

Schedule Item	
<p>Item R2 Unit C Swaines Industrial Estate 09/00561/FUL</p>	<p>Contents</p> <p>1 . Comments of the Head of Environmental Services and extra conditions 2. Details of Ward Members site visit 3. Officers response to issues raised at ward members site visit 4. Revised Recommendation</p> <p>1. The Council’s Environmental Health Team suggest the following condition be added to any grant of consent:-</p> <p>Before the use commences the building envelope shall be insulated against the egress of internally generated noise, in accordance with a scheme to be submitted to and agreed in writing with the L.P.A. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose.</p> <p>A further condition relating to the installation of air conditioning units is also proposed:-</p> <p>No development shall commence before any air conditioning units requisite for the purposes of the fitness centre use has been installed, in accordance with details which shall previously have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, any such plant/equipment shall be retained and shall only operated as approved in writing by the Local Planning Authority.</p> <p>REASON: To enable the Local Planning Authority to retain adequate control over the positioning of air conditioning units in the interests of the amenity of neighbouring residential properties</p> <p>2. A site visit with the ward Councillors has raised the following points:-</p> <ul style="list-style-type: none"> - The roof (internally) to the unit will require insulation - Sound proofing of the unit is essential - Cllrs commented that should air conditioning units be proposed in the future they would prefer to see these located on the front elevation or front roof slope of the unit as to prevent unnecessary and unreasonable noise to the occupiers of the residential dwellings neighbouring the site. - Concerns were raised with regard to the gates at the entrance of this particular part of the Industrial Estate. These gates are usually shut at approximately 6pm. Should the fitness centre operate until 9pm then the gates would be open for a longer period, which may give rise to potential vandalism and security problems. Suggestions

	<p>were made in to a possible 'buzzer' entrance system so that only members of the fitness centre would be able to gain access.</p> <ul style="list-style-type: none">- Observations within the rear car park indicated that part of the wire fencing was in considerably poor condition and that access in to the industrial estate could be gained from here.- Concerns were raised with regard to the amount of parking as the unit only has two designated spaces. However it was considered that should the area stated as 'communal' parking definitely be so then it was suggested that adequate parking would be available. <p><i>3. Since the site visit Spurdawn LTD (owners of the site) have been contacted and have established that each unit within the site is designated a number of spaces within the communal parking area. Unit C used to be occupied as a single unit with A and B, together they had 9 communal spaces. Since it is now a separate unit it is advised that 3 spaces are likely to be designated to this unit.</i></p> <ul style="list-style-type: none">- Concerns were raised with regard to the emergency exit to the rear of the unit. This seems to be blocked by substantial vegetation and a structure behind unit B. This could not adequately be used as a fire exit.- Having consulted with the Councils building control team they have specified that it would be preferable for the door to the rear of the unit to be a fire exit. However it would be possible that if the lobby area at the front of the unit was a 'protected' area then the front door could be used as a fire escape. This however would not be the best option in terms of safety.- The health and safety of the entire industrial site more generally was also questioned and suggested that the Councils Health and Safety officer visit the site. <p>4. Revised Recommendation of Approval, subject to the original conditions and the following 2 extra conditions:-</p> <p>6 Before the use commences the building envelope shall be insulated against the egress of internally generated noise, in accordance with a scheme to be submitted to and agreed in writing with the L.P.A. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose.</p> <p>7 No development shall commence before any air conditioning unit's requisite for the purposes of the fitness centre use has been installed, in accordance with details which shall previously have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, any such plant/equipment shall be retained and shall only operated as approved in writing by the Local Planning Authority.</p>
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<p>Item 1 Land Between Main Road and Rectory Road and Clements Hall Way, Hawkwell.</p>	<p>Contents</p> <ol style="list-style-type: none">1. Corrections to committee report2. Further responses to consultation<ul style="list-style-type: none">• Hawkwell Parish Council second round response• Essex County Council Urban Design Specialist second round response• Environment Agency second round response• Essex Badger Protection Group• Rochford District Council (Ecology) second round response• Hawkwell Residents Association• Hawkwell Action Group including second round response3. Further additional residential notification responses4. Further Second round residential notification responses5. Revised Recommendation <p>1. Corrections to Committee Report</p> <p>The comments of the Strategic Housing Officer at paragraphs 1.160 to 1.164 have been broken down into separate paragraphs rather than appear as one.</p> <p>The figure at paragraph 1.160 of 113 affordable dwellings should have been 116 and also the total number of social rented units would be 96 units and total number of units rented or Homebuy would be 20 units.</p> <p>2. Further responses to consultation</p> <p>Hawkwell Parish Council</p> <p>Second round consultation response</p> <p>Hawkwell Parish Council has discussed the revised plan and wishes to maintain the objection to the above planning application.</p> <p>The Parish Council is implacably opposed to such a large development in Hawkwell as a matter of principle but, in terms of process, cannot accept it would be appropriate to approve such a large development in advance of the finalisation of the Rochford Core Strategy. In this respect, and in spite of tendering our opinions on the Core Strategy, we are still unaware of the site allocations proposed. We cannot, realistically, be asked to seriously consider any large scale development until this crucial element is publicised and local people have had the opportunity to consider and, where appropriate, to object through all available legal processes.</p> <p>We consider commenting on, and objecting to, the site layout and the types and mix of buildings thereon is premature and unnecessary at this</p>
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stage as we believe the application cannot be properly considered in advance of the final Core Strategy. However we note that the revision will have little impact on the objections we had to the original scheme.

We note that the architectural drawings of the boundary with Spencer's Park imply that the brook is within the site. That is definitely not the case, the brook forms the boundary between the Park and the adjacent land part of which is subject to this planning application. We can provide photographic evidence demonstrate this. Even if the boundary was correctly shown, we consider the Parish Council, as leaseholders, should be consulted in their own right about proposals to form bridges over the brook and into the park. It is presumptuous to propose such access points to the park without consultations.

Finally we are fascinated by the apparent idiocy of the law when people can express their total opposition to a scheme and be totally disregarded but the existence of a badger set can throw the whole process into reverse, the law is an ass!

Essex County Council Urban Design specialist

Second Round consultation response

The amended details are essentially minor alterations in relation to the particular points I made and do nothing to convince me that the development is likely to create a high-quality urban environment. I note the alterations made to the details of the building parameter tables but do not consider that these denote the shift in approach which I believe would be necessary in this project. In any case the alterations are selective and do not address all concerns (e.g. there is limited value in reducing the minimum width (y distance) if the maximum width is left unaltered).

Similar considerations apply to the revised Village Area: Typical Block Plan, which, although it appears to incorporate a unit with a narrower block form, would not necessarily translate into a overall improvement in the development

In summary, although improvements have been made, it remains my view that the Design and Access Statement does not give confidence that the development will be of a satisfactorily high standard of design.

Environment Agency

Second Round consultation response

Advise they have received additional information in support of the application.

Following the submission of new flood risk modelling and a recent visit to the site, the Environment Agency able to confirm that the site specific

information proves this site to lie wholly within Flood Zone 1. In the light of the fact that the site can now be considered at low risk of flooding, therefore the objection is removed on sequential test grounds.

Additional surface water drainage information has also been received. The information demonstrates that the east and west catchments of the site shall be restricted in their discharge rates to mimic those of the site at present using a stepped scheme. After careful consideration we are now able to remove objection subject to the following condition to any approval granted.

Condition :

The site shall have a maximum discharge rate of 156.9litres / second

Reason: To reduce the risk of flooding as a result of surface water run – off.

With regard to ecology additional information has been submitted showing an updated master plan and design of the new development.

The planned retention of existing woodland, tree belts and hedgerows is welcomed as is the creation of new wetland habitats and ponds and the opening up of the existing stream which will benefit native aquatic life. In accordance with the addendum, the Suds ponds should also support native biodiversity.

Therefore, have no objections on ecological grounds to the proposed updated master plan as long as it adheres to the design in Figure 23 of the addendum.

Essex Badger Protection Group

Have been approached by a member of the public concerning this site and would like to know if this has been the subject of a full badger survey recently. If not this should be carried out by either ourselves or a recognized ecological company.

Rochford District Council (Ecology)

Second Round consultation response

Have reviewed the revisions to the outline application. There do not appear to be any ecological issues associated with the revisions.

Hawkwell Residents Association

Raise the following objections;

- Regard the site as totally unsuitable
- The additional lane to be added to Rectory Road roundabout would not be sufficient
- Would like to see no new homes built on Green Belt land in our area
- Area poorly served by traffic controlled single lane at the railway bridge which will be turned into a continuous traffic jam if these homes and those for Brays Lane are built
- The stated Government policy of using 60% brownfield sites first before Greenfield seems to have been reversed with many potential sites for building being of a green field nature
- 300 plus homes in one place will change the nature of the village and we believe it would be better to spread them about the Hawkwell area.
- Consideration should be given to the proximity of shops and schools as due to the lack of public transport additional car usage would result.
- Comprehensive consultation has not taken place with Essex County Council, other District Council's, local Parish / Town Council's, residents associations and other interested parties in and around our district.
- The additional homes will put an enormous strain on the infrastructure of our area, particularly the road system.
- Loss of Green Belt would change our village into a town
- Additional vehicles on the roads from the building of the new homes, the additional residents, their delivery services and visitors and the proposed airport expansion traffic
- Additional demand on our doctors and dentists
- Additional demand on schools and local services
- Reduction of bus service to one per hour and no evening No. 8 service
- Additional demand on gas, electric , telephone, water , sewers and surface / storm water drainage
- Essex County Council has stated that the B1013 is now running at 72% capacity. The core strategy proposal would bring traffic to an unbearable level.
- No details and estimated costs are given for the many road improvements we believe would be necessary as listed below;
 1. Upgrade Rectory Road and widen road and footpath at the Christmas Tree Farm area.
 2. Replace traffic light controlled single lane at the railway bridge with a wider bridge
 3. Upgrade the B1013 Hall Road and provide missing and upgrade existing pavements

4. Proper main road street lighting for the B1013 Hall Road
5. A cycle path route from Rochford through Hockley to Rayleigh
6. Return to two buses an hour in both directions for the 7 and 8 services between Southend and Rayleigh and return of the 8 evening bus service
7. Improvements to all services including gas, electric, telephone, water, sewers and surface / storm water drainage.
8. Increase capacity at all the local schools in the area
9. Increase capacity at all the local Doctors and Dentists and Hospital services in the area
10. Increase ambulance, fire and police emergency services
11. Provide and run a youth club in the Hawkwell area
12. To provide and run allotments in the Hawkwell area

- This area is enclosed by the River Crouch, the sea and the Thames and is only properly accessed from the west. For this reason we believe the sensible place to locate additional homes would be in the western part of the district
- Believe no major infrastructure improvements have been carried out in the Hawkwell area for more than 30 years. Even if the current Core Strategy submission document figure of 175 new homes for Hawkwell were proposed for the Rectory Road area we believe the development would require the above listed improvements

Hawkwell Action Group

Advise that such is the strength of opinion about the development and haste in which the planning application appears to be being pushed through, that the Action Group has been formed. This group is working alongside the Hawkwell Residents Association and has their backing.

Advise that the level of support has been far beyond original estimates and now have a significant bank balance to use to employ professional help to advise and represent now and well beyond the planning meeting of 3rd December.

Have the services of a highly experienced and well respected planning consultant and the services of John Dagg QC and whose staff are currently studying the application and most recent changes with more woodland but increased density to Village area than in the original plan. Have instructed them to look at the speed in which this application is being pushed through and the actions of officers in this process, in respect of their responsibilities in regard to a fitting and proper due diligence being carried out before the Council meet to decide upon this application. In event the application is passed on 3rd December we will refer to that due diligence exercise and if our advisors consider it to have been at all compromised we shall have no hesitation in immediately instructing them to formally request a judicial review. Such is our funding that we can now more than cover our costs in such an exercise.

Ask that as Councillors to consider this application very seriously and the timescales from when residents were first made aware (less than six weeks ago) and the date of the meeting. This is either insufficient time to carry out a due diligence exercise or the whole planning process for this site was kept under wraps, in order to mitigate the residents ability to consider the plans , raise funds and employ professional help.

Whilst we all object to this development , we ask the Council to postpone any decision for a period of six months , to enable a proper consultation process, whilst allowing the Council officers and the existing residents to carry out a thorough and proper assessment of this proposal , the objections raised and the alternatives to the outline application before you.

Second round consultation response

Understand that owing to wildlife concerns, the density has had to change in the Christmas Tree Farm area and that Thorpe Road site will be made to bear the brunt of this.

The residents that live on the unmade end of Thorpe Road enjoy a quiet existence and a plan to build a housing estate and of three storeys in the area is of great concern.

Delighted with officer recommendation. Fully appreciate that members could vote against recommendation and applicants will no doubt appeal but appreciate matters have been considered carefully, including the views of local residents.

3. Further additional residential notification responses

Since the preparation of the officers report **29** further letters from 20 addresses but including 6 standardised letters signed but with no address have been received in response to the public notification;

Occupiers of:

Briar Close, Glenwood Ave, Harewood Avenue, Hawkwell Park Drive, Main Road, Park Gardens, Read Close, Rectory Road, Royer Close, Spencers, Thorpe Road, York Road.

And which make the following comments and objections in addition to those set out in the report;

- Proposal would build a significant number of house close together including flats and three storeys which would not be in keeping with dwellings in locality
- Proposals will adversely affect the social , economic and environmental nature of the area
- Will detract from the peace and quiet of semi rural life
- Even if subsidy granted to households wishing to travel by bus the

	<p>impact would not be diminished to any great extent</p> <ul style="list-style-type: none">• New road crossing from Clements Hall Way to Thorpe Road is crazy• Even with lip service to the provision of medical facilities are there any assurances that the NHS would have the money to fund them?• Don't let financial considerations of all concerned get in the way of doing the right thing• Rectory Avenue area has seen mass building over thirty year period with Magnolia Park neglected with pond choked with weed and rubbish smelling like a swamp. It is important to keep green areas.• Surrounding roads should be inspected at 7.45 am and latter part of the evenings to see the amount of traffic existing• Culs de sacs will encourage anti social behaviour from young car drivers from outside area• The internal road network would not be appropriate for the number of vehicles• Proposed areas for play are inappropriate for density of housing• Due to current housing framework no possibility to extend or improve current highways• Clements Hall Sports Centre already attracts a high volume of traffic 7.00am – 10.00pm daily• Area supports a significant wild life population which has been enhanced by the Spencer's Park rural development.• Increasing the local population by as little as 30 households would be detrimental. To increase by 175 – 350 would be disastrous• Development where car use would be minimised would be far more in keeping with government directives• Additional access onto Rectory Road and Clements Hall Way would impact significantly on what is already a high throughput road link for traffic moving between Main Road and Ashingdon Road• The requirement for more housing tin the district however the intensity of housing in Hawkwell already exceeds current facilities• Environmental impact of this development should not be underestimated• Increased traffic on surrounding roads which are already nearing their safe maximum capacity• Council has a duty to promote healthy communities and maintain character of the area• Urge rejection of the proposal and keep Hawkwell a nice and respectable area• Site constantly wet and boggy suggesting why it was previously avoided for development• Inadequate footpath to Hall Road for disabled without alternative transport• Designs of the buildings not in keeping with anything locally• Offer of shops and facilities unrealistic given vacant shops in area and problems sourcing local dentists and doctors
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- Residential parking problems in Southend should be noted and plan for this not to happen in Hawkwell
- Air pollution will increase
- Cannot converse in front garden or open windows because of noise from traffic
- Social housing necessary but at what cost to everyone else
- If permitted would expect a big reduction in my council tax
- If such a need why are new builds in Rochford Square still empty?
- A commitment from the Council to encourage new work in the industrial site would make more sense
- People need permanent jobs to have a decent standard of living
- Development still unsound
- Construction traffic and heavy plant will add to congestion problems
- Shortage of teachers and doctors and local surgery to close because no doctors can be found on regular basis
- Poor water pressure
- Widening of the Rectory Road roundabout is a pathetic remedy
- All preserved trees must be kept!
- Lack of local employment to support these homes / residents
- Stated at a meeting that the proposal was needed for “our children” but our children would no longer want to live in an area that has been overdeveloped
- Proposal is disproportionate in terms of equity across the district.
- Will urbanise the area
- Proposal unsound, unsustainable, unrealistic and undemocratic with the tax paying public not being heeded.
- Premature in advance of the Core Strategy, it’s examination in public and the identification of the site by the Council
- Developer proposes 330 units after the Council had reduced the allocation to 175
- Wrong to compare density with Rochford Town Centre
- Proposal to bridge the brook and allow access to Spencer’s park managed by the Parish Council without any consultation is unacceptable
- Overlooking from loss of woodland screen
- West Hawkwell has 1600 houses and which would be increased by one sixth
- Would transform Hawkwell into a suburb
- Lived here for thirty years and seen so much of the area ruined by poor planning
- Hope Council make the right decision as this is my home and to have a developer wreck it to make him richer cannot be right

4. Further Second Round neighbour notification responses

4 Further letters have been received from 3 addresses in response to the second round neighbour notification and which make the following comments in addition to those set out in the report;

Occupiers of:

Glenwood Ave, Main Road, Rectory Road, Spencers.

- The dwellings will be even closer together as a result of the revised layout
- That area of ground is about OK for 150 dwellings, about the same density as elsewhere in Hawkwell
- Have developer still included tower blocks and no bungalows?
- More dwellings will only add to power cuts and traffic problems
- Have not changed my mind about this building problem and no reason to now approve
- If this happened the government will never stop and build on every bit of land
- Years ago it was unheard of to build on brown land, now that has all gone, you start on Green Belt
- Keep Hawkwell a village
- We have enough houses and people
- Whilst pleased to see the additional open spaces note that the total number of dwellings still stands at 330 which must mean increased density even from the original proposal and significantly higher than surrounding properties and totally out of character
- It is not clear whether the proposed access into Thorpe Road is still in the proposal and many residents are opposed to this as Thorpe Road is just a narrow residential road with cars parked along its length at all times
- More traffic would make Thorpe Road impassable.
- Proposal would not accord with the replacement local plan (2006)
- Would not accord with the emerging core strategy
- The site allocation document has not yet been published and the Core Strategy has not been tested by the examination in public, therefore the application is premature
- Although some improvement in wildlife terms, there is a higher density of dwellings accessed from Thorpe Road as well as 2 ½, 3 and 3 ½ storey buildings
- Still does not meet the requirement of PPS 12 in terms of sustainability

5. Revised Recommendation

The revised comments of the Environment Agency means their previous objections can no longer be substantiated as reasons for refusal therefore reasons 6, 7 and 8 fall away from the Officer recommendation.

The revised recommendation is therefore that the committee **RESOLVES** to **REFUSE** the application on the basis of reason 1,2,3,4 and 5 of the recommendation as set out in the original report.