

<p>Item 4 14/00627/OUT</p> <p>Land North of London Road and South of Rawreth Lane and West of Rawreth Industrial Estate, Rawreth Lane, Rayleigh</p>	<p><b>Contents</b></p> <ol style="list-style-type: none"><li><b>1. Amendment to condition 19</b></li><li><b>2. Amendment to condition 8</b></li><li><b>3. Amendment to condition 12</b></li><li><b>4. Amendment to condition 27</b></li><li><b>5. Amendment to condition 28</b></li><li><b>6. Amendment to condition 9</b></li><li><b>7. Amendment to condition 2</b></li><li><b>8. Clarification to Education Contribution paragraph 7.1 point 1) page 4.85</b></li><li><b>9. Amendment to Regulations reference at paragraph 5.77 page 4.68</b></li><li><b>10. Correction to Rayleigh Town Council's Consultation Response</b></li><li><b>11. ECC Education Response - Post 16 Provision</b></li><li><b>12. Additional Representation Received</b></li><li><b>13. Commitment to Pay for Refuse Bins for Each Dwelling</b></li><li><b>14. Additional Neighbour Objection Received</b></li></ol> <ol style="list-style-type: none"><li>1. <u>Amendment to Condition 19</u> to read:-  Prior to the occupation of the first dwelling within any phase (reserved matters application area) an updated BS4142 assessment of noise, which acknowledges the required +3dB correction expected for character of noise(s) associated with the industrial estate and details mitigation in terms of:-<ul style="list-style-type: none"><li>• Layout and orientation of buildings</li><li>• Glazing specifications</li><li>• Acoustic bund/structure</li></ul>shall be submitted to and approved in writing by the Local Planning Authority for that phase. The mitigation measures, as agreed, shall be completed prior to the first occupation within the phase to which they relate.  RDC Environmental Health confirmed that the correction factor should be 3dB (not 5dB) to take account of updated guidance brought in by BS4142:2014.</li></ol>
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	<p>2. <u>Amendment to Condition 8</u></p> <p>Station Hill as printed to read Station Road.</p> <p>3. <u>Amendment to Condition 12</u> – to read:- Details of proposed driveway/garage drive/hardstanding gradients to serve residential properties at the site shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the relevant driveway/garage drive/hardstanding, which shall be provided in accordance with the details, as agreed.</p> <p>4. <u>Amendment to Condition 27 – Removal of Unnecessary Words</u> to read:-</p> <p>At least 3 per cent of new dwellings within each phase (Reserved Matters application area) shall be built to wheelchair accessibility standards as required by Policy H6 until such time as the Approved Document M on access to and use of buildings volume 1 dwellings standards forming part of the Building Regulations come into force after which time at least 3 per cent of new dwellings within each phase (Reserved Matters application area) must be built to meet the optional standard M 4(3) set out in Approved Document M Building Regulations (as consulted on by national Government in the Housing Standards Review Technical Consultation Approved Document M dated September 2014 (DCLG) or as amended when formally adopted). Prior to or concurrent with each Reserved Matters application, details of compliance with the above requirement for the area to which the Reserved Matters application relates, shall be submitted to and approved in writing by the Local Planning Authority. Dwellings shall be constructed to the agreed details.</p> <p>5. <u>Amendment of Condition 28 – Removal of Unnecessary Words</u> to read:-</p> <p>All new dwellings shall achieve Code for Sustainable Homes Code Level 4 as a minimum in respect of water efficiency until such a time as Approved Document G on water efficient standards forming part of the Building Regulations (as consulted on by national Government in autumn 2014 or any subsequent further amendment or variation to the autumn 2014 consultation draft technical standard) comes into force after which all new dwellings shall achieve water efficiency equivalent to the proposed optional standard set out in the Approved Document G Building Regulation as a minimum, i.e., that new</p>
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	<p> dwellings are designed so that their estimated average water consumption would be no more than 110 litres per person per day. Concurrent with each Reserved Matters application, details of compliance with the above requirement for all dwellings within the area to which the Reserved Matters application relates shall be submitted to and approved in writing by the Local Planning Authority. Dwellings shall be constructed to the agreed details.</p> <p>6. <u>Amendment to Condition 9 – Change to Triggers to read:-</u></p> <p>Prior to the first occupation details shall be submitted to and agreed in writing by the Local Planning Authority for improvement of the existing public footpath number 23 up to its boundary with the St Nicholas Primary School. Once agreed, the works shall be completed, as agreed and prior to the 50<sup>th</sup> occupation.</p> <p>7. <u>Amendment to Condition 2 – Deletion of Unnecessary Words to read:-</u></p> <p>In the case of the Reserved Matters, application for the first residential reserved matters application for approval shall be made no later than the expiration of two years beginning with the date of this permission. Application for the approval of the remaining "Reserved Matters" referred to in Condition 1 above shall be made to the Local Planning Authority before the expiration of five years from the date of this planning permission.</p> <p>8. <u>Clarification to Education Contribution Paragraph 7.1 point 1) page 4.85</u></p> <p>In the interests of clarity it should be noted that the total education contribution figure of £5.1 million is an estimated figure with the final figure to be calculated according to the precise housing mix to be provided and according to the agreed formula for education contribution calculations.</p> <p>9. <u>Amendment to Regulations reference at Paragraph 5.77 page 4.68</u></p> <p>Conservation (Natural Habitats) Regulations (1994) should read The Conservation of Habitats and Species Regulations (2010).</p>
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	<p>10. <u>Correction in Rayleigh Town Council's Consultation Response</u></p> <p>Reference to Cllr J C Burton to be deleted and corrected to read Cllr R Choppen.</p> <p>11. <u>ECC Education Response - Post 16 Provision</u></p> <p>The following further information has been received from ECC to clarify the financial contributions sought in respect of post 16 education provision:-</p> <p>'The net capacity figure of 1240 does not include sixth form as the 6th Form at The Swayne Park School only opened last September. The capacity for the school is now 1520 with an assumed 6th form capacity of 280. The number of children on the lower 6th form roll, as of October 2014, was 126. The 6th form centre was funded by the Education Funding Agency, not ECC.</p> <p>The contribution requested takes into account potential 6th form pupils and could be used on 6th form provision if additional 6th form places were required; the Education Purpose would be places for children 11 to 19 years of age.'</p> <p>12. <u>Additional Representation Received</u></p> <p>From Barton Wilmore on behalf of Silver City Estates who own a 1.35ha parcel of land to the south of the application site within the Policy SER1 land allocation.</p> <p>It is anticipated that a full planning application would be submitted in February 2015 for residential development in the region of 45 to 50 dwellings on this site.</p> <p>We support the Countryside scheme in principle, but consider that recommended condition no. 5, which limits the Countryside site to no more than 500 dwellings is essential. This condition will satisfactorily ensure that other sites that also form part of allocation Policy SER1 (such as our client's site) are not prejudiced by the Countryside scheme.</p> <p>13. <u>Commitment to Pay for Refuse Bins for Each Dwelling</u></p> <p>The applicant has confirmed that they would be willing to pay for the provision of Council refuse bins to each dwelling.</p>
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	<p>14. <u>Additional Neighbour Objection Received</u></p> <p>With concern raised in respect of the impact of the proposed development on the highway network.</p>
<p>Item 7 (1)</p> <p>14/00687/FUL</p> <p>Land to Rear of          No. 4 The          Evergreens,          Kimberley Road,          Little Wakering</p>	<p><b>Contents</b></p> <p><b>1. Essex County Council Highways</b></p> <p><b>2. Further neighbour representation</b></p> <p><b>1. Essex County Council Highways</b></p> <p>Advise that from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following conditions:-</p> <ol style="list-style-type: none"> <li>1. Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.</li> <li>2. The provision of two on-site parking spaces for each dwelling. Each parking space shall have minimum dimensions of 2.9 metres by 5.5 metres.</li> <li>3. The public's rights and ease of passage over public footpath no. 19 Barling Magna shall be maintained free and unobstructed at all times.</li> <li>4. Prior to occupation of the development, a vehicle passing area shall be provided, as shown in principle on planning application drawing number 2852-09b prepared by DK Building Designs Ltd.</li> <li>5. 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 shall be identified clear of the highway, submitted to and approved in writing by the Local Planning Authority.</li> <li>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</li> </ol>

	<p>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.</p> <p>7. 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.</p> <p>8. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.</p> <p>9. 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 six one day travel vouchers for use with the relevant local public transport operator. One Residential Travel Information Pack shall be provided for each dwelling.</p> <p><b>2. Further Neighbour Representation</b></p> <p>1 Further letter has been received form the following address:-</p> <p>Kimberly Road: 43</p> <p>And which in the main makes the following comments and objections in addition to those set out in the report:-</p> <ul style="list-style-type: none"><li>○ It is a legal requirement that the developer must comply with the (Construction Design and Management) CDM Regulations. The developer is responsible for ensuring their projects are properly managed at all times and must coordinate all measures relating to the health and safety of people affected by their project. This means that by design they must eliminate risks so far as reasonably practical for users of the development. The new development will require a private road access, not a driveway (it serves multiple residences), which will be</li></ul>
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	<p>located circa 12m from an existing junction. The new access road will also be circa 10m from a bus stop. Essex County Council uses its Development Construction Manual to advise developers on suitable road layout. This advice is used as evidence of compliance with the CDM requirements.</p> <ul style="list-style-type: none"><li>○ The design submitted does not comply with CDM principles and those requirements in the DCM for:-<ul style="list-style-type: none"><li>○ visibility exiting the new access road;</li><li>○ visitor parking (including the requirements of emergency and other service vehicles) including the needs of the disabled ( turning radius included with this submission)</li><li>○ turn radius (specifically the 90° bend adjacent to the electricity sub-station, which has an outer turn radius of 4.8m and requires a vehicle entering the development to drive on the wrong side of the road);</li><li>○ length of cul-de-sac;</li><li>○ requirement for turning space for visitors;</li><li>○ turning space for access to dwelling parking spaces.</li></ul></li><li>○ The minimum average car turning circles require an internal radius of 4.7m. This development does not provide that radius for vehicles to turn.</li><li>○ With reference to the Essex County Council Development Construction Manual, LWR is classed as either a link or feeder road? This would make the road category, Category 2 or 3, which requires visibility of 60m. Views towards the north (looking towards Kimberley Road) have suitable visibility, views to the South (towards Great Wakering), a bus shelter (circa 12m away from the proposed junction) and a telephone box (circa 10m away) obscure the view for a driver such that 60m is not visible. It should be noted that due to parking on the road, the approaching vehicles will be in the southbound lane, which escalates the requirement for sufficient visibility.</li><li>○ Council rules require refuse bins to be placed by the roadside on the morning of collection. The long access road discriminates against persons with reduced mobility being able to place their bin on a private road adjacent to the public highway. This development is therefore in contravention of the equality legislation. Council rules also prevent bins</li></ul>
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	<p>being left on the highway, yet there is no space allowed for the presentation of 6 refuse bins at the entrance to the access road.</p> <ul style="list-style-type: none"><li>○ The Council report into the development:-<ol style="list-style-type: none"><li>1. discriminates against users of a private communal area, by not giving equal status to single occupancy private areas with reference to the tandem nature of the development in relation to the Evergreens properties;</li><li>2. references “infil” development as “... limited infilling will be considered acceptable and will contribute towards housing supply ...”, however infilling requires a frontage onto the public highway. This development is not in-fill but rather “backland development,” which the report is silent upon;</li><li>3. states this will contribute to the residential property needs of the area, however the major development at Star Lane has a much bigger impact on the residential needs of the locality, and will provide compliant development with modern infrastructure, which this development does not.</li><li>4. is silent on the means of access for emergency vehicles and the needs of persons with reduced mobility (aged or disabled).</li><li>5. cherry picks those policies which will or won’t apply to the proposed development, such as building on the boundary.</li></ol></li><li>○ The development provides access to a garage for another property, with an outer turning radius of 4.8m. Access to the garage by a vehicle will not be possible in a single move.</li><li>○ The development does not satisfy the requirement for the RDC DM3 policy:-<ol style="list-style-type: none"><li>1. Discriminates against ageing population by not providing at the dwelling access for bin collection and deliveries requiring a vehicle other than a large van “... new dwellings are capable of meeting the District’s changing demographic needs (i.e. the character and composition of the population).”</li></ol></li></ul>
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	<p>“... appropriate integration of the means of access for pedestrians, cyclists, cars etc. and allowing sufficient functioning of the Council’s waste management and recycling scheme” as the layout does not meet the requirements of the ECC development guide.</p> <p>“Accessibility is an important aspect of design, and development should be designed to be accessible to all, taking account of people’s different needs (for example, by accounting for the potential use of mobility scooters).” The road’s width and sharp radius bend prevents this access.</p> <p>“It is important that new developments are fully equipped with well designed and suitable waste and recycling storage facilities that will ensure sound site management and that waste and recyclable materials can be collected easily and efficiently from the site. Appropriate facilities should be integrated into development proposals. “these are not provided at the end of the access road where bins are to be presented for collection (only provided at the dwelling).</p> <p>“Backland” development is where development is proposed to the rear of existing residential dwellings. “Backland” development in this case is inappropriate due to the creation of a tandem relationship between dwellings, residential intensification and the amenity of neighbouring dwellings. Such development can often create problems of overlooking and loss of privacy as well - see above creates tandem development.</p> <ul style="list-style-type: none"><li>○ RDC accepts that housing density was randomly sampled within the existing residential area of each ward, however, it is important to emphasise that this was a purely indicative exercise and does not in any way represent the average density for each ward, or suggest appropriate densities for each area; it is simply a guide. Maintaining a density of 30 dph is too high for a village located in the Green Belt with existing infrastructure that does not comply to current design standards.</li></ul>
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	<ul style="list-style-type: none"><li>○ The development does not satisfy the requirement for the RDC H1 policy as the rear outer corners of the dwellings on plots 1 and 3 would abut the boundaries. Allowing this would prejudice any possible future adjacent development. The Council should not cherry pick which elements of the policy to apply, which, by definition will be in the interests of the current developer, and not necessarily in those of the residents or future developers.</li></ul>
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