gradients) and 13 (discharge of surface water) of application reference 15/00362/OUT and conditions 4 (ground surface finishes) and 11 (path lighting and drainage) of application reference 17/00578/REM. PENDING CONSIDERATION
- 3.4 19/00409/DOC - Discharge of Condition 7 on approved application 15/0362/OUT Outline planning application (with all matters reserved) for the erection of residential development with associated open space, landscaping, parking, servicing, utilities, footpath and cycle links, drainage and infrastructure works and primary school. Provision of non residential floor space to part of site, uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). PENDING CONSIDERATION
- 3.5 19/00391/REM - Reserved Matters for Utility Infrastructure (gas and electricity) - Partial amendment to details previously approved under Reserved Matters approval 17/01114/REM. PENDING CONSIDERATION
- 3.6 19/00328/ADV - 2 No. Internally Illuminated Totem Signs and 8 No. Flag Signs. PENDING CONSIDERATION
- 3.7 19/00065/REM - Reserved Matters Application for Utility Infrastructure (Gas and Electricity Stations) - Amendment to Approved Application Reference 17/01114/REM. Outline application was EIA development because an ES was submitted at that time. APPLICATION RETURNED
- 3.8 18/01205/DOC - Discharge of condition no 22 (tree protection) of approved application reference 15/00362/OUT. APPLICATION WITHDRAWN

- 3.9 18/01136/DOC - Discharge of condition 22 (Tree Protection) of approved planning application reference 15/00362/OUT. PENDING CONSIDERATION
- 3.10 18/01108/DOC - Discharge of Condition 23 (Great Crested Newts) of Approved Application Reference 15/00362/OUT. PENDING CONSIDERATION
- 3.11 18/00997/NMA - Non material amendment to Condition 3 (materials) to update the approved schedule of materials (primarily in respect of brick details). Reference in condition no. 3 to change from " material schedule date stamped 9 June 2017 " to "the materials schedule titled Rayleigh Phase 1 Material Schedule and referenced Revision A dated 11/10/2018 by Saunders Architects". APPROVED
- 3.12 18/00995/DOC - Discharge of Conditions 15 (Construction Method Statement) and 38 (Construction Surface Water Management) in Relation to Phase 1 of Approved Application Reference 15/00362/OUT. APPROVED
- 3.13 18/00936/NMA - Application for a Non Material Amendment Following Grant of Planning Permission Reference 17/00578/REM to Amend 19 Plots
- plots 3,10,12,21,46,61,64,67 and 181 - Previously 4 bed house type 4.05 becomes 4 bed house type 4.12V2 or 4.12V3
 - plots 17,38,39,44,45,63,175 and 170 - previously a 2 1/2 storey 4 bed house type 4.11 becomes new 2 storey 4 bed house type 4.01
 - plot 22 - previously 3 bed house type 3.07 becomes 4 bed house type 4.12v3
 - plot 35 - previously 4 bed house type 4.11 becomes 3 bed house type 3.08v2
- APPROVED
- 3.14 18/00077/NMA - Outline Planning Application (with all Matters Reserved) for the erection of Residential Development with associated Open Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-Residential Floorspace to Part of Site, Uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). PENDING CONSIDERATION
- 3.15 17/01117/DOC - Discharge of Conditions 28, 29, 30 of approved planning application 15/00362/OUT: Outline planning application (with all matters reserved) for the erection of residential development with associated open space, landscaping, parking, servicing, utilities, footpath and cycle links, drainage and infrastructure works and primary school. Provision of non-residential floor space to part of site, uses including any of the following: Use

Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). DISCHARGED

- 3.16 17/00943/DOC - Discharge of conditions no. 13 and 34 of 15/00362/OUT. DISCHARGED by letter dated 19 January.
- 3.17 17/00857/DOC - Discharge of Condition 23 (Great Crested Newts) of Approved Application Reference 15/00362/OUT. DISCHARGED
- 3.18 17/00578/REM - Reserved Matters Application for 192 Residential Units with Associated Access, Parking, Servicing, Landscaping and Utilities. (Phase 1). APPROVED
- 3.19 17/00588/REM - Reserved Matters Application for Strategic Landscaping Proposals for Phase 1. APPROVED on 9 January 2018.
- 3.20 16/01236/DOC - Submission of details of phasing (condition 4) and Density (Condition 25) to outline permission granted for residential development on 3 June 2016 under application reference 15/00362/OUT. DISCHARGED by letter dated 27 January 2017.
- 3.21 15/00362/OUT - Outline Planning Application (with all Matters Reserved) for the erection of Residential Development with associated Open Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non Residential Floorspace to Part of Site, Uses including any of the following: Use Class A1(Retail), A3(Food and Drink), A4(Drinking Establishments), C2(Residential Institutions), D1a(Health or Medical Centre) or D1b(Crèche, Day Nursery or Day Centre). APPROVED on 3rd June 2016
- 3.22 14/00627/OUT - Outline Planning Application (with all Matters Reserved apart from Access) for the erection of Residential Development with associated Open Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-Residential Floorspace to Part of Site, Uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). REFUSED on 10 February 2015. APPEAL ALLOWED

Landscaping

- 3.23 Within the approved outline application, planning condition 21 requires details of the soft and hard landscaping for the strategic open space to be submitted to and agreed by the Council. Condition 22 also requires a scheme for the protection of trees/hedgerows to be retained within or immediately adjacent to the site, to be submitted to and agreed. These conditions will still require

details to be agreed separate to the current application. Condition 32 then goes on to require the strategic landscaping to be provided in accordance with the agreed details at condition 21, with the landscaping to be completed prior to the occupation of 50% of the dwellings within the applicable residential phase, as identified on the Landscape Phasing Plan approved as part of the outline application. The proposal as currently submitted would be in accordance with the Landscape Phasing Plan.

- 3.24 The landscaping proposed includes trees, amenity grassland and swales alongside the central spine road with native scrub/coppice and meadow grassland in the area close to the pumping station/sub station/attenuation pond. The principle of the landscaping proposed is considered acceptable. Full details will be addressed through discharge of condition 21.

Pumping Station and Sub Station

- 3.25 A pumping station and electricity sub station are proposed within the natural/semi natural green space close to the attenuation pond. They would be surrounded by native scrub/coppice to seek to reduce their appearance within the landscape.
- 3.26 Whilst better located outside of the soft landscaped areas they are still in fairly close proximity to the residential areas and therefore the siting of these buildings within the green space is not considered objectionable on design grounds.
- 3.27 The electricity sub station would replace that previously approved under the reserved matters application reference 17/01114/REM. This sub station was to be located to the eastern side of the spine road within the residential area of phase 3.
- 3.28 The design and location of the proposed sub station and pumping station is not considered objectionable.

Surface Water Drainage

- 3.29 Within the approved outline application, condition 34 requires a surface water drainage scheme to be submitted to and agreed by the Council. Discharge of condition details have been discharged under application reference 17/00943/DOC in relation to phase 1 of the development which incorporated pond 1 (among other drainage elements).
- 3.30 An application is currently pending consideration for discharge of condition 34 (reference 19/00456/DOC) in respect of phase 3 which coincides with the current proposal. This includes the siting of pond 3 and swales to the western side of the central spine road. The strategic landscaping scheme submitted currently shows the use of swales and attenuation basins within the strategic

landscape and conifers with the discharge of condition submission. These are in acceptable locations from a design perspective.

- 3.31 ECC Lead Local Flood Authority have been consulted for their comment on the scheme. They currently raise a holding objection due to lack of information. However, we are yet to receive comment from them on the discharge of condition request which was received later than the current planning application and provides far more detail around the intended drainage proposals for phase 3. The more detailed drainage elements provided as part of condition 34 take priority over the details provided as part of the current application. If the details were not considered acceptable as part of the discharge of condition request then this would take precedent over that shown within the current application and this remains to be considered under condition 34.

Highways

- 3.32 The current proposal includes the central section of the main link road corridor. The link road corridor for phase 1 has already been approved through the outline application. The current proposal represents the continuation of this road into phase 3 (the central area of the wider site).
- 3.33 ECC Highways has not yet responded to the application; however, as it raised no issue with the arrangement of the spine road at outline application stage, and the proposal is comparable with the parameter plan, it is unlikely that the proposal, in principle, would be objectionable to it. However, it is expected that a response will be provided ahead of the Committee meeting for consideration.
- 3.34 A 2m wide footpath is proposed the entire length of the central spine road to the western edge and a 3m wide footway/cycleway is proposed the entire length to the eastern edge. These would be macadam surfaced. Informal paths using mown lawn are shown within the area near to the sub station and pumping station connecting to the western landscape corridor to allow greater access to this area and to enable some informal recreation. The proposed pathways are not considered objectionable, subject to ECC Highway comments.

Ecology

- 3.35 Condition 23 of the outline application requires a European Protected Species mitigation strategy to be prepared in consultation with the Local Planning Authority and Natural England prior to commencement of development in each phase for the protection of great crested newts. Therefore, it is not necessary to require any further mitigation relating to great crested newts as part of the current application as this is sufficiently addressed through condition 23 of the outline application.

- 3.36 As part of the outline application desk top and phase 1 habitat surveys were undertaken, along with badger, bat, breeding bird, otter, water vole, barn owl and great crested newt surveys. Such survey work showed evidence of bats using the site for foraging and commuting and birds with water voles in a ditch to the west and made recommendations that were placed into condition 21 of the outline application requiring the provision of bird and bat boxes.
- 3.37 It is not considered reasonable to require further survey work to be undertaken beyond the great crested newt survey required under condition 23. If such further survey work was considered necessary a phased arrangement for such survey work would have been imposed on the outline application. However, the only mitigation considered necessary has been imposed on the outline application incorporating bird and bat boxes and great crested newt survey work.

Other Matters

- 3.38 All planning conditions and section 106 contributions required as part of the approved outline application reference 15/00362/OUT will still need to be met separate to this reserved matters application.

4 CONSULTATIONS AND REPRESENTATIONS

RDC Arboricultural

- 4.1 No objection.

ECC Lead Local Flood Authority

- 4.2 Holding objection. The information provided does not allow us to assess the development.

5 EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

6 CONCLUSION

- 6.1 The proposal is considered not to cause undue demonstrable harm to any development plan interests, other material considerations or to the character and appearance of the area such as to justify refusing the application.



Marcus Hotten

Assistant Director, Place & Environment

Relevant Development Plan Policies and Proposals

H1, H2, CP1, ENV4, CLT5, CLT7, T1, T6 of the Core Strategy 2011

DM1, DM25, DM26 and DM27 of the Development Management Plan 2014

SER1 of the Allocations Plan 2014

Supplementary Planning Document 7 – Design, Landscaping & Access Statements

National Planning Policy Framework 2019

Background Papers:-

None.

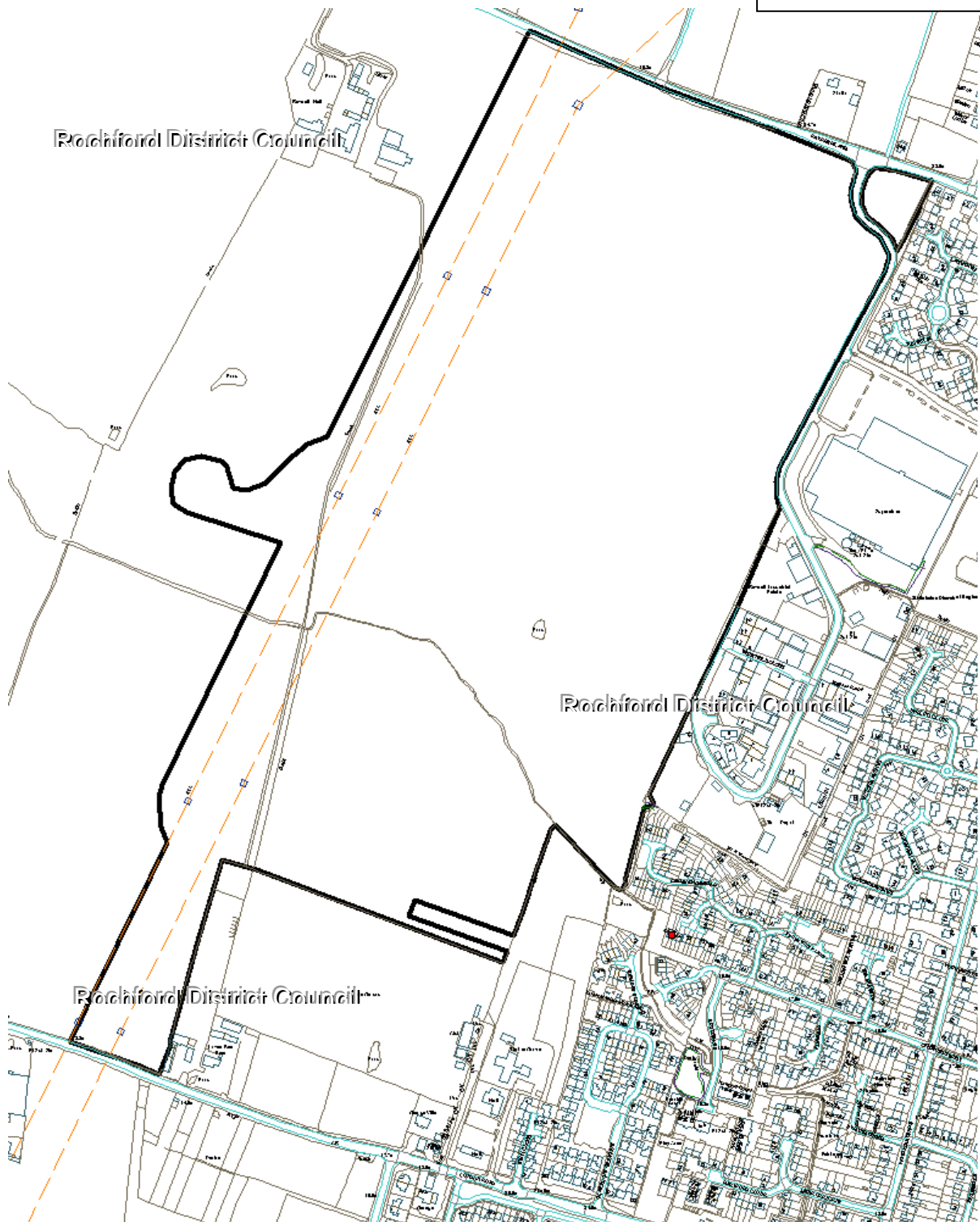
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