

**15/00379/OUT**

**OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING PRISON COMPLEX BUILDING, CONVERSION OF BULLWOOD HALL FOR RESIDENTIAL USE AND RESIDENTIAL DEVELOPMENT TO PROVIDE UP TO 60 DWELLINGS WITH ASSOCIATED HIGHWAY AND INFRASTRUCTURE WORKS.**

**BULLWOOD HALL, BULLWOOD HALL LANE, HOCKLEY, ESSEX**

**APPLICANT: HARROW ESTATES PLC**

**ZONING: METROPOLITAN GREEN BELT AND UPPER ROACH VALLEY**

**PARISH: RAYLEIGH TOWN COUNCIL**

**WARD: TRINITY**

**1 THE SITE**

- 1.1 This application is to the site of Her Majesty's Prison Bullwood Hall Located south of High Road and adjoining Hockley Woods. The site is accessed from a junction made with High Road 390m west of the junction made with Fountain Lane.
- 1.2 The former prison site was decommissioned by the Ministry of Justice (MoJ) and closed in March 2013 as part the Government's wider modernisation programme to improve the operational efficiency of the prison estate. The closure of HMP Bullwood Hall was announced on 10 January 2013 by the then Lord Chancellor and Secretary of State for Justice, Chris Grayling, as part of the Government's wider prison modernisation programme.
- 1.3 The application site is shown edged red on the submitted Location Plan and is an irregularly shaped area that measures 4.2 hectares. This land primarily comprises previously developed land associated with the former prison use, including buildings and hardstanding associated with the prison itself, amenity grassland and scrub. The blue line on the Location Plan shows the additional land under the ownership of the MoJ, which measures 19.5 hectares (net amount), which is not part of this application.

- 1.4 The total gross internal area of all the existing prison buildings on site within the application area is 11,046 sq m.
- 1.5 The main part of the prison site is enclosed by a wall on all sides. This part of the prison was first constructed in the early 1960s. Within the prison walls are a number of buildings in a compact arrangement interspersed with open spaces. The main prison block is positioned to the north west of the area within the prison walls and forms a central courtyard. It is three storeys of brick construction under a large pitched roof, which adds substantially to the overall storey height. Ancillary buildings are primarily a range of brick and pre-fabricated structures. These ancillary buildings are predominantly single storey to the south of the built envelope and between one and two storeys to the east of the built envelope. The height across the site ranges from one to three storeys predominantly with pitched roofed designs.
- 1.6 An existing 5m high metal security fencing with spiral barbed wire installed on the top encloses the main prison site and the envelope of buildings. Outside this there is a 2m high close boarded fence to the outer perimeter of the secure area. Outside the prison walls are large areas of open land bounded by mature trees. Two areas of parking for the prison lie directly to the north and west of the prison walls. Whitbreds Wood adjoins the north eastern and eastern boundary of the prison wall.
- 1.7 To the west of the prison wall lies Bullwood Hall. The building, which is locally listed, was constructed in the late 19<sup>th</sup> century. It is a three storey building with a rendered façade painted white under a pitched tiled roof. South east of Bullwood Hall lies a farm building, which is a steel frame single storey out building, last used for storage. West of Bullwood Hall lies a 3 storey building of brick construction under a pitched roof, most recently used as a hostel.
- 1.8 The surrounding area of the former prison site is located in a semi-rural location, bounded to the east by woodland, to the south by unmanaged grassland planting with saplings, to the west by arable farming and to the north by a combination of woodland and grassland, much of which, again, has been planted with saplings.
- 1.9 Immediately to the west of the application site are seven residential properties built originally as staff houses, now in private ownership. Further north along Bullwood Hall Lane are a number of detached residential properties, some of which are Grade II listed including North Lodge, Whitbreds, South Lodge and the barn on the west side of the lane, 70 metres north of South Lodge.
- 1.10 The site is surrounded by a comprehensive network of public rights of way (PROW). A PROW (public footpath 49) runs along the western edge of the site entering the site at its southern end, which then runs northwards along Bullwood Hall Lane connecting with High Road by way of Public Footpath 3. A second PROW runs along the southern edge of the site (Public Footpath 65) and forms a connection with Bullwood Hall Lane to the south and Hockley Woods.

- 1.11 A Tree Preservation Order (TPO 11/15) has been served by the Council to protect the better tree specimens within the site, in particular those located along the access road avenue of horse chestnuts and the open space to the frontage of Bullwood Hall (refer to Tree Officer's response below).

## **2 PLANNING APPLICATION DETAILS**

- 2.1 This application is in outline form with all matters of appearance, landscaping, layout and scale reserved. For consideration at this outline stage is the principle of the development proposed and the site access.

- 2.2 The outline proposal includes:-

- Demolition of the existing prison complex of buildings.
- Residential development for up to 60 dwellings including the conversion of Bullwood Hall.
- Revised access arrangements onto High Road.

- 2.3 The key plan for determination at this outline stage is the Proposed Highways Work Layout which outlines the proposed highway works and changes. A Proposed Illustrative Site Layout Plan has also been submitted which shows the applicant's preferred approach to locating all of the development on the site and importantly shows the quantum of development.

- 2.4 The application is not subject to an Environmental Impact Assessment.

- 2.5 Accompanying the application are the following supporting documents:-

- Archaeological Assessment
- Design and Access Statement
- Ecological Assessment
- Flood Risk Assessment
- Environmental Risk Assessment (Ground conditions)
- Planning Obligations - Draft Heads of Terms
- Planning Statement
- Transport Assessment
- Statement of Community Involvement
- Tree Survey
- Heritage Statement

- 2.6 The proposal would demolish the buildings within the secure area of the site and re-develop this developed area with the housing proposed shown to 52 plots. The proposal would also demolish the hostel building away from the secure area and provide 3 detached dwellings on this part of the site. The proposal also shows the provision of 2 detached dwellings on that part of the site currently forming a car parking area immediately north of the existing housing retained on the western side of the site. But for the dwellings shown to plots 2, 29 and 35 and the terrace formed by the conversion of Bullwood Hall, the indicative layout shows almost all the housing proposed to be detached with detached garaging.
- 2.7 The proposal would include the conversion of Bullwood Hall into a terrace of three houses. The proposal would include a second floor extension to the western/rear side elevation of the building and to create a third bedroom to one of the terraced dwellings created in the conversion. The conversion would otherwise retain the existing building but in use as 1 No. three-bedroomed terraced house, 1 No. five-bedroomed terraced house and 1 No. five/six-bedroomed terraced house. The indicative layout shows the provision of a block of detached garages to serve the terraced houses proposed.
- 2.8 The indicative layout shows that a total of 60 dwellings would be created, including within this figure those formed from the conversion of Bullwood Hall.
- 2.9 As initially submitted, the applicants had not proposed any provision of affordable housing. This was based on Government policy around a vacant building credit based upon the floor space of buildings to be brought back into use or demolished. The applicant revised the application details on 7 October 2015 in light of a high court decision (*West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government (2015)*) which has challenged Government policy on Vacant Building Credit and leading to the removal of planning practice guidance on this aspect of affordable housing provision. In light of this change, the applicants now propose that 35% of the dwellings proposed be affordable, in line with the Council's policies.
- 2.10 The site is served by a single vehicular access that makes a junction with High Road. The existing access meets High Road as a fork arrangement requiring a sharp turn into and out of the site westwards from or to Rayleigh. The existing access road has a general width of around 3.12m.
- 2.11 For consideration in this outline application the applicants propose to widen the carriageway to an overall width of 6.14m by taking in land currently part of the curtilage to "Whitbreads" and for a distance from the junction along Bullwood Hall Lane of some 74m as far as the vehicular access to "Fremlins" and "Whitbreads". From this point southwards the carriageway would be unaltered until alongside "South Lodge" widening to 4.8m to the site. At this point the applicants would provide a separate pedestrian footway 2m in width around preserved trees and returning alongside the widened carriageway.

**3 RELEVANT PLANNING HISTORY**

- 3.1 The planning history principally comprises mainly minor alterations and works to the prison. Up until June 2006 prison related development enjoyed Crown immunity (i.e. immune from the planning system) with Notices of Proposed Development being issued to local planning authorities. From 7 June 2006, the Planning Acts and statutory planning system applied to Crown land. Below is a summary of relevant planning applications which are publicly accessible. Planning references including an asterisk were carried out under Circular procedure and did not require planning permission from the local planning authority.
- 3.2 Application No. 08/00210/FUL - Installation of 2 no. five metre high pole mounted CCTV cameras within secure compound area adjacent to perimeter fence – APPROVED
- 3.3 Application No. 07/01118/FUL - Provide 1.8 metre diameter satellite dish on 'A' Block roof – APPROVED
- 3.4 Application No. 07/01018/FUL - Provision of new pitched roof over existing flat roofed areas of prison building – APPROVED
- 3.5 Application No. 03/00035/GD\* - Erection of 3 fire escapes to wings a, c and f – NO OBJECTIONS RAISED
- 3.6 Application No. 03/00418/GD\* - Erect prefabricated classroom/maintenance and workshop extension – NO OBJECTIONS RAISED
- 3.7 Application No. 01/00086/GD\* - Install 5 wire security feature to inside of top existing fencing – NO OBJECTIONS RAISED
- 3.8 Application No. 00/00324/OUT - Outline planning permission for residential development – REFUSED
- 3.9 Application No. 99/00327/GD\* - Retrospective permission to retain extension to existing workshop – NO OBJECTIONS RAISED
- 3.10 Application No. 98/00472/GD\* - Erect 40 person accommodation block new workshop and realign existing security fence – NO OBJECTIONS RAISED
- 3.11 Application No. 97/00591/GD\* - Single storey detached building for staff amenity accommodation – NO OBJECTIONS RAISED
- 3.12 Application No. 97/00045/GD\* - Convert existing kitchen and office floor space to living accommodation compromising 14 additional cells – NO OBJECTIONS RAISED
- 3.13 Application No. 94/00633/GD\* - Single storey kitchen/dining room extension and covered walkway – NO OBJECTIONS RAISED
- 3.14 Application No. 84/00516/FUL - Erection of wire mesh security fence – APPROVED

**4 CONSULTATIONS AND REPRESENTATIONS****Rayleigh Town Council**

- 4.1 Based on the information provided to the Planning Committee the Town Council has no objection to this application.

**Hawkwell Parish Council**

- 4.2 My Council has no objection in principle but has noted the issues already identified by the Planning Officer and will await a full application for consideration.

**Hockley Parish Council**

- 4.3 Hockley Parish Council has reservations about the impact of traffic movements on the existing residents. The Council would also like confirmation that the development will not proceed until the environmental impact assessment has been received and understood.

**Essex County Council Highways**

- 4.4 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following mitigation and conditions:-
- 4.5 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development, must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.
1. Prior to commencement of the development, the proposed junction improvements as shown in principle on Waterman DWG C/VSA90002 revA06 shall be provided entirely at the developer's expense. The junction, at its centre line, shall be provided with a visibility splay with dimensions of 2.4m metres by 81 metres to the west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splay shall be provided before the junction is first used by vehicular traffic and retained free of obstruction above 600mm at all times.
  2. Prior to commencement of the development the proposed Bullwood Hall Lane improvements, including localised widening as shown in principle on Waterman DWG C/VSA90002 revA06, shall be provided entirely at the developer's expense and include the provision of a shared cycle/footway along the eastern side of the carriageway and shall be a minimum of 3 metres wide, commencing to the south of

Maryon House and provide a dedicated link to the proposed development.

3. 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 demolition and construction traffic, shall be provided clear of the highway.
4. 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.
5. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
6. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:-
  - I. the parking of vehicles of site operatives and visitors
  - II. loading and unloading of plant and materials
  - III. storage of plant and materials used in constructing the development
  - IV. wheel and underbody washing facilities
7. The public's rights and ease of passage over public footpath No. 3 (Hockley) running into No. 49. (Rayleigh) shall be maintained free and unobstructed at all times. Any alteration shall require an order securing the diversion of the existing definitive right of way to a route to be agreed with the Local Planning Authority to be confirmed and that the new route has been constructed to the satisfaction of the Local Planning Authority.
8. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.
9. All single garages should have a minimum internal measurement of 7m x 3m, All double garages should have a minimum internal measurement of 7m x 5.5m, All tandem garages should have minimum internal measurements of 12m x 3m.
10. 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.

11. Prior to occupation of the proposed residential development, the developer shall provide and implement a residential Travel Plan including payment of a £3000 Travel Plan Monitoring fee to ECC. The plan is to be monitored annually, with all measures reviewed to ensure targets are met. The developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for every household for sustainable transport, to include six one day travel vouchers for bus travel approved by Essex County Council.

### **Environment Agency**

- 4.6 We note the application form indicates that contamination is suspected for all or part of the site and a Preliminary Environmental Risk Assessment has been submitted in support of the application. We consider that the water environment at this site is of low priority, therefore we 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 from contamination at the site, following the requirements of the National Planning Policy Framework and our Guiding Principles for Land Contamination.
- 4.7 We also note that Sustainable Drainage Systems (SuDS) are proposed to manage surface water from the site. In brief, our general requirements with regard to SuDS are:-
  - Infiltration sustainable drainage systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins shall only be used where it can be demonstrated that they will not pose a risk to the water environment.
  - Infiltration SuDS have the potential to provide a pathway for pollutants and must not be constructed in contaminated ground. They would only be acceptable if a phased site investigation showed the presence of no significant contamination.
  - Only clean water from roofs can be directly discharged to any soakaway or water course. Systems for the discharge of surface water from associated hardstanding, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures and a suitable number of SuDS treatment train components appropriate to the environmental sensitivity of the receiving waters.
  - The maximum acceptable depth for infiltration SuDS is 2.0 m below ground level, with a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal ground water levels.

- Deep bore and other deep soakaway systems are not appropriate in areas where ground water constitutes a significant resource (that is where aquifer yield may support or already supports abstraction).
- 4.8 Please also refer to the SuDS Manual (CIRIA C697, 2007), the Susdrain website (<http://www.susdrain.org/>) and the draft National Standards for SuDS (Defra, 2011) for more information.

### Essex County Council Flood and Water Management

- 4.9 As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We are statutory consultee on surface water.
- 4.10 In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:-
- Non statutory technical standards for sustainable drainage systems
  - Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
  - The CIRIA SuDS Manual (C697)
  - BS8582 Code of practice for surface water management for development sites.
- 4.11 Lead Local Flood Authority position. Having reviewed the drainage layout and the associated documents which accompanied the planning application, we do not object to granting of outline planning permission.

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the FRA and the above mentioned documents submitted with this application are implemented and secured by way of a planning condition on any planning permission.

- 4.12 Condition 1 - Before each phase of development approved by this planning permission, a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, should be submitted to and approved in writing by the local planning authority. The scheme shall include:-
- Infiltration testing in line with BRE 365 and contamination testing of made ground on site. If infiltration is found unviable, run off rates for all storms up to the 1 in 100 inclusive of climate change should be limited to equivalent green field rates.
  - Storage that contains the 1 in 100 year event inclusive of climate change and urban creep.

- An appropriate level of treatment for all run off leaving the site in line with table 3.3 of the CIRIA SuDS Manual.
  - Appropriate re-profiling of the site to minimise ponding on site.
  - Seasonal ground water testing.
  - Details of the future adoption and maintenance of the proposed surface water scheme for the lifetime of the proposed development.
- 4.13 The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- 4.14 Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective operation of SuDS features over the lifetime of the development.
- 4.15 We also have the following advisory comments:-
- We would want to see infiltration chosen as a way of disposing of surface water at this site if infiltration is found viable after testing. Any infiltration strategy should then be based on corresponding infiltration rates or on the most conservative infiltration rate. Currently the drainage strategy has been based on  $1 \times 10^{-5}$  in comparison to the more conservative  $1 \times 10^{-6}$ . We would also expect a half drain design event of 1 in 100+30% rather than the 1 in 30 unless it is demonstrated that water in excess of the 1 in 30 storm up to the 1 in 100+30% will be controlled on site and will be directed away from property.
  - If infiltration is found unviable on site, ideally run off rates should be based on the impermeable area rather than the whole site if proposing to only store for the impermeable area. We would also ideally want to see long term storage on site to deal with the extra volume of water created by the site over its natural green field state if proposing to go at equivalent green field rates.
  - Any basin on site should not have more than 1.2 metre depth of water for safety reasons. Currently the infiltration basin is 1.5 metres although it is not clear what height water would reach in a 1 in 100+30% storm event.
  - This location has been identified as being in a Critical Drainage Area in the South Essex Surface Water Management Plan. A CDA has been defined in the South Essex SWMP as 'A discrete geographic area (usually a hydrological catchment) where multiple and interlinked sources of flood risk (surface water, ground water, sewer, main river and/or tidal) cause flooding in one or more Potential Surface Water Flooding Hotspot (PSWFH) during severe weather thereby affecting people, property and critical infrastructure'. Therefore any measure undertaken on this site must take this evidence into consideration and act to mitigate any potential flood hazards.

- 4.16 Summary of Flood Risk Responsibilities for your Council. We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.
- Sequential Test;
  - Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
  - Safety of the building;
  - Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
  - Whether insurance can be gained or not;
  - Sustainability of the development.
- 4.17 In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

**Rochford District Council Assistant Director, Environmental Services**

- 4.18 I have reviewed this application, relating to the demolition of existing buildings and the construction of 60 new dwellings, as outlined under planning reference 15/00379/OUT.
- 4.19 The application is accompanied by an Ecological survey report, of which its conclusion and recommendations I am broadly in agreement with. Should the Council be minded to grant consent then adherence to the recommendations, as outlined in the report, should be included as a planning condition. The condition should also require the recommendations arising from any further survey work, and the licensing procedure to be submitted to and approved by the Council at the appropriate time, prior to the commencement of any construction work that could have an adverse or illegal impact on the species of protected species population.
- 4.20 National Ancient Woodland and Veteran Tree Standing Advice covering England issued by Natural England and the Forestry Commission in April 2014 state:-

*‘Development must be kept as far as possible from ancient woodland, with a buffer area maintained between the ancient woodland and any development boundary. An appropriate buffer area will depend on the local circumstances and the type of development. In a planning case in West Sussex the*

*Secretary of State supported the arguments for a 15m buffer around the affected ancient woodland, but larger buffers may be required.*

*The permanent retention of buffer zones must be secured as part of the planning permission. These should be allowed to develop into semi-natural habitat. Developments such as gardens must not be included within buffer zones as there is limited control over how they may be used, or developed in the future; for example, they might be paved or decked without the need for planning permission or they may include inappropriate species which could escape into the woodland'*

- 4.21 Therefore should the Council be mindful to grant consent the condition should require a minimum 15 metre buffer as outlined in the above paragraphs.

### **Essex County Council Historic Buildings and Conservation**

- 4.22 The applicant seeks outline permission to demolish the existing prison buildings, to convert and extend Bullwood Hall, to erect 60 new dwellings and to carry out all other associated works on land at Bullwood Hall in Hockley. The site is located in close proximity to four Grade II Listed Buildings - North Lodge, South Lodge, the Barn associated with Barn Lodge and Whitbreads - as well as several curtilage listed buildings, the setting of which it has the potential to negatively affect.
- 4.23 The proposed site was formerly historically linked with Bullwood House, and there is thereby a historical relationship between the two lodges (north and south) and the site. However, the current modern development has formed both a physical and visual separation between the site and the Listed Buildings, thereby severing whatever link these buildings formerly had with the site. As such, the proposed housing development will not, on completion, physically impact on the setting of these Listed Buildings. There does not appear to have ever been a historical association between Whitbreads and the site, and the extent of the land associated with South Lodge can be considered to represent the extent of the curtilage of the Grade II Listed barn at South Lodge. As such the proposal site falls outside the setting of these buildings.
- 4.24 Bullwood House was built, according to historic mapping, between 1880 and 1898. Its setting has been substantially altered by the erection of the prison, and it appears to have been much altered. This would explain why it is not included within the statutory list of heritage assets, whilst the two associated lodges are, although it is considered to be an undesignated heritage asset and is included on Rochford District's Local List of Heritage Assets. Given these facts I have no great concern over its internal reordering. Similarly, the existence of the prison complex within the former garden of the property means that its setting has been substantially altered and harmed prior to this development, and I therefore do not have a concern over the principle of building housing on this site, and would indeed welcome the proposal to ensure the long term future of a non designated heritage asset.

- 4.25 The development proposes to use the existing Bullwood Hall Road as the only access road to the site. To allow this to be viable it is proposed to widen a substantial section of the road, as well as to widen the access point onto Hockley Road to allow greater visibility and ease of access and egress.
- 4.26 The area which is proposed to be used to widen the access splay is currently associated with Whitbreads and is shown as such as early as the 1923 OS map. The 1880 OS map does appear to show some subdivision between this part of the plot and the immediate garden associated with the Listed Building, although it is likely to have had some association with the Listed Building. The proposed new splay would appear to necessitate the setting back of the existing boundary gates to allow for the widened splay, as well as the removal of part of the hedges. However, I do not believe that this parcel of land contributes significantly to the setting of the Listed Building, or that widening the entrance splay at the end of Bullwood Hall Road will alter the way in which Whitbreads is experienced, as long as the current gates are put back on the new boundary line, and the mature planting is retained on the plot boundary.
- 4.27 The proposed widening of the road will encroach on land which appears to have always been associated with Whitbreads, and therefore forming part of its immediate historic setting. It will also involve the removal of the mature hedgerow which runs along the side of Bullwood Hall Road, and makes a positive contribution to the setting of the Listed Building, by defining the edge of the setting of the Listed Building, and by screening it from the road. However I would suggest that the positive contribution made to the setting of the heritage asset by this parcel of land is the clear boundary demarcation which it offers, rather than intrinsically in the extent of the plot. As such I would not object to the proposed road widening, but I would however want it conditioned that a scheme of mature planting was proposed and approved by the local authority prior to the highways works beginning, and should be carried out and completed by the developer prior to the completion of the road widening to ensure that the existing well landscaped boundary is maintained. The residual negligible harm to the heritage asset can be considered to be offset by the public benefit of securing the long term future of the non-designated heritage asset.
- 4.28 However, I am concerned about the potential harm to the setting of the Listed Buildings on Bullwood Hall Lane by the construction phase of the project, in relation to noise pollution and in particular vibration caused by construction vehicles accessing the site. In particular, South Lodge, a timber framed building, is located in very close proximity to the access road. Currently there does not appear to be any mitigation schemes proposed to ensure the safeguarding of this Listed Building, particularly in relation to vibration and the potential for vehicle strikes. As such I would want to see a scheme of mitigation set out to preserve the Listed Building. This should include, but not be limited to, setting out clearly designated passing points to ensure vehicles are not passing or reversing in close proximity to the Listed Building, installing monitors at South Lodge to monitor building movement to ensure that vehicle movement is not having a detrimental impact on the Listed Building and

limiting the size/weight of vehicles using the access to ensure the preservation of the Listed Buildings.

- 4.29 I therefore do not object to the outline application, as I am of the opinion that the harm caused is outweighed by the public benefits accrued, provided that the aforementioned conditions are included on any approval.

### **Natural England**

- 4.30 Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

- 4.31 No objection – no conditions requested.

- 4.32 This application is in close proximity to Hockley Woods Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. 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.

- 4.33 Other advice. We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:-

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

- 4.34 Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document) in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application.

- 4.35 Protected Species. We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species.

- 4.36 You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.
- 4.37 The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.
- 4.38 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*'.

### **NHS England**

- 4.39 I refer to your e-mail regarding the above outline planning application dated 8 July 2015 and advise that, following a review of the applicants' submission, the following comments are with regard to the health care provision on behalf of NHS England and NHS Property Services (NHSPS).
- 4.40 The proposal comprises a residential development of 60 dwellings, which is likely to have an impact on the NHS funding programme for the delivery of primary health care provision within this area and specifically within the health catchment of the development. NHS England would therefore expect these impacts to be fully assessed and mitigated by way of a developer contribution secured through a Section 106 planning obligation.
- 4.41 The Health Care Impact Assessment (HIA) of the proposed development does not propose any mitigation of the health care impacts arising. Therefore a HIA has been prepared by NHS England to provide the basis for a developer contribution towards capital funding to increase capacity within the GP catchment area.
- 4.42 NHS England has recently carried out a review of GP services to identify capacity issues throughout Essex. This development is likely to have an impact on the services of 2 GP practices within the Rochford District Council locality. This GP practices do not have capacity for the additional growth as a result of this development.

- 4.43 There is a capacity deficit in the catchment practice and a developer contribution of **£19,740** is required to mitigate the 'capital cost' to NHS England for the provision of additional health care services arising directly as a result of the development proposal. Please see full consultation response for capital cost calculations.
- 4.44 NHS England therefore requests that a developer contribution be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 Agreement.
- 4.45 In line with the Government's presumption for the planning system to deliver sustainable development and specific advice within the National Planning Policy Framework, which provide for development contributions to be secured to mitigate a development's impact, a financial contribution of £19,740 is sought, which would be payable before the development is first occupied.
- 4.46 Assuming the above is considered in conjunction with the current application process, NHS England would not wish to raise an objection to the proposed development.
- 4.47 NHS England 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 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.

#### **Essex County Council Place Services (Environmental Design)**

- 4.48 Thank you for consulting me on the pre-application proposals for 60 no. dwellings on a 4.2ha brown field site on the edge of Hockley. This letter sets out my comments and observations based upon the submitted plans and supporting information received as part of the applicant's pre-application request.

#### The Layout

- 4.49 Generally speaking, the proposals (drawing Number SK3b 13/05/15) have been carefully considered to address the location of the site. The proposed density (22-23dph) and development area is suitable with smaller development parcels providing adequate frontage onto both the access roads and the surrounding landscape.
- 4.50 The indicative proposals include a range of 3, 4 and 5-bed dwellings which are evenly spread throughout the site as 9 no. individual house types. There seems to be a very regular, slightly generic approach to the dwelling types, which are all detached, of a similar size, each having setback garages and many with gated driveways. There is very little variety with the proposed dwellings; the layout does not include any semi-detached, terrace or apartment units.

- 4.51 The character area rationale is clearly justified, however it is not apparent how the four character areas (Parkland Edge, The Lane, Woodland Edge and Wooded Enclaves) have been translated into the layout. Each of the four character areas include same spread of house types, street types and frontage throughout - how are the character areas differentiated?
- 4.52 Page 34 of the Design and Access Statement states: “the character areas are characterised by varying urban structure, density, scale, and mix of dwellings”; again it is difficult to see how this has been translated into the indicative proposals.
- 4.53 On a more detailed level the location of the dwelling on plot 16 should be relocated to address the street, as plots 28, 27, 26 opposite. Careful attention needs to be given to plots 3, 4, 5 and how they relate/front onto the existing buildings.

#### Road hierarchy

- 4.54 The proposals set out a well defined road hierarchy which includes a range of street types from main access road through to private driveways. When the indicative layout is refined to a greater level of detail I would like to see more information on the following:-
- Vehicle speed control mechanisms for shared surfaces including the use of hard and soft landscaping
  - Greater attention applied to the transitional points between road typologies
  - Further clarity on materials and surface treatments linked to each road typology
  - The extent of the adoptable highway - if any
  - Explore alternative options for the private drives serving plots 11-13 and 31-34; these may work better if the drive did not necessarily connect as a vehicle accessible loop.

#### Garden size and public open space

- 4.55 Garden sizes seem adequate but will need to be verified against the Council's minimum standards guidance. There is an apparent lack of public amenity/play provision; the location and function of this space will need to be clearly set out as part of the emerging layout.

#### Parking

- 4.56 As with the layout, the parking provision is not that varied, with the use of detached offset garages and gated driveways. Some more variety with parking solutions would be welcomed, especially with opportunities to integrate unallocated visitor parking throughout the layout. The parking

proposals need to clearly demonstrate how the proposals meet Essex County Council's parking policy requirements, including provision for visitor spaces.

- 4.57 In places, the repetitive use of driveways begins to dominate the street frontage, especially the double drives, plots 34-36. The detailed design approach to mitigate the visual dominance of this will be important when the proposals are developed to greater detail.
- 4.58 Many of the driveways link to the estate spine and link roads in ways which end users will struggle to use, in particular plots 22, 40, 41, 56 and 57. Again, as the indicative layout progresses, some of the alignment, route and access issues should be addressed to consider the functionality and practicality of the driveways.

#### Landscaping

- 4.59 The indicative layout has clearly demonstrated how the proposals integrate into the existing landscape, with the existing tree planting being used to help influence the development framework.
- 4.60 There are additional opportunities for more landscape/tree planting throughout the site, at key nodal points such as the space adjacent to plot 13 and the transitional points between road types.
- 4.61 The landscape framework (page 40 Design and Access Statement) indicates a planted landscape buffer to the south western corner to provide 'a visual screening from the surrounding footpath network and to create a clearly defined edge'. This principle has not been translated through to the indicative layout, where there is very limited (if any) space for meaningful landscape planting; some reorganisation of the layout in this location will be needed.

#### Access

- 4.62 The access to the development site from Bullwood Hall Lane is tight, especially from the junction with the High Road and the point where the lane passes the existing properties.
- 4.63 Speed control measures, pedestrian/cycle routes and passing points for large vehicles need to be carefully integrated into the proposals. A direct pedestrian link to the bus stop on High Road should be provided as a dedicated route.

#### **Rochford District Council Arboricultural and Woodlands Officer**

- 4.64 The site includes some historical parkland trees and features, probably one of the best collections in the district. A TPO will be served to protect the better specimens; this will focus on the access road avenue of horse chestnuts and the open space to the frontage of Bullwood Hall. Generally this will not affect the development layout proposed, although I would recommend design modification to the following:-
- The access road that serves plots 9-13 may need revising/modifying to reduce the impact upon trees 161, 102, 103, 105 and G31 a-d

- The orientation of plots 57 and 56 may need altering/modifying so they are positioned outside the RPA's of trees 119 and possibly 117
- The position of plot 5 may need modifying to be outside the RPA of tree 90
- Access to plots 1 and 2 may need revising to be outside of RPA of G13a – to G13i
- At this stage it may be prudent to provide a plan that shows the layout design overlaid on the tree constraints plan; this will better inform the design layout and may alter my comments above.
- Tree 50 is considered dangerous and should be removed as soon as possible; this tree displayed fungal fruiting bodies of giant polypore *meripilus giganteus*. This fungus causes decay to the undersides of the structural/anchor roots.

4.65 I would recommend, subject to the above, the following be provided by way of condition or for reserved matters:-

No [works or] development shall take place until a full arboricultural survey and report in accordance with BS5837:2012 has been submitted to and approved in writing by the RDC. The report shall include the following:-

- a) a plan that shows the position, crown spread and root protection area in accordance with section 5.5 of BS5837:2012 of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on the plan.
- b) details of each surveyed tree in a separate schedule in accordance with section 4 of BS5837:2012
- c) a schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work. All tree works shall be carried out in accordance with BS3998:2010.
- d) details and positions of the ground protection in accordance with section 2 of BS5837:2012.
- e) details and positions of Tree Protection Barriers identified separately where required for different phases of construction work [e.g. demolition, construction, hard landscaping] in accordance with section 6.2 of BS5837:2012. The Tree Protection Barriers shall be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- f) details and positions of the Construction Exclusion Zones in accordance with section 6.2 of BS5837:2012.

- g) details and positions of the underground service runs in accordance with sections 4.2 and 7.7 of BS5837:2012.
- h) details of any changes in levels or the position of any proposed excavations, including those on neighbouring or nearby ground in accordance with paragraph. 5.4.2 of BS5837:2012.
- i) details of any special engineering required to accommodate the protection of retained trees [e.g. in connection with foundations, bridging, water features, surfacing] in accordance with section 7.5 of BS5837:2012.
- j) details of the methodology to be employed with the demolition of buildings, structures and surfacing within or adjacent to the root protection areas of retained trees.
- k) details of the methodology to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of “No-Dig” construction.
- l) details of the methodology to be employed for the access and use of heavy, large, difficult to manoeuvre plant [including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc] on site.
- m) details of the methodology to be employed for site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phototoxicity
- n) details of the method to be employed for the stationing, use and removal of site cabins within any root protection areas in accordance with section 6.2 of BS5837:2012.
- o) details of tree protection measures for the hard landscaping phase in accordance with section 5.6 of BS5837:2012.
- p) the timing of the various phases of the works or development in the context of the tree protection measures.

**London Southend Airport**

- 4.66 Our calculations show that at the given position and height the planning application will have no effect upon our operations. We therefore have no safeguarding objections.

**Sport England**

- 4.67 Sport England does not wish to comment on this particular application.

**Anglian Water**

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

- 4.69 The foul drainage from this development is in the catchment of Rayleigh East Water Recycling Centre that will have available capacity for these flows.
- 4.70 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.
- 4.71 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. 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.
- 4.72 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable as a final drainage strategy has not been proposed. We would therefore recommend that the applicants need to consult with Anglian Water and the Lead Local Flood Authority (LLFA). We will request that the agreed strategy is reflected in the planning approval.
- 4.73 Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hardstanding areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason - To prevent environmental and amenity problems arising from flooding.

#### **Essex County Council Specialist Archaeological Advice**

- 4.74 I have reviewed the additional material and my advice remains the same. The failure of both the Design and Access Statement and the Archaeological Desk based assessment to consult the Historic Environment Characterisation report and the Historic Environment Record means that the conclusions about the archaeological potential on this site may be wrong. It is therefore essential that further assessment of the archaeological potential of the site should be carried out through archaeological evaluation. I have restated the recommendation below.
- 4.75 The following recommendations are in line with the National Planning Policy Framework.
- 4.76 RECOMMENDATION: A Programme of Trial Trenching followed by Open Area Excavation:-

- Archaeological evaluation by trial trenching shall be undertaken prior to the submission of any detailed layout proposals, with a report submitted with the reserved matters application. This work shall be undertaken to the standards required by the local planning authority and specified in an archaeological brief issued by the local planning authority acting through its historic environment advisers.
- An archaeological mitigation strategy detailing the excavation strategy shall be agreed with the local planning authority through its historic environment advisers and submitted with the reserved matters applications.
- No development or preliminary ground works can commence until the satisfactory completion of field work, as detailed in the mitigation strategy, and signed off by the local planning authority through its historic environment advisers.
- The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of field work, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at a registered museum, and submission of a publication report (to be completed within two years of the completion of field work, unless otherwise agreed in advance with the Planning Authority, through its historic environment advisers).

### **Essex County Council Education**

- 4.77 According to our forecasts, there are currently four providers in the Trinity ward and although two of them have recorded that they currently have vacancies for 2, 3 and 4 year olds only two of those have provision for free entitlement for two year olds therefore Essex County Council would say a financial contribution from the developer would be needed to increase childcare capacity in the area.
- 4.78 It is anticipated that this proposed development would generate a requirement for 18 primary and 12 secondary school places.
- 4.79 This development falls in the priority admissions area of Edwards Francis Primary School. The most recent forecasts indicate that there will be sufficient school places over the course of the next 5 years within reasonable travelling distance of the proposed development. No contribution for additional primary school places will, therefore, be requested.
- 4.80 This proposed development is located within the Rochford secondary group 1 (Rayleigh) forecast planning group. The Rochford secondary group 1 forecast planning group has an overall capacity of 2,590 places. The forecast planning group is forecast to have a deficit of 396 places by the school year 2018-19.

- 4.81 Prior to the implementation of the revised Community Infrastructure Levy Regulations on 6 April 2015 the County Council would have sought a developer contribution from this proposed development for additional (primary/secondary) school places. However, the implementation of the revised Regulations now restrict the pooling of contributions for a specific item of infrastructure, such as the expansion of a school, to contributions from five separate planning obligations. Under these changed circumstances the County Council has decided not to request a contribution for the provision of additional (primary/secondary school) places from this proposed development.
- 4.82 In view of the above I request on behalf of Essex County Council that any permission for this development is granted subject to a section 106 agreement to mitigate its impacts on EY&C. 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 of 60 houses with two or more bedrooms, the EY&C contribution sum would be £74,941 index linked to April 2015 costs.
- 4.83 If your Council were minded to turn down the application, I would be grateful if the lack of EY&C 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.
- 4.84 Further comments (8 October 2015)
- 4.85 I responded to the above application on 16 September 2015, requesting an EY&C contribution of £74,941. I have reviewed this further and as a result have noted that I did not remove the already existing 2 free entitlement surplus places in EY&C. In view of the above can I please change my previous request and 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 EY&C. For information purposes only, should the final development result in the suggested net increase of 60 houses with two or more bedrooms, the EY&C contribution sum would be £47,185 index linked to April 2015 costs.

#### **Essex Bridleways Association**

- 4.86 We are keen to see some form of equestrian access linking the main road with Hockley Woods which has permissive access for horse riders. It is noted that pedestrian access has been proposed from the development and I understand that there may be issues with privacy if horse riders use a pathway adjoining residential gardens, therefore we would like to suggest the following:-
- 4.87 Footpath 49 runs along the private lane meeting footpath 65 which runs along the southern boundary of the site, linking into the woods where footpath 1

(Rochford) runs. If there are ecological issues regarding access to the woods at the north of the site, it may well be a better option to upgrade these existing rights of way to bridleway status which will solve all those issues - there will be a link from the new estate to the woods, there will be no issues regarding access to the ancient woodland and there will be no privacy issues if horse riders have to use a pathway adjacent to private gardens (something which Mike Stranks commented upon during our discussions). Ultimately what we would aim for is some kind of bridleway link from the main road to Hockley Woods where there is permissive access for horse riders. A route following the present FP49 and then following the line of FP65 but on the MoJ land to enter Hockley Woods in the bottom south west corner looks feasible and would not affect the scheme. Rochford District Council owns the woods so they should know where the entry points may be.

#### **Rochford District Council Engineer**

4.88 I have the following comments regarding planning application reference 15/00379/OUT:-

- I. No public foul sewer within the vicinity of the site
- II. No public surface water sewer within the vicinity of the site.

#### **Neighbour Representations**

28 Letters have been received from the following addresses:-

Bullwood Hall Lane: 2, 4, 6, "South Lodge" "North Lodge" "Windrush" (3 letters) "Fremlins" (4 letters) "Maryon House" (2 letters) "St. Nicholas"

Connaught Road: 36,

High Road: 66, 70a, 71, 73a, 86, 2 Turret Cottages,

Hockley Road: 181,

Sunnyfield Gardens: 3,

Woodlands Road: 62a,

SKARCHITECTS Ltd.

Paul Robinson Solicitors on behalf residents fronting Bullwood Hall Lane

One not addressed.

4.89 And which in the main make the following comments and objections:-

#### **Green Belt Issues**

- Inappropriate development within the Green Belt.
- Scale of development is excessive.
- The Green Belt serves a number of purposes not least to check the unrestricted sprawl of large built up areas and to prevent neighbouring towns merging into one another. Before considering the quantum of development, scale, context, openness of the Green Belt etc. the principle of developing this site will lead to a merging of the combinations of

Hockley and Rayleigh. This would create intensification across the open land that would positively be harmful and contrary to paragraph 80 of Chapter 9 of the NPPF.

- This development is not necessary, as sufficient potential development sites already exist, as defined in the Local Plans for RDC.
- This proposal would develop deep within the area of green belt between Rayleigh and Hockley, weakening the boundary between settlements.
- Core Strategy Policy GB1 – Green Belt protection states that the Council will allocate the minimum amount of Green Belt to meet Housing and Employment needs although this will only occur where the coalescence of individual settlements is prevented. Accordingly, the application fails to comply with Policy GB1 of the Rochford District Council Core Strategy. The applicant has not demonstrated in any way through their various supporting documentation that special circumstances exist, which is the key issue to developing within the Green Belt. The application site is not allocated as a development site within the Rochford District Council Core Strategy or the Rochford District Council Site Allocations Plan. On Green Belt alone the application should be assessed negatively. The Local Planning Authority should refuse the application as inappropriate development within the Green Belt which has failed to demonstrate any special circumstances. This would follow the Council's decision in 2010 to refuse the outline planning application 00/000324/OUT for 10 Houses on the same site, as inappropriate development within the Green Belt.
- The application site is not currently highlighted by the Local Planning Authority as land that is allocated for housing. Rochford has an up to date Core Strategy Local Development Framework which indicates that its allocated housing targets are being and will be delivered. The Council also has through its Site Allocations Plan (2014) adequate land allocated for housing which does not include the application site. In light of the Council's position this site is not required. The benefit of additional housing delivery does not outweigh the harm that the proposal would have on the openness of the Green Belt.
- The application currently proposes 63 No. new dwellings which is not reflective of the local character, fabric, scale and context. The application would, aside from the Green Belt issues raised above, introduce an inappropriate density which is not reflective of the character and context of this part of Hockley.
- If there is some consideration and favour given to either the release of the application site from the Green Belt or the Council believes that Special Circumstances have been achieved (although this would be challenging to see how) the question of scale and density must be addressed.
- Through Policy DM10 of the Rochford District Council Development Management Plan (2014) the Council refers to appropriate development

within the Green Belt. In particular residential development on previously developed land may be appropriate if it can be demonstrated that it would constitute sustainable development. Due to the lack of connectivity, reliance on the private motor car and distance from supporting infrastructure the application fails to demonstrate sustainable development and is therefore contrary to Policy DM10 of the Council Development Management Plan.

- RDC has previously had a policy of not allowing re-development of property located in the green belt. If property on the sites has fallen into disrepair the policy has previously been to refuse re-development and allow the land to revert. Why is that not the case here?
- If green belt land is to be used for development then this is a fine example of how not to do it.
- Other green belt sites exist around Rayleigh which would not cause such incursion into the heart of the countryside. These have previously been rejected by RDC from a development viewpoint as not being in the preferred locations for development, as defined by the Local Plan. This site is not in a preferred location, and a sufficient supply of development land for future requirements exists so this development is not required, or desirable.
- No special circumstances exist to permit this development into the green belt. At 60-75 proposed dwellings this is a fairly large development. Better to develop smaller, more numerous sites around the boundary of existing settlements, as opposed a few large developments in the heart of green belt.
- Green Belt land, including development of land previously developed, where the scale is significantly greater than was originally anticipated, goes against the stated aim of the Green Belt policy which was to prevent further unrestricted suburban sprawl. Towns such as Hockley and Rayleigh need to be kept compact and economically vibrant and separate - the Green Belt land between the two should be protected and retained and the boundary between the two not be allowed to be weakened.
- Any additional development should be on the outskirts of existing towns i.e. Hockley/Rayleigh and not in the middle of the two thereby further shrinking the existing Green Belt.
- This site is not in a preferred location for development as per the Local Plan; there are others eminently more suitable and that would not result in the same loss of habitat and disturbance to protected species.
- Any development in the Green Belt should be of a scale, design and siting such that the openness of the Green Belt and character of the countryside is not harmed and the nature conservation interests protected. The proposed dense nature of this development does not sit well with this aim

or with the wealth of nature and habitat (including protected species - both animal and tree) that has thrived in the Lane for many years.

- Policy DM10 provides that any proposed residential development of previously developed land in the Green Belt constitutes sustainable development on the defined grounds this development cannot be said to accord with these criteria.
- Bullwood Hall Lane is itself 600m in length. Planning policy (and DM10 above) stipulates that a residential area should be no further than 800m walking distance from amenities such as hospitals, doctor's surgeries, schools. There are no such amenities within 200m of the junction with the High Road - it is too far away for it to be said it would be well related to local services.
- Any development should be appropriate in size and scale, taking account of the fact the land is in the Green Belt.
- A small development of approximately 10/12 houses would be much more appropriate for this location taking into account all the above factors.

### **Highway Issues**

- The junction with the main road is very dangerous. Making it even busier will increase the danger significantly.
- The plans make no proposals for footpaths, meaning the residents would have to walk in the road, which is potentially dangerous.
- The nearby sharp bend in the main road means that it is dangerous when cars are turning out of Bullwood across the road towards Hockley and turning off the main road into Bullwood.
- The area is also very dangerous for pedestrians due to lack of pavement on the Rayleigh-bound side of the road. There will be a big increase in the number of children having to cross the road to get to local schools and the nearby sharp bend in the main road will make this an accident waiting to happen.
- In principle I do not object to the application but do have concerns about the effect on parking and access for the present occupiers of Bullwood Hall Lane, especially those very close to the prison, house numbers 1-7.
- As long as a) parking areas are set aside for our use (to replace the current spaces which will form part of the new development) and b) the number of cars using the lane does not far exceed those which used it for access when the prison was operating.
- The increased volume of traffic will create problems entering and exiting Bullwood Hall Lane; the top part of the lane will require widening to ease

this, with a redesign of the junction to enable traffic to turn left towards Rayleigh safely.

- Proposed parking for existing residents is a major concern and is unclear at present; we have for the last 15 years used the small car park adjacent to No. 7 to park regularly, as do our neighbours and visitors. There is an access lane to the rear of our properties which is entered from the corner of the car park and has once again been used by the residents for many years. We feel that it would not be unreasonable to leave this area as it is for existing residents. It would impact heavily on the tree line as a number of healthy trees would be lost if the car park area was developed.
- I note with interest the letter which has appeared on your website on 1 October 2015 for the above planning application. It is obvious that the writer of the letter of 1 October is not a classical scholar because he has misunderstood the meaning of the words *per se*. If he had understood the letter from Robinsons correctly he would have realised that it is the volume of the development which the residents in the lane object to. What is being proposed in the above planning application is the development and servicing of approximately 80 units, counting the existing units along a 300 foot single track access road without any passing bays. If this is not a recipe for road rage I do not know what is. (*Res ipsa loquitur*) The facts speak for themselves.
- The present access is a bottleneck only 7m wide, which means it is a single track one way lane.
- Truly hope Bullwood Hall Lane will not be the access to this new development.
- Am concerned regarding access to this development. The approach road is too narrow and to widen it would require infringing on private property. The junction with the main road is angled too much to the east which makes turning west towards Rayleigh hard, especially in large vehicles.
- The main road is badly congested at peak times and extra vehicles joining and leaving at this junction would increase this problem. A better solution would be for access to go out the rear of the site on Bull Lane.
- Impact on the local traffic and highway network by means of significant intensification, which will create a huge strain and further congestion on the local infrastructure.
- Concern relates to transport and highways and the inappropriateness of the existing infrastructure to support 63 additional dwellings, the associated vehicular movements and likely congestion which is contrary to the National Planning Policy Framework (NPPF) Chapter 4 Promoting Sustainable Development. In particular, paragraph 30 of the NPPF notes encouragement should be given to solutions which support reductions in greenhouse gas emissions or reduced congestion.

- In regard to the proposed development, access to the local infrastructure and communication routes is only via vehicular traffic. This would directly increase greenhouse gas emissions and is in an unsustainable location, relying completely on the individual vehicle as opposed to public transport and other modes of transport.
- The increase of an additional 63 housing units or homes in this location is likely to have a major impact on all of the highway environment in and around Bullwood Hall Lane, in particular the connection with the High Road and the new entrance to Hockley Woods.
- It would appear that there has been insufficient consideration for a new and alternative access road as part of the overall re-development proposals.
- In looking at the 63 proposed dwellings, even on a conservative estimation, this is likely to see circa 100 vehicles entering and exiting the site on a regular basis throughout the day. At peak times this is likely to have a big impact, in particular onto the High Road. The route in through the site is via a single track access which is completely insufficient to support the number of vehicular movements likely to be taking place and the junction on the High Road of vehicles turning into Bullwood Hall Lane will be greatly intensified leading to further congestion. The single track access route also has insufficient passing places to accommodate the volume of residential traffic. There are also a great number of local concerns that have been raised regarding highway safety. This results from poor visibility on this junction.
- As part of the applicants' transport assessment, reference has been given to accidents at this location over the last 3 years, however, we note that this period of time has included 2 years where the prison has been closed and therefore the traffic has been reduced to an absolute minimum.
- We note the applicants' transport statement has included a transport plan. However this does not, in our view, deal with the significant concerns and issues arising from the impact on the local environment in terms of the harm and nuisance created by noise, fumes and traffic congestion all of which will be harmful to neighbouring amenities.
- The development of this site also fails to meet with the Government's Directive of a mixed use sustainable community. The application seeks a purely residential development somewhat removed from local infrastructure and amenities. The vehicular journeys to and from this application site would therefore be greatly intensified as a result of the single residential use proposals.
- Concern is effect of traffic using the site. Access road narrow at first and incapable of dealing with traffic generated by 60 houses. Road also serves as a regularly used footpath to woods, especially by large groups. Even with wider junction and improved splays emerging traffic in either direction

would be at risk from those on the High Road approaching around blind bends, all too often driven at speeds in excess of 30 mph limit.

- Also concerned about traffic speeds both entering and leaving the site which at the moment is controlled and influenced by a narrow private drive. These risks are greater at night. There ought to be a 10 mph speed limit along its entire length and certainly to the point where the woodland footpath connects. And with several traffic calming measures along its whole length!
- Our concern primarily is in regard to the volume of traffic which will increase without doubt. It is ludicrous to say traffic flow will be less than previously experienced as a prison. How often will you find a 5 bedroom house with only 1 car? Even a 3-bed house will more than likely have 2 cars, so in reality we should expect to see at least 200 extra cars requiring access to/from Bullwood Hall Lane. Of course not everyone will need to leave/arrive at the same time every day but there will be peak times when congestion will be high i.e. London commuters, school runs. It is already difficult to exit my drive in morning traffic, especially if a number 7 bus has just passed!
- I would like the Council to also take into account the proposed development of Rawreth Lane (Rawreth Village), as this development will also impact on the already extremely busy High Road running through Hockley. Tail backs are very common and someone just trying to take their dog for a walk in Hockley woods can cause a traffic tailback turning into the entrance by the Bull restaurant. This will also occur at Bullwood Hall Lane with the proposed new entrance to the woods. On many occasions we have been stuck on Drovers Hill in traffic because a delivery van has pulled up on the High Road kerbside to deliver goods to residents and the small convenience store (Folly Lane).
- How will a direct pedestrian link to the bus stop be arranged? Pedestrian crossing sounds the only possible way, so again, more congestion.
- After all, Bullwood Hall Lane is the only access route available to this development.
- In order to achieve the final development a number of considerations of the infrastructure and the access road have not been adhered to in full consideration. Perhaps if an element of common sense with some knowledge of the area with day to day experience dealing with the roads, traffic, accidents, prison traffic etc. could have been used?
- As somebody living in the area for 20 years I feel this gives me a far more local comprehension of the infrastructure than a professional report company that has been assigned to just make a written statement with none of the above experience; purely for financial gain; only for themselves or their client without experienced knowledge.

- The local Hockley Road cannot accommodate the existing traffic let alone additional traffic
- Potential Accidents
- Bullwood Hall lane cannot accommodate a lot more traffic
- The local Hockley Road cannot accommodate the existing traffic let alone additional traffic
- The High Road B1013 is a very busy stretch of road. The increase in traffic, particularly in the last twelve months, has been significant; the fact that the traffic is constantly at a standstill at certain times of the day. There are times of the day when to take a journey that would normally have taken 5 minutes now takes 15/20mins mins in both directions. If there is a delivery van or the rubbish lorry the traffic just backs up for up to a mile behind them.
- At the quiet times - early hours of the morning or late at night - the road is used like a race track. Once vehicles get away from the speed camera when coming from Hockley all cars and bikes then speed up before having to break on the bend. The amount of accidents on a regular basis certainly signifies this.
- Coming from Rayleigh the cars/bikes speed on a regular basis. If someone is turning into Bullwood Hall Lane people have to break hard coming from either direction; we can hear the screeching of brakes. Allowing approximately four vehicles per house would certainly increase accidents. The fact that there has been one fatality nearby and many smaller accidents in the last few months would certainly indicate that this road and junction cannot handle this extra amount of traffic that is being proposed.
- There are numerous accidents from cars that get shunted trying to wait and get into Bullwood Hall Lane. In fact my wife has been hit on more than one occasion by cars racing up the hill.
- When driving into Bullwood Hall Lane unless vehicles are aware of other vehicles coming down the lane from the other end there is always a bottle neck and one person then has to reverse or go onto someone's driveway, including mine, in order to get out of the way of the ongoing vehicle.
- The access road for 60 new properties is certainly too narrow to accommodate allowing 4 cars per house.
- At the moment our lives are very much dictated at certain times of the day to not venture outside due to the already very busy traffic. i.e. between 7am-9am in the morning and between 4.30pm and 6.30pm in the evening and if there is a holdup in either direction further down the road you are sitting in traffic for up to an hour.

- Looking at the plans and also at the proposed entrance and exit point from High Road into Bullwood Hall Lane and vice versa still does not allow the drivers either coming in or going out to have total visibility which again could be a potential accident spot.
- There are almost daily various near misses where cars venture into the other side of Hockley Road when having the opportunity to overtake either a slower vehicle or a cyclist.
- The only verges along Bullwood Hall Lane or any pedestrian footways belong to the existing residents of Bullwood Hall Lane and there is a question of adverse possession which is on going but certainly a point to be considered which in time will be the subject of perhaps ongoing and time consuming possible legal dispute.
- The accident figure quoted by the developers I would certainly question. Quite a number of the accidents almost on a weekly basis are not reported. However both living and working from home I often hear accidents.
- There are other options of alternative access roads which seem to have been completely ignored.
- I understand that there is to be a new entrance to Hockley Woods; this would also increase a lot of traffic to Bullwood Hall Lane which already would be struggling with the amount of traffic from the new houses, let alone the existing people who wish to use the entrance to Hockley Woods.
- Bullwood Hall Lane cannot accommodate a lot more traffic.
- In addition to the proposed 4 cars per property with the increasing internet/supermarket delivery lorries this can be up to 4 to 5 deliveries per day. From my sums if 60 houses had 4 cars each and each person went in and out of the road twice (allowing for work, school runs etc.) and allowing each house having one delivery per day which is quite rare these days; (most people have 3 to 4 deliveries a day) this still means there will be around 600 additional daily uses of Bullwood Hall Lane.
- I'm sure the patience will be tested of those having to sit and wait for traffic not only coming out of Bullwood Hall Lane but waiting to come into Bullwood Hall Lane. What happens during busy times when say 20 cars wish to go into Bullwood Hall Lane from Hockley Road but cannot do so as there is a bottleneck at the top of Bullwood Hall Lane with people waiting to come out? This really has not been thought through clearly enough.
- A development of the size proposed by this application could not possibly be supported by the narrow single track access road for the myriad of reasons set out below and would result in excessive traffic down the Lane together with a bottleneck at the junction and spilling out onto the High

Road. The developer cannot rely on using residents' driveways as passing spaces, particularly where the said driveways and grass verges are the subject of an Adverse Possession claim by the existing residents. For the same reason there are no footpaths for pedestrians for the first stretch of the Lane.

- One of the so called vehicular “passing places” is in any case dangerous as it is on a blind corner.
- The proposed measures to make the existing entrance/exit from the High Road into Bullwood Hall Lane will still result in suboptimal visibility together with traffic building up onto the High Road.
- The impact on the High Road and further local highways network will be severe, both turning right towards Rochford and onto Southend in that direction as well as turning left into Rayleigh and onto Southend that way.
- The accident figures quoted by the developer of accidents in the last 3 years fail to take account of the fact that the prison has been shut for over 2 of these 3 years hence minimal traffic has been entering and exiting. It is data prior to this time that will be more relevant.
- Notwithstanding the proposed improvements to the road junction the reasons given in refusing Planning Application 00/000324/OUT for only 10 houses in 2010 remain applicable: narrow single track road, no footway, no passing places within the developer's control and still visibility less than is judged as the desirable minimum visibility.
- The residents insisted on speed bumps being installed in the roadway approximately 20 years ago due to the cars using the road driving too fast. This would only be exacerbated by a housing development of this proposed magnitude on such a narrow road.
- The new entrance to Hockley Woods proposed close to the main site would result in yet more cars using the road. The existing parking area for the woods is less than a mile away (near the Bull pub) and has spaces for 74 cars. There are frequently over 90 cars parked here. Many of these users will choose to park at Bullwood Hall instead.
- Insufficient consideration has been given to alternative access roads of which there are several possibilities.
- In 2010 the Council rejected the above application for 10 houses, when the prison was operational. 63 new proposed dwellings of between 3-5 bedrooms would entail many more cars than would have been the case at the beginning and end of each day with the prison being operational. With each dwelling owning 2 cars and some more than 2 there is a likelihood of 120 journeys out and back at peak times without even considering the journeys made during the day by those working flexi hours or driving children to school and back in addition to service vehicles (including

internet deliveries) serving those houses.

- The proposed development does not have a footpath along its entire length and any pedestrians would therefore need to walk in the road; it cannot be said that pedestrians are being given priority. Nor could it be said to promote sustainable transport modes.
- Public transport offered 600m away on the High Road cannot be described as high quality; some of the buses run only once a day.
- The Rayleigh to Hockley Road is getting busier by the month; adding 60 more houses will certainly make this worse. The traffic is constantly at a standstill or very slow speed most times of the day.
- There are times of the day when a quick journey to pop to the shops is now minimum an hour. When driving out of Bullwood Hall Lane no one lets you out; you have to force your way out and upset lots of oncoming cars.
- Widening the entrance and the lane and creating a footpath will result in the original country character and aesthetic being lost.
- Trying to cross the road with the children was every day a problem when the children had to cross the road.
- Bullwood Hall Lane for 60 new properties is certainly too narrow to allow many numerous cars and vans per house.
- Looking at the plans and also at the suggested entrance and exit from Bullwood Hall Lane this does not allow the drivers either coming in or going out to see properly what's coming the other way.
- There will be a serious cyclist accident one day.
- The accident figure quoted by the developers is wrong; just ask the neighbours nearer the end of the lane. I would ask why have other access roads been ignored.
- Bullwood Hall Lane cannot deal with more traffic; when any of the neighbours have any deliveries or the postman parks in the Lane the traffic backs up; how much worse will it be? Delivery lorries park where they feel like parking and cause traffic to back up. What happens when traffic backs up coming in and going out of Hockley Road at the top of Bullwood Hall Lane, with people waiting to come out?
- I love where I live and do not want aggravation getting in and out of my driveway.
- I would love to see 10, or may be 20, nice houses where the prison used to be; if the developers want to have more houses they should think of

another way for traffic to get in and out of the Lane to the development.

- As somebody who has lived in the area for most of my life, I hope as the new generation to stay living in the area. I love Bullwood Hall Lane and my friends tell me I am so lucky to live here. My objection to the new amount of houses is based on the viewpoint of a young person. I am 21, I have two jobs, I pay my taxes and I think Hockley Road is getting worse. I have been driving a car for a year now and find that going to and from work is a nightmare. People are so stressed all the time and no one gives way when you try to join the traffic flow. This will get worse if there are loads more houses, I am told another 60. Delivery vans seem to park at the same time as children going to school and people going to work; the roads are too busy.
- Why there is a speed camera in Hockley Road I do not know, as I never get out of third gear to be able to speed. I see loads of accidents from cars that are hit waiting to get into Bullwood Hall Lane. There are problems some days getting in and out of Bullwood Hall Lane. Sometimes delivery men get out of their van and go and deliver something, leaving their van running. I have noticed delivery men start before 8.00 am and deliver after 8.00 pm at night. The road is certainly too narrow for 60 new properties; it's a single track lane, not a dual carriageway.
- I need to leave the house earlier every month as the traffic is getting worse. There is nowhere for the walkers to go and people with dogs have to keep jumping onto the verges. It's even worse when they think they are getting out of the way as they end up in my way, in my driveway.
- Bullwood Hall Lane, even now the prison is gone, is still a busy road with walkers, dog walkers, delivery men, loads of cars; it will be worse when a lot more traffic is added unless this is controlled. Hockley village and even Rayleigh is difficult to get to and sometimes it's easier ordering something online then trying to go and physically buy it and let someone else spend all their time on the road; but its defeating what once was the enjoyment of going shopping.
- The traffic survey conclusions are somewhat unrealistic in their proposition regarding the amount of journeys from the site by persons using public transport, cycling and walking. During peak periods their claims regarding walking to either Rayleigh or Hockley Stations are just not viable, given the distance to each station.
- I would also note that anyone attempting to use the bus service to Rayleigh will have to cross the High Road and walk some 300 metres and re-cross the road to get to the nearest bus stop as there is no footpath on the Bullwood Hall side of the road.
- As the application report states this is a road which has some 1400 traffic movements per hour in peak periods; it is simply not safe. The bus stop for the route to Hockley is on the other side of the High Road, so again people

will be forced to attempt to cross an extremely busy road. This will be particularly dangerous for school children.

- The proposed alterations to the junction will have a detrimental effect on the setting of the Grade II listed properties either side of the junction. This setting is currently one of the few retained in the Hockley area which reflects its rural past. A different access further down the High Road towards Rayleigh would have less impact on the local environment, and would also be much safer in respect of traffic access, as visibility in both directions is considerably improved.
- The High Road already carries an excessive amount of traffic for a B category road, and the proposed scheme will generate yet more traffic in a junction that is not suitable, even with the proposed alterations.
- The report submitted with the application compares the situation with the traffic generated at another prison facility in another part of the country. This comparison is not viable, as Bullwood Hall, when operating as a prison, had the majority of vehicle movements out of the peak travel times, due to the timing of the shifts of the prison staff, and visiting times, and therefore had far less impact on the High Road during peak travel periods.
- The road system and location of the prison the report uses are also significantly different to that of the Bullwood Hall site.
- It would seem generally that the developers are seeking, somewhat understandably, to maximise the use of the site and minimise their outlay by using Bullwood Hall Lane for access and egress. The proposal has now increased the number of residential units to a level which is over intensive for a site of this nature, and will have a detrimental effect on the setting and surrounding woodlands.
- The traffic generated will also have a detrimental effect on the surrounding road systems, particularly the High Road.
- We do not need 60 new houses in this lovely part of Hockley; why not put them somewhere else. My objection is based as someone who still wants to go to work every day, come home every night and go out again; the roads are becoming so busy that I am now always stuck in traffic. There is no common sense involved in trying to put 60 houses at the bottom of a narrow road where there will just be lots of problems.
- Am in favour of the site being developed but on a much smaller scale than proposed. 60 dwellings with associated cars are too many for the site.
- As many others have commented, the access road will be far too busy and single lane will be both congested and dangerous. I regularly walk my dog along Bullwood Hall Lane and the sight lines are poor. With heavy use from a large number of vehicles there will be insufficient room for pedestrians and dogs on the verges. Even the slight widening proposed is

not enough. Purchase of the Turrett Farm Cottage road would appear to be a better option.

- High Road is getting busier every year. During peak hours cars move at a slow crawl from the edge of Rayleigh right through to the Spa. In between, cars come up the hill from Rayleigh at well above the speed limit round two blind bends. In both of these situations the huge increase in traffic from the proposed new development would be unacceptable and increase the danger of further accidents, as well as much greater congestion on the High Road.
- My major concern about the proposed development is that of access. As has been stated on numerous occasions, Bullwood Hall Lane is a single lane road and has limited areas, mostly unauthorised, for oncoming vehicles to pass. A development of 60 high value properties would result in probably at least an additional 180 cars using the road on a daily basis. Given the issues already known by County and local Councils regarding overcrowding of roads in this area I fail to see how adding to the problem can be anything other than an ill-considered idea. A much smaller number of properties but no more than 10 would be more in keeping with the unique nature of this area.
- The traffic flow report contained in the proposal is flawed in many ways. If you look at the history of traffic usage in Bullwood Hall Lane there has been a significant drop in traffic since 2006 when the prison converted from a women's to a men's Category C prison. The reason for this is obvious: the women's prison at full occupancy attracted a moderate flow of traffic at specific times of the day, normally weekends only - when visitors were allowed. Coupled with the known change-over times for prison officer shifts it was relatively easy for residents to avoid or plan journeys to miss these limited build-ups of traffic. Also, some prison officers resided in houses very close to the prison premises and were able to walk to work. When the prison converted to a men's Category C operation some time in 2006 the visitor flow dwindled because something like 70% of the prisoners were non-UK residents who were in the throes of being deported to their homelands. Many of these prisoners rarely had visitors and the weekend traffic dropped to almost exclusively prison staff and ancillary services only. From a personal perspective I was only inconvenienced during weekday mornings when I used to struggle to dodge the early morning staff change-over when attempting to get to Hockley Station. Since March 2013 the only traffic has been from residents and their visitors/tradespeople but, even so, because of the nature of the road there have been some close calls on collisions when people have ignored the speed limit or decided not to be cautious when approaching a blind corner.
- Consideration must be given to the huge increase in traffic using the Hockley Road, which does not appear to be reflected in the submission papers. The traffic flow report appears to be based on outdated and irrelevant data. Adding close on 200 cars to an already over-congested road is, quite frankly, nonsensical. Think of the school run when young

mothers living in the new development will have to resort to reckless queue jumping to get their Chelsea tractors onto the main road. There will almost certainly be fatalities unless there is a slow down in housing development to stem the flow of traffic or somebody waves a magic wand and finds a way of laying a new road system that works for the whole of the region.

- The Hockley Road becomes jammed simply when a delivery van blocks one lane and these jams can extend all the way through the one way system in Rayleigh down to the Weir roundabout. You have heavy commuter traffic from the whole of the Southend area trying to access routes into London or East Anglia using this road and it is time for those in authority to search their consciences for why nothing has been done to improve road systems in the region for many years. I'm surprised that Harrow Estates did not include their own traffic study that we know was carried out some time ago; perhaps the figures are too alarming?
- There is, of course, an equitable solution to all of our issues: access to the site from another route. There is another private road running parallel with Bullwood Hall Lane that leads to the two Turret Farm Cottages. We have suggested that this way to the prison site allows room for a normal two way road with a minimum of disturbance to the present occupants of Bullwood Hall Lane. It would mean the demolition of the two cottages (with adequate compensation paid to the current owners) but, considering the scope for the number of additional houses this would allow, would be a minor additional expense for a company of the size of Harrow Estates and its ultimate parent. A few cosmetic changes to Bullwood Hall Lane would need to be made, bollards erected adjacent to the boundary at the bottom of South Lodge to prevent traffic from accessing the top of the lane and a tasteful wall constructed to provide some respite for the occupiers of South Lodge from the increased noise and sight of traffic to and from the new development.
- Spare a thought for the horse riders, ramblers, scouts, cyclists and dog walkers who use our road on a regular basis because, having no room for a pedestrian pavement, it is safe from heavy traffic flows and is a unique area of peace and natural beauty. Do you really want to destroy all of this?
- Infrastructure regarding access and egress does not appear to be addressed in the outline application for this development, but surely this should be the first priority to be examined before any further proposals can go ahead.
- The proposal mentions 'alterations to access and access road', but these are just words, not specifics. The only access road to this site is via the B129.
- Any construction traffic like heavy plant, site offices, material delivery lorries, etc., including site muck removal vehicles, will have to negotiate this difficult junction.

- Before even outline planning permission is agreed access and egress should be fully addressed. As a local resident who frequently uses Bullwood Hall Lane for walking and leisure, I absolutely dispute the assertion made in some of the supporting documents that the rural character of the area will not be adversely affected by the proposed modifications to the road. The single lane nature of the road and the verges in front of the homes along Bullwood Lane are important contributors to the quiet, rural nature of the area.
- I understand that the proposed changes to the road rely on making use of the verges outside the residences along Bullwood Hall Lane. I also understand that it has been asserted that these verges have been maintained by staff from the prison. As a long term resident of the area for more than 25 years, I have witnessed for many years that these verges have been maintained by the residents themselves and not by prison staff.
- The traffic assessments supporting the development comment that the impact of this development on traffic on the High Road will be minimal and no more than was the case when the prison was operational. As a resident living on the High Road, close to Bullwood Hall Lane, I would attest that traffic levels on the High Road are constantly increasing and I am certain have increased significantly in the period since the prison ceased to operate almost three years ago. I would therefore dispute that a further increase in traffic can be ignored. I have also seen no information on the combined impact on traffic of this development along with other planned developments that will feed onto the High Road which in combination can only further increase traffic on a road that is already extremely busy. For residents living directly on the High Road, it is already difficult and potentially dangerous getting onto this road. I therefore object on the basis that any further increase in traffic on the High Road will lead to an increase in the probability of accidents along this stretch of road.
- I moved to Bullwood Hall Land twelve years ago and worked in Southend for a number of years. In those days it was relatively easy to get in and out of the lane because the traffic flow was nowhere near the level it is today. Nowadays five to ten minutes just to exit the lane is the norm and this is only possible by taking a chance that oncoming traffic will stop and let me out. I am often subjected to road rage by aggressive drivers whose patience has been worn thin by the stop-start nature of driving in the Hockley-Rayleigh area these days. This is a contributory factor to the increase in accidents in the area. Put 60 luxury houses in the lane and existing residents will never be able to get out of their driveways safely.
- Volume of traffic in the lane will be very different from the historical statistics based on the prison vehicle movements.
- Increased smartphone usage has resulted in a number of people using the entrance to Bullwood Hall Lane as a lay by, thereby blocking anyone from entering or exiting the lane. Coupled with a few inconsiderate householders on the High Road who also use the area as an overflow car

park for when they have visitors, this whole area has to be designated as a “no parking” zone to ensure accidents do not occur when drivers turn at speed into the lane.

- If this area is enlarged to accommodate the revised entrance to Bullwood Hall Lane there will be even more people trying to take advantage of additional parking space.
- When Harrow Estates Plc first contacted us back in August 2014 the proposal then was for no more than 35 quality homes on the site. This figure, I thought, was quite acceptable given the rural nature of the site and the single width access lane restriction. The number of proposed homes has all but doubled now and even with the lane improvements outlined, it will, in my opinion, not be able to cope at all. Also, the proposed widening of the junction between the lane and the High Road will still give you poor exit vision in both directions, where turning left the larger area will encourage more people to park outside North Lodge or use it as a turning circle [both scenarios already occur] or turning right you are still relying on the owner of "Whitbreads" to keep his high hedges trimmed back - something that has not happened in a long time.
- I completely understand the need for re-development but I live on Aldermans Hill and see the congestion on the B1013 daily. I have also noticed the increase in accidents on this and surrounding roads. The infrastructure cannot cope with the current level of traffic coming up the road. I myself have been forced off a zebra crossing twice this year where I was over half way across but the car was going too fast to stop.
- The Spa junction was never built to accommodate the level of traffic coming through Hockley, a lot of which are lorries and heavy vehicles. How will this be managed?
- The traffic survey on which the applicant relies is now two years out of date, not taking into account significant development locally since 2013. The applicants have not used their more recent survey undertaken in late July 2014. We conducted our own survey at that same time and counted 800-1000 vehicles an hour each way during the evening peak period from 3.00 pm - 6.30 pm.
- When Bullwood Hall was constructed in 1887 at a time of horse drawn carriages, it was even considered necessary then for the site to have two accesses.

### **Infrastructure Issues**

- No real attempt to defined what additional infrastructure is required to support this "mini-village", let alone how it will be provided (roads, schools, doctor's surgeries, etc.)

- I would also like to see the building of a community hall/shop in a development of greater than 40 dwellings.
- Existing water pressure is poor and electricity power supply dips regularly; this can only worsen with the proposed development.
- There is no drainage to speak of in the road and our property has been partially flooded on a number of occasions with numerous near misses since my wife and I have occupied the house. Due to the camber of the road coupled with damage to kerbing by heavy goods vehicles going to the prison we have to contend with potential flooding whenever it rains. Our house is situated well below the level of the road. This is because the only drainage on Bullwood Hall Lane is in the form of small tanks under the road that are designed to collect the rain as it falls; great in theory if the rain fall is light and the road is flat, which it certainly is not. Nobody thought of the huge amounts of detritus from falling leaves and twigs, dust and soil erosion from neighbouring fields and gardens, all of which ends up in the drain at the top of my driveway because of the topography of the landscape. The MOJ has cleaned this tank once in the last ten years; so much for their boast of immaculately maintaining the road. This type of drain needs cleaning on a quarterly basis as an absolute minimum.
- Local Councillors including planning officers are elected to serve the local community and therefore should take residents' opinions into consideration when making a decision which will badly affect the existing infrastructure.
- My next concern is regarding services to the site - namely water and electricity. Having high elevation and being able to see the water tower, the pressure here is not great. With 60+ dwellings all running taps or flushing WC's I can see a problem here [pressure used to drop when prisoners were taking morning showers]. Our electricity is served by overhead cables which run across farm fields, so we do experience our fair share of power outages. With the huge demand that the development will put on the system, I can foresee more power losses occurring.
- There are lesser issues, for example street lighting, possible adoption of the lane by the Council, Site maintenance etc., to name but a few.
- If the development goes ahead as planned my wife and I will be subject to an increased flood risk because standing water that overflows the drainage tank will be constantly disturbed by a constant traffic flow that in turn will result in the drains at the side of my house being overloaded until water seeps into our property.
- There needs to be some consideration again where common sense hasn't been used where Hockley village (which is the closest shopping centre) does not allow enough parking in the current situation, let alone potentially another 240 cars.

- You have to wait two to three weeks for an appointment at the local doctor's surgery unless you are prepared to stand outside the surgery at 7.30-8.00 am to try and get an urgent appointment that day. That's fine if you are not the sick person, however not everybody has the time in order to do this.

### **Ecological Issues**

- This proposal would also compromise the protection of wildlife (specifically deer, badgers, foxes, bird life).
- I understand the valuable assets of a wide range of trees are the subject of a TPO and support this.
- The impact that the development will have on the local wildlife is immeasurable. With Hockley Woods in close proximity we currently enjoy many species of animals and birds not normally associated with major developments, and a new large estate is bound to drive most, if not all, of these beings away through loss of habitat, hunting grounds or human disturbance.
- There is wildlife all around us and we see it every day, so I find it very hard to believe the representative from Harrow Estates confirmed no wildlife, of any importance, inhabits the area planned for development.
- We would love to see the prison knocked to the ground and returned back to the wildlife that once resided there. However, areas of natural beauty, even if it is just a field of grass, are being developed into housing all the time, but I do hope Harrow Estates and the Council carefully consider the implications of such a large development with such restricted access routes.

### **Amenity Issues Raised**

- The House indicated on plot no. 3 on the plan is outside the existing building line and will therefore afford direct views into our rear garden. The position of this property could also affect the amount of light we receive in our rear garden from the low winter sun.
- Why should we be a victim of the changes of modern day? The new houses should improve the area, not make it worse; the numbers that are being suggested will certainly make it worse.
- The pollution during construction, disturbance of local habitat and increased visitor and resident pressure on the site is such that it can only be detrimental to the existing environment.
- What originally attracted me to moving into Bullwood Hall Lane although it was not far from a main road but within minutes the middle of nowhere is

going to be destroyed.

- Demolition will cause disturbance, noise, damage and pollution, as will construction activity and traffic.
- In addition to the noise pollution, increased visitors would certainly be detrimental to the above consideration; this is initially why we bought the property a number of year ago and continue to enjoy living here. Even when the prison was in full operation, with the movement of staff cars, on and off duty, and with Sunday visitors, it was always fairly well controlled and the traffic all seemed to be going in the same direction in the busy periods.

### **Other Issues Raised**

- We further note the applicants' Statement of Community Involvement which does not highlight or address the concerns that the residents we are representing have expressed. Clearly the application which has a major and negative impact on the existing local residents will be harmful to the Green Belt and fails to demonstrate how the proposals adhere to National and Local Planning Policies. Accordingly we ask that the residents' concerns are duly considered as part of the officers' appraisal and the application is duly recommended for refusal.
- Bullwood Hall Lane has 7 properties, 4 of which are grade II Listed with 7 properties further down the lane. This number of Listed Buildings together is probably unique in the district adding to the character of the area.
- North Lodge is lower than the High Road with the camber falling towards the house. Rain water currently drains into the entrance to North Lodge. Heavy rain fall accumulates at the side of the house. The widening of the access road will increase the run off into North Lodge.
- Am writing as one of the younger residents of Bullwood Hall Lane - I am 21. I have grown up in Hockley and lived in the Lane as long as I can remember.
- I do not have a problem with a re-development of the old prison; it currently looks a mess and I never liked the look of it as a prison anyway. Who knows, if there is affordable housing I might be able to have a house myself in the future and still bring my washing home for my mum to do.
- It seems that whoever is trying to get 60 houses built is looking for maximum profit without actually thinking of the whole picture or considering the people who live in the area, or the people buying the houses.
- I am happy for some new houses to be built in Bullwood Hall Lane, but 60 new houses seems too many.

- The Bullwood Hall site is one of the last possible sites in the district which has a view of farmland and woodland. The proposed development is totally unsympathetic to this and does not maximise the opportunity to have new homes which have gardens facing the southerly farmland views nor the east facing woodland views. I therefore think the developers should rearrange the site so that gardens face southwards wherever possible and do not look into other gardens except on lateral boundaries. It is my opinion that people are happy to greet their neighbours from the front door or front garden but value privacy in their back gardens. This development has done the opposite. I have a sketch of an alternative if anyone is interested with the road laid out differently.
- As a resident of Bullwood Hall Lane who would be seriously affected by this unnecessary development on a single track lane I am concerned that no resident has yet received formal notification of the proposal. Can you please confirm that the time limitation for objection to the proposal does not take effect until residents have been formally notified by letter? There are a number of issues that the MoJ, Harrow Estates and residents need to address before the application can be considered.
- I am not going to oppose the development, far from it - I think that it is only right that the site should be re-used now that the Government has left us, but, for me, 60 houses is too many, especially for a one way lane with passing places and feel that the proposed estate should be scaled back to a more acceptable level.
- I would also like to agree with a comment made by another neighbour regarding the power shortages we experience and low water pressure in this area. I hope Harrow Estates will factor these issues in when creating premium housing in an exceptional location.
- Do not think this development should be allowed.
- I am totally against this development and would love to see the old Bullwood Hall House and its grounds restored to its former glory as a prime residence for a wealthy family, just as it used to be before the prison was erected. Any residual land should be given back to the people of Hockley and planted with native trees to restore the rural aspect of this unique area.
- Can Councillors please acknowledge that we fully understand that the MoJ wants to sell its land and that we have no objection to that land being used for a housing development but such a development has to be in keeping with the constraints of a single track road with limited passing areas and more importantly acknowledge the relevance of the largest concentration of Grade II listed buildings in the region. Please re-read your objectives and explain to a huge number of young tax payers in the area why a development for deluxe housing should take precedence over the much greater need for affordable housing in areas close to railway stations, shops and other amenities. Drive around Southend and Westcliff and look

at the numerous brown field sites that are crying out for development and modernisation and tell me why nothing is being done.

- Where we live is an exceptional location; we cannot pretend otherwise. How lucky are we to live so close to commuter links but have so much natural beauty at the end of our garden. You will be hard pushed to find such a location anywhere else in the local area, and I mean Hockley.
- The grass verge along the length of Bullwood Hall Lane between North Lodge and South Lodge (to the east of the tarmac roadway) represents an area of disputed ownership.
- Precise identification of what Ministry of Justice ever actually had title to is difficult to determine due to the fact that the original deeds to Bullwood Hall were lost by MoJ in approximately 1975/76.
- In 2001 the MoJ registered the title of Bullwood Hall at HM Land Registry by way of an FR1 registration form. This is illegible in part, no plan was attached and the MoJ say they have lost their file copy. The title granted included the grass verge. No notice of the registration was given to the adjoining owners who only discovered this was the case when we carried out a search of the land in April 2014.
- We then filed in July 2014 at the Land Registry a claim for adverse possession of the grass verge on behalf of a resident who had been occupying and maintaining the verge for many years. The MoJ deny any validity and have asked residents to withdraw such claim. The dispute is continuing.
- In April 2014 a previously unregistered portion of land (adjacent to part of the verge next to North Lodge) was registered by the MoJ; again, no notice was given to the owners of the adjoining site.
- Have requested of the Land Registry that the facts surrounding this registration be investigated.
- Have requested but not received clarification from the MoJ.
- Although having received confirmation from the applicants that the area of dispute is not within the application site, believe this is not entirely correct as the description of the existing access in the Transport Assessment relies upon “unofficial” vehicular passing places – believed to be entrances to existing properties, all of which are within the disputed verges. It is believed there may also be reliance on a small part of the roadway itself that is not within the MoJ ownership.
- Without the use of the disputed verges it is believed that there are no vehicular passing places and no pedestrian footpath between North and South Lodge.

- Instructed to reiterate, that it is not the development of the site *per se* that our clients object to, it is the additional traffic that would be generated on a single track road of this nature. Any development needs to be sympathetic and appropriate.

1 Letter has been received from the following address, together with other comments of support received with objections from addresses set out above.

Bullwood Hall Lane: unaddressed

And which make the following comments in support of the application:-

- My wife and I live at the bottom of the lane opposite the old prison. We do not object to the new development. It is not a big development therefore will not add too much traffic to the lane. It is well laid out and sympathetic to the existing properties and will be much better to look at than the old prison.
- Our only slight concern is regarding parking for the existing residents at the bottom of the lane (about twelve vehicles plus enough for visitors). On the plans it looks like the existing small road that is outside our properties will be widened. If that is correct it would be adequate.
- Except it is a brown field site it ought, because it's in the Roach Valley, to be opposed but because of various uses of existing planning the proposal is best solution, supported in principle.
- Residential development of fewer, higher priced properties, with social housing in existing buildings, would be economically, environmentally and infrastructure wiser and in keeping with surrounding area.

One letter has been received from the applicants and which makes the following comments in reply to the comments and objections raised:-

- Welcome the residents' confirmation that they do not object to the residential development of the former Bullwood Hall prison site *per se*.
- Believe the residential development confined as it is to the existing built areas of the site and preserving the existing nature trees is sympathetic and appropriate, particularly when compared to the existing prison buildings. Thus the residents' primary objective is achieved by the proposed development.
- Recognise the concerns of residents regarding traffic over the single track part of Bullwood Hall Lane but:-
  - a) The access to the former Bullwood Hall Prison has always been over this single track road and, when it operated as a prison, significant volumes of traffic, including lorries and vans making deliveries to the prison and staff coming and going on a shift basis, passed on a daily

basis up and down Bullwood Hall Lane without significant difficulty.

- b) The transport Assessment carried out by Waterman and submitted as part of the application concluded that the traffic using Bullwood Hall Lane for the proposed residential development will be no greater than the traffic generated by the former prison use.
- Harrow Estates proposals include significant improvements to the junction of Bullwood Hall Lane and High Road as detailed on Waterman's Drawing No. C/VSA90002 rev.A06 which forms part of the application. These junction improvements will include the widening of Bullwood Hall Lane in the vicinity of High Road and considerably improving the left turn out of Bullwood Hall Lane onto High Road including much improved visibility. These improvements will represent a much improved situation over the former prison access arrangements.
  - The Essex County Highway Authority consultation response dated 18 September 2015 to the application raises no objection on highway grounds, subject to the highway improvements above being carried out.
  - The solicitor's letter refers to a dispute between the Ministry of Justice and Bullwood Hall Lane residents regarding the ownership of the verge along the eastern side of Bullwood Hall Lane. Notwithstanding that this verge falls wholly within the Ministry of Justice's registered title, the residents are claiming ownership of this verge. The Ministry of Justice denies the residents' claims and the dispute is ongoing. However, this dispute has no relevance to the application or the ability to implement any planning consent. The eastern verge to Bullwood Hall Lane falls wholly outside the land the subject of this application, so its ownership is irrelevant.
  - It is not correct that Watermans Transport Assessment requires the use of any "official " or "unofficial" vehicular passing places in the disputed eastern verge to Bullwood Hall Lane in order to implement the scheme. The application does not include any part of the eastern verge to Bullwood Hall Lane.

## **5 MATERIAL PLANNING CONSIDERATIONS**

### **Principle of Residential Development**

- 5.1 The Rochford District Council Local Development Framework Allocations Plan (2014) forms part of the Development Plan for the Rochford District. The Allocations Plan superseded the proposals map that accompanied the 2006 Replacement Local Plan. The site is allocated as Metropolitan Green Belt and is situated within the Upper Roach Valley as defined in the Allocations Plan.
- 5.2 An earlier application also in outline (application no. 00/00324/OUT) proposed residential development of a smaller parcel of land of some 0.27ha fronting Bullwood Hall Lane and the access to the prison complex just south of "South Lodge". That application was refused planning permission on 31 August 2000

for the following reasons (summarised):-

- 1) Inappropriate development in the Green Belt.
- 2) Location within the Roach Valley Special Landscape Area.
- 3) Potential harm to existing substantial trees on the site.
- 4) Inadequate road width and alignment.
- 5) Junction configuration at that time had poor visibility westwards.

5.3 That previous application related to essentially undeveloped land alongside Bullwood Hall Lane and whilst the prison was operational.

5.4 Paragraph 89 to the National Planning Policy Framework (NPPF) states that:-

“...the limited infilling or the partial or complete redevelopment of previously developed sites (brown field land), whether redundant or in continuing use ...which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development” ...is not inappropriate.

Previously developed land is defined in the NPPF as land that is or was occupied by a permanent structure and its curtilage ...and any fixed surface infrastructure. Whilst the definition makes clear that it should not be assumed the whole curtilage should be developed, in this case the perimeter fencing to the prison, together with the surfacing and built form that are enclosed by the perimeter fencing on the site, are very imposing. Their re-development, including those surfaced areas, are generally acceptable under National Green Belt policy set out in the NPPF. Unlike the previous application on open land elsewhere on the site, because the current application is concentrated upon the existing secure area which is relatively intensely developed with some buildings of three storey form, the development of that part of the site for housing as now proposed meets the requirements of paragraph 89 to the NPPF and is not inappropriate. The applicant does not need therefore to demonstrate very special circumstances to justify the development proposed despite its location in the Green Belt.

5.5 Policy GB1 to the Council's adopted Core Strategy (2011) pre-dates the national policy position set out at paragraph 89 to the NPPF. Policy GB1 sets out that the Council will protect the Green Belt by releasing the minimum required. However, the site does not comprise a planned release but instead constitutes a windfall site in addition to those sites for planned release under policies H1 and H2 to the Core Strategy. The proposal would constitute the re-use of a previously developed site in accordance with policy H1. Given the position of the site south of the ribbon of frontage development fronting the High Road and the relationship to the extent of built form currently existing and dominating the site, the development proposed would not lead to the coalescence of the Hockley and Rayleigh settlements nor undermine their

identity contrary to Green Belt policy anymore than is currently the case with the existing prison development.

- 5.6 The site within the secure area is contained by the outer wooden boundary fence. This helps secure the perimeter to the security fence. Whilst this area between and alongside both fences is adjoined by roadways, the central area is clearly dominated by large imposing buildings. Although no details of the dwellings are required at this outline stage, the application details contained at paragraph 8.54 to the Planning Statement accompanying the application, describe likely house types having a height of no higher than two and a half storeys and approximately 9.5m overall height. The larger prison buildings dominating the site are to three storeys and have an overall height of approximately 12m. The residential development proposed would have less visual impact and scale than the existing larger prison buildings.
- 5.7 The site is located within the South Essex Coastal Towns Special Landscape Area and where the Council considers residential development of developed sites would have the least sensitivity despite their location within the Green Belt. As the site would re-develop that part of the site occupied by the prison buildings and hard surfaced areas, there would be no negative impact upon the nearby woodland or site ecology in conflict with Policy DM10 to the Council's Development Management Plan.
- 5.8 The site is located outside the defined settlement of Hockley or Rayleigh. Shops and services are located a distance of 1.3km in Hockley east of the site and 1.75km west of the site in Rayleigh. The local bus service is relatively good with the No. 7 services every 15 and 30 minutes and No. 8 service hourly along High Road between Southend, Rochford, Hockley and Rayleigh, a distance of some 625m walking distance along the length of Bullwood Hall Lane giving access to the site. Whilst the site would be located within 800m of the ribbon of residential development fronting High Road, there would be no doctor's surgery, school or convenience store within 800m of the site. This distance placing the site away from local services and facilities conflicts with part (ii) to Policy DM10.
- 5.9 Whilst the requirements of Policy DM10 might favour the re-use of the site for industrial or commercial re-use, those uses would be likely to give rise to commercial traffic and operating hours in conflict with those existing residential uses near to the site. Furthermore, some industrial applications and operating hours might also prove harmful to the ecological interests to the woodland areas that adjoin the site. Officers therefore consider that whilst not fully satisfying Policy DM10, the use of the site for residential purposes is, however, the preferred use of the site.
- 5.10 The Upper Roach Valley is acknowledged for its special landscape characteristics including areas of Ancient Landscape. The Council considers this area an important Green Lung bounded by the urban areas of Rochford, Hockley, Rayleigh and Southend. The Upper Roach Valley represents an opportunity to provide recreational activities close to the main residential settlements in the District.

- 5.11 The re-development of the existing prison complex would not undermine the aims of policy URV1 to the Council's adopted Core Strategy, which seek to protect the Upper Roach Valley from development that would undermine recreational potential.
- 5.12 The application details include a proposal by the applicant to transfer part of the site comprising 6.5ha (16.3 acres) of woodland known as "Whitbreads Wood" to the Council to act as an extension to the Hockley Woods Public Open Space. This would satisfy requirements under Policy URV1 to provide informal recreation opportunities within the Upper Roach Valley and also more than meet the requirement for 0.432ha of public open space to be provided in accordance with the provision of additional public open space as required by Policy CLT5 to the Council's adopted Core Strategy. The transfer of this woodland into public open space would need to be the subject of a legal agreement between the applicants and the Council.

### **Quantum of Residential Development**

- 5.13 Although submitted in outline form with the matters of the layout, appearance and siting of the dwellings proposed reserved, the applicants have provided an indicative layout showing how the site could be developed with detached housing mostly with detached garaging and around a concept of shared street surfaces so as to encourage reduced vehicle speeds. This layout is for illustrative purposes and does not fall to be considered in this application other than to demonstrate that the quantum of development proposed can be achieved on the site.
- 5.14 The developable area comprising the prison complex shown re-developed in the indicative layout has an area of 2.34ha. The sixty units proposed would equate to a density of 25.6 units per hectare. It is necessary to consider whether this equates to an appropriate density, in a way that would achieve the high standard of design and layout required of new residential developments in order to create a high quality design and locally distinct development required by Policy CP1 to the Council's adopted Core Strategy.
- 5.15 Policy DM2 to the Council's Development Management Plan (2014) requires that 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, including potential impact on areas of nature conservation importance, and the size of the site. The policy goes on to stipulate that the density across a site should be a minimum of 30 dwellings per hectare, unless exceptional circumstances can be satisfactorily demonstrated. The preamble to Policy DM 2 identifies the central Hockley area to have a typical density of between 35-39 Dwellings per hectare (dph) with the adjoining area further west at a density of between 30-34 dph.
- 5.16 The site enjoys its own particular setting somewhat removed from residential development of Hockley. The nearest development situated around the junction of Bullwood Hall Lane and High Road has an actual density of 23 units to a measured hectare centred on "Whitbreads". It is important that the re-development of this site, however, reflects the amount of the existing

development on the site but achieves the efficient use of the site comparable with the landscape. The existing buildings have a floor area of 10,357 square metres. The quantum shown would have an overall floor area of 8,047 square metres (reduction of 28.7%).

- 5.17 The County Council's Urban Designer is critical that the illustrative layout, whilst generally regular, does not include greater variation with semi detached, terraced or apartment dwelling types. However the quantum shown also reflects feedback from the applicants' pre-application public consultation exercise, which favoured lower density development.
- 5.18 On balance, it is concluded that the quantum proposed would represent the optimum amount of development generally acceptable taking into account the need to ensure the efficient use of the site, ambition amongst nearby residents for a low density development, together with the need to assimilate the proposed development into the existing landscape. It is likely that the need for affordable housing will require an adjustment to the dwelling mix to feature a number of smaller units. A condition will be necessary to the grant of permission requiring detailed design and layout to be submitted as part of the reserved matters following the grant of outline permission.

### **Design**

- 5.19 Policy CP1 requires new housing developments to achieve high quality design and layout. Good design is that which contributes positively to making places better for people and takes the opportunities available for improving the character and quality of an area and the way it functions. Places exhibiting good design should be visually attractive, safe, accessible, functional, inclusive, and have their own identity and maintain and improve local character. They should also be well integrated with neighbouring buildings and the local area more generally in terms of scale, density, layout and access and relate well to the surroundings.
- 5.20 As this is an outline application detailed design and layout is not a matter for consideration at this stage. The design and access statement considers the local townscape character (page 17). The character rationale for the illustrative layout is formed around a lane format to the central layout with woodland edge character area to the east and parkland edge to the west. The outer former hostel building and existing car parking areas are subject to a wooded enclave approach. Typical indicative house type designs are shown at section 10 (pages 43- 46) to the submitted Design and Access Statement and are based upon designs by the Redrow Group Heritage Collection to which the applicant is affiliated. The County Council's Urban Designer, however, notes that, as submitted, the illustrative layout shows the same house types in different character areas and therefore questions how the character areas might be differentiated. As the precise layout and appearance of the dwellings does not fall for consideration at this time, this matter can be addressed as part of detailed design to be submitted as reserved matters.
- 5.21 The application includes proposals to alter and extend Bullwood Hall to form a terrace of three houses. The submitted plans show existing and proposed

floor plans but only existing elevations. The proposal includes a second floor extension but given the outline nature of this application has not included the elevational details. The County Council's Specialist Adviser for Historic Buildings and Conservation Areas has no objection to raise at the proposed conversion, given previous extensive alterations to the building and that the alterations would give the building a new use, securing its retention. It is, however, necessary that elevational details of the conversion are submitted for consideration as part of the reserved matters.

- 5.22 Any Reserved Matters application would be subject to its own consultation on the acceptability of the proposed detailed design, layout and appearance and for relevant policy relating to detailed matters of design to be taken into consideration.

### **Affordable Housing**

- 5.23 As originally submitted the application proposed no affordable housing based upon a reduction in floor space between the buildings to be demolished and those proposed, under the national policy for Vacant Building Credit introduced in November 2014. Officers and the applicant understand that policy has since been the subject of legal challenge and the supporting planning guidance has since been withdrawn. The applicants now undertake to provide 35% affordable housing in accordance with policy H4 to the Council's adopted Core Strategy. This requirement would form part of the legal agreement under section 106 of the act, which would also include clauses to require appropriate delivery triggers, nomination rights, the affordable dwellings to be tenure-blind and reasonably located. The proposal would result in 21 affordable units being provided.
- 5.24 The typical arrangement to date has been 80 per cent of those dwellings would be provided for affordable rent and 20 per cent (intermediate) part owned tenure in accordance with the requirements of the Council's Strategic Housing requirements. Recent announcements by Central Government in the Budget of 2015 to reduce social rent levels in the four years from 2016-17 have changed the relationship with registered providers and the viability around long standing arrangements and ambitions.
- 5.25 Current negotiations concerning this site favour a 70:15:15 breakdown of affordable provision likely to provide 70% rented (15 units), 15% shared ownership (3 units) and 15% starter homes (3 units) as some of those people able to afford to purchase a property may choose starter homes over a shared ownership property.
- 5.26 At the time of writing The Minister of State for Housing and Planning, Brandon Lewis MP, has written urging Local Authorities to respond constructively, rapidly and positively to requests for renegotiations on affordable housing provision. Where it is simply proposed that the tenure mix is adjusted, with overall affordable housing provision remaining the same, it is the Government's view that this is unlikely to justify reopening viability by either side. Furthermore, the request is made to expedite such negotiations and to avoid action that might unnecessarily delay. It is stated not to be necessary, in

the Government's view, to take a revised obligation back to planning committee for approval for the review of tenure. For this reason officers include at the heads of agreement the specific delegation with regard to final tenure so as to meet the Government's expectation in resolving tenure change quickly.

### **Dwelling Types**

- 5.27 Policy H5 of the Core Strategy requires that new housing developments contain a mix of dwelling types to ensure that they cater for and help create mixed communities. As the application is in outline, the precise mix of dwelling types is not yet confirmed and is a matter that would be considered at the Reserved Matters stage. At this stage the illustrative layout is dependant upon detached dwellings in good sized plots and which are likely to be predominantly four and five-bedroomed houses. Following revision to the application to provide affordable housing, the applicant has confirmed their commitment to providing a better mix of dwelling types and accept a condition to the grant of outline permission to this effect.

### **New Dwellings – Minimum Space Standards**

- 5.28 Until such a time as existing policy DM4 is revised, this policy must now be applied in light of the Ministerial Statement (2015), which introduced a new technical housing standard relating to internal space standards. Consequently all new dwellings are required to comply with the new national space standard, as set out in the DCLG Technical Housing Standards – Nationally Described Space Standard March 2015; a condition is recommended to require this.

### **Lifetime Homes/Wheelchair Adaptable Properties**

- 5.29 Policy H6 of the Core Strategy requires all new dwellings to meet the Lifetime Homes Standard, which seeks to ensure that homes can be easily adapted to meet the changing needs of homeowners throughout their lifetimes. This policy also requires at least 3 per cent of new dwellings to be built to full wheelchair accessibility standards.
- 5.30 Until such a time as existing policy H6 is revised, this policy must now be applied in light of the Ministerial Statement (2015). Consequently 3 per cent of the new housing would be required to achieve the optional building regulation requirement relating to wheelchair access (Part M) unless such a proportion is demonstrated to threaten the viability of the development in which case a lower proportion may be considered; a condition is recommended to achieve this.
- 5.31 Local Authorities will not be able to require that new houses meet other building standards such as Lifetime Homes, once changes to the Building Regulations are in force. Having regard to this, a condition requiring that the development meets the Lifetime Homes Standard (other than in respect of wheelchair accessibility as detailed above) and Code for Sustainable Homes

Standard Level 4 (save for in respect of water and energy efficiency as detailed below) is not recommended.

### **Water and Energy Efficiency**

- 5.32 Until such a time as existing policy ENV9 is revised, this policy must be applied in light of the Ministerial Statement (2015) which introduced a new technical housing standard relating to water efficiency. Consequently all new dwellings are required to comply with the national water efficiency standard as set out in part G of the Building Regulations (2010) as amended. The proposed optional requirement is to ensure that new dwellings are designed so that their estimated average water consumption would be no more than 110 litres per person per day which is equivalent to Code Level 3. A condition is recommended to require compliance with this Building Regulation requirement.
- 5.33 Government advice is also that local Planning Authorities can continue to be able to apply policies requiring development to comply with energy efficiency standards that exceed the energy efficiency requirements of the current Building Regulations until the proposed zero carbon homes policy has been put in place, which is anticipated to be towards the end of 2016 and equivalent to Code Level 4. Policy ENV9 currently requires all new dwellings to meet Code Level 4 as a minimum, including in relation to energy efficiency. A planning condition to require this is therefore recommended, consistent with Government advice.

### **Renewable or Low-Carbon Energy**

- 5.34 Policy ENV8 requires developments of 5 or more dwellings to secure at least 10 per cent of their energy from decentralised and renewable or low carbon sources unless this is not feasible or viable. A planning condition is recommended to require compliance with the above policy unless it is demonstrated that this would not be viable or unless provision of such would be at the expense of provision of a higher specification energy efficient building fabric (to meet code level 4 with regard to energy efficiency) in which case a report demonstrating the case shall be submitted to and agreed in writing by the Local Planning Authority.

### **Open Space/Landscaping**

- 5.35 Policy CLT5 to the adopted Core Strategy requires new public open space to accompany additional residential development. The Council's open space study (2009) provides a basis to calculate the requirements of the future population of the development. The applicant calculates the indicative population of the development to equate to 144 residents on the basis of 2.4 residents for each of the 60 proposed dwellings.
- 5.36 The applicants propose the potential transfer of "Whitbreads Wood" into public ownership. This woodland area equates to 6.6ha and would exceed the requirement for 0.432ha of natural and semi-natural green spaces and amenity green space for informal recreation. Given this over provision, the

applicants consider it not necessary to provide the 0.2592ha of open space to provide participation in outdoor sports. The securing of “Whitbreads Wood” into public ownership can be a requirement of the legal agreement forming part of the grant of outline permission.

- 5.37 The applicants have investigated the feasibility of utilising some of the amenity grassland on the site for allotments. The ecological assessment has, however, presented constraints to the use of the grassland or area near to the pond such that use for allotments would require licensing from English Nature.

### **Play Space**

- 5.38 The illustrative layout plan would develop the existing built up areas of the site, however the foreground to Bullwood Hall provides a tree'd setting and where it is possible on land within the applicants' control to provide children's play space. The applicants calculate a requirement for 0.0072ha to serve the development. The green area to the foreground of Bullwood Hall provides a play area of 0.5ha to which the applicants agree to provide play equipment and maintenance. This requirement would need to be part of the legal agreement forming part of the outline permission. Precise details of the play equipment would need to be the subject of a condition to the grant of permission.

### **Highway Issues**

- 5.39 The application is accompanied by a Transport Assessment that considers the impact of the proposed development upon the capacity of the local highway network. The assessment has been based upon a development of 75 and 60 dwellings such that the conclusions and mitigation by way of the proposed improvements would be considered robust as the merits would be assessed in terms of the greater number of dwellings than are proposed.
- 5.40 The Transport Assessment has estimated potential trip generation derived from the national standard for trip generation analysis (TRICS) on line data base and using the “Houses privately owned” category. Trip rates for the period 0800-0900 hours and 1700-1800 hours recognised to be the peak periods for the local highway network were considered. Comparison has been made against the estimated prison traffic levels for the authorised use of the site.
- 5.41 The results show for the morning peak period of 30 arrivals and 13 departures for the existing prison use as compared with 10 arrivals and 26 departures for a development of 75 residential units. These assumptions estimate a reduction of 20 arrivals and an increase by 13 departures for the morning peak period.
- 5.42 The results show for the evening peak period 13 arrivals and 30 departures for the existing prison use and as compared with 27 arrivals and 17 departures for a development of 75 residential units. These assumptions estimate an increase of 14 arrivals and a decrease by 13 departures for the evening peak period.

- 5.43 The development of the 60 units proposed shows 8 arrivals and 21 departures for the morning peak period. These assumptions estimate a reduction of 22 arrivals and an increase by 8 departures for the morning peak period in comparison with the existing authorised use of the site for a prison.
- 5.44 The development of the 60 units proposed shows 21 arrivals and 13 departures for the evening peak period. These assumptions estimate an increase of 8 arrivals and an decrease by 17 departures for the evening peak period in comparison with the existing authorised use of the site for a prison.
- 5.45 Information from the 2011 census identifies that the majority of people (58.7%) journey to work by car. Based on this understanding the applicants calculate for a scheme of 75 dwellings a total of 61 two way multi-model trips (of which 38 would be by car) for the morning peak hour and a total of 75 multi-model trips (of which 46 would be by car) The applicants conclude that the residential development proposed is likely to result in a reduction of trips compared to the authorised use of the site and which presents betterment in terms of highway safety and capacity and therefore nil detriment. As the scheme is for 60 dwellings the County Highway Authority accepts these findings and has no objection to raise on the capacity of the highway network to accommodate vehicle flows arising from the development proposed.
- 5.46 The assessment identifies that the existing access road to the site would benefit from improvement. To this end the applicants propose to widen the lane taking in land from the neighbouring property “Whitbreads” from the entrance onto High Road a distance of 70m to a width of 6.14m such as to allow two vehicles to pass. The junction onto High Road would be widened and visibility increased from 2.4 x 28m to 2.4 x 81m therefore presenting betterment in highway safety terms.
- 5.47 That part of the lane fronting most properties and for a length of 105m would remain unchanged. The remaining part south from “South Lodge” would be widened with a dedicated pedestrian footway away from the vehicle carriageway shown to a width of 2.5m. The County Highway Authority requires this footway to be increased in width to 3m and a condition to this effect is recommended.
- 5.48 This outline application shows a residential layout for illustrative purposes only and not for consideration at this outline stage. The layout shown does, however, demonstrate that residents and visitor parking would be provided for on each plot. There would be no apparent conflict with the Council’s parking standards and Policy DM 30.
- 5.49 Conditions are required to the outline consent to require implementation of the highway works shown and as agreed.

### **Flood Risk Issues**

- 5.50 The site is located within Flood Zone 1 as identified on the Environment Agency flooding maps. This zone is considered to be the area least likely to be at risk from flooding and to which development should be directed in

principle. The Flood Risk Assessment submitted in support of the application concludes that due to the brown field nature of the site and the extent of built form and hard surfacing, the development for residential purposes will increase the proportion of soft surfacing given over to gardens and landscaping. This will reduce the extent of impermeable area on the site giving a degree of betterment in comparison to the existing prison use.

- 5.51 Run off from roof areas to individual dwellings proposed is likely to be drained to domestic soakaways. These would be supported by way of an additional infiltration basin to the south of the developable area on land within the applicant's control. Storage requirements of between 890- 1590 cubic metres are calculated to be required to accommodate run off from the development during a 1 in 100 year plus 30% storm event.
- 5.52 The final layout and design of the surface water drainage network will be determined at the detailed design stage. The flood risk assessment states that the design of the infiltration basin would have an overall area of 750 square metres and a depth of 1.5m with side slopes at a gradient of 1 in 4. That design would achieve a maximum attenuation volume of 1600 cubic metres and a half drain down time of 24hours for the 1 in 30 year event.
- 5.53 The Essex County Council Lead Flood Authority accept the findings and rationale set out in the Flood Risk Assessment subject to a condition requiring detailed design of the surface water system that can form part of the grant of outline permission.
- 5.54 **Infrastructure Issues**
- 5.55 The County Education Authority, having considered the application details, find the 18 primary school places generated by the development can be met from existing capacity within reasonable travelling distance from the site. No contribution is therefore sought for primary school places. Similarly, the 12 secondary places also generated by the proposed development, although subject to a deficit of 398 places by the school year 2018-19 are restricted by the Community Infrastructure Levy regulations. No contribution is therefore sought by the County Council for secondary education places from this scheme.
- 5.56 The County Council Education Authority has revised its assessment of early years and childcare places required to take account of free entitlement to surplus places and has accordingly revised down its original contribution to now seek a financial contribution to Early Years and Childcare places of £47,185 index linked at April 2015 costs. This contribution can be included in the legal agreement forming part of the grant of outline permission.
- 5.57 NHS England, having considered the application details, identifies the development to impact upon the services of two GP practices and identifies capacity deficit in the catchment practice. A financial contribution of £19,740 is sought in mitigation of this impact and payable before the development would be first occupied. This contribution can be included in the legal agreement forming part of the grant of outline permission.

**Ecological Issues**

- 5.58 Policy DM27 requires consideration of the impact of development on the natural landscape, including protected habitat and species. National planning policy also requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity, providing net gains in biodiversity where possible.
- 5.59 Local Authorities are required under the Conservation (Natural Habitats) Regulations (1994) to carry out an ‘appropriate assessment’ in respect of any plan or project which would not be directly connected to the management of the site for nature conservation and would either alone or in combination with other plans or projects would be likely to have a significant effect on a European Site of conservation importance. The purpose of an ‘appropriate assessment’ is to assess the implications of a proposal in respect of the sites conservation objectives.
- 5.60 The Ecological Assessment commissioned by the applicants and submitted in support of the application has identified a number of protected species and habitats of ecological interest, but the majority of interest is located within the wider study area rather than the Previously Developed Land to which the application relates.
- 5.61 The survey and findings identify no statutory designated sites of nature conservation interest within the site although Hockley Woods SSSI and Local Nature Reserve are approximately 0.1km to the east of the site and separated by a narrow band of woodland which is also a Local Wildlife site. These sites are significant for being one of the largest surviving examples of ancient woodland and for the most extensive Anglo Saxon internal boundary banks for any wood in England.
- 5.62 The site is located 3.6km south of the Crouch and Roach estuaries SSSI and Crouch and Roach estuaries Special Protection Area and Ramsar site. These areas also form part of the Essex Estuaries Special Area of Conservation. Benfleet and Southend Marshes SPA and SSSI/Ramsar site is located 6.2km to the south of the site at its closest point. There is no evidence in the applicants’ assessment that the proposed re-development would give rise to any adverse impacts on the designated sites. The applicants do identify that construction activity could impact upon Hockley Woods by way of pollution as well as future increased visitor pressure after completion of the development but go on to note that the existing woods are allocated public open space and are actively encouraged as a destination for visitors by both the District and County Councils. Natural England has confirmed that in their view, the proposed development would not be likely to have significant adverse effect on the designated sites in proximity to the application site.
- 5.63 The survey identifies that the majority of habitat within the prison fencing and to which the application relates such as amenity grassland, scrub and amenity planting are of negligible ecological value with land also within the applicants’ control but outside the security fencing to be of greater value and interest.

New landscaping as part of re-development would replace that lost within the developable area.

- 5.64 An assemblage of common bat species has been recorded with activity being highest along Bullwood Hall Lane. A small roost of Common Pipistrelles has been identified in Bullwood Hall requiring further survey work and likely to require a licence in order to implement the conversion works.
- 5.65 No evidence was found on the site to identify the presence of dormice.
- 5.66 A small population of slow worms has been identified in the semi-improved grassland in the north and south of the site and outside the developable area.
- 5.67 Great crested newts were found in a pond outside the developable area but within the northern scrub and grassland suitable for great crested newts. Removal of this vegetation and provision of protective fencing will require licensing from Natural England.
- 5.68 Evidence of badger foraging on and around the site is recorded. There are no setts on the developable area of the site or affected by the development proposed.

#### **Arboricultural Considerations**

- 5.69 Policy DM25 requires that development seeks to conserve and enhance existing trees and woodlands and Policy DM26 seeks to protect existing hedgerows of importance. The Council's arboricultural officer notes the trees alongside the access road and those to the front of Bullwood Hall comprise probably one of the best collections of parkland trees in the district. These trees are now the subject of a tree preservation order.
- 5.70 The application is accompanied by a tree survey but which does not go on to assess the implications of the development upon those trees. It is, however, significant that nearly all the trees affected are outside the developable area.
- 5.71 Both the findings of the tree survey by the applicants' arboricultural consultants and the Council's arboricultural officer consider that the grant of outline permission should be followed by an arboricultural impact assessment to determine the impact of the development upon those trees and their protection for the duration of construction to be submitted with the subsequent reserved matters application.
- 5.72 A number of matters required by the Council's arboricultural officer are included as a condition for the grant of outline permission.

#### **Archaeological Considerations**

- 5.73 The application is accompanied by an archaeological desk based assessment of the site. The assessment considers the site to have low potential for encountering archaeological remains due to the removal of Bull Wood and agricultural practice prior to the construction of Bullwood Hall in the 19<sup>th</sup>

century, together with the construction activity to develop the prison in more recent times. The assessment concludes that a watching brief over site development would be sufficient in archaeological terms to address the requirement of national and local policy.

- 5.74 Essex County Council Historic Environment team has consulted on the proposed development and disagrees with the conclusions considering the assessment to have failed to consult the Historic Environment Characterisation Record and meaning the conclusions on low potential may be wrong. It is therefore considered essential that further archaeological investigation of the site should be undertaken by trial trenching. This can be the subject of a condition to the grant of outline permission.

### **Historic Buildings Issues**

- 5.75 As well as the alterations to Bullwood Hall, the application also would make alterations to the width of the access road and the hedging to “Whitbreads” at the northern end of the access road to the site.
- 5.76 The County Council’s specialist adviser for historic buildings and conservation does not raise objection to these changes as it is the means of enclosure rather than its precise position that defines the setting of the listed building. It is however important to the setting of “Whitbreads” that the hedge be reinstated in its new position. Officers understand from discussions prior to the application that the hedge could be successfully replanted in the revised position proposed. It is therefore necessary to condition a suitable replacement/replanting scheme to come forward for consideration as part of the reserved matters following the grant of outline consent.
- 5.77 Concern is raised at the potential damage to existing listed buildings located relatively close to the access road which can arise from oversize loads delivering to the site as well as general movement and vibration from heavy goods vehicles during the demolition and construction periods. The County Council’s specialist adviser supports the submission of a scheme to consider and mitigate such impacts, possibly limiting the size and weight of such vehicles and the designation of passing places so as to avoid difficult manoeuvring along the access road by oversized vehicles and potential building strike. Given the need to avoid such harm to heritage assets along the site access, it is reasonable for such details to be submitted for consideration as part of a condition to the grant of outline permission.

### **Contamination**

- 5.78 A preliminary Environmental Risk Assessment accompanying the application concludes that as the site was agricultural land prior to the construction of the prison in the late 1960’s, it is likely there is a degree of soil and ground water contamination present beneath the site but that contamination is likely to be located in isolated hotspots rather than widespread across the site. There is potential for impact to underlying ground water given the shallow nature of the underlying aquifer that is offered no protection by any overlying deposits. On the basis of the information available and the sensitivity of the proposed

residential end use, the site is considered to present a medium risk to both human and controlled waters. These risks can, however, be mitigated by way of appropriate investigation assessment and remediation.

- 5.79 Policy ENV11 advises that the presence of contaminated land is not in itself a reason to resist development but requires that sites are subject to thorough investigation and that necessary remediation is carried out. Conditions to the grant of outline permission requiring further investigation and mitigation, if required, would identify the presence of any contaminants and an approach for treatment or removal and disposal of the contaminant. Subject to the recommended conditions the proposal would comply with this policy.

### **Air Quality**

- 5.80 Policy ENV5 states that new residential development will be restricted in Air Quality Management Areas (AQMA), however this site does not fall within an AQMA and the proposed residential development of the site is therefore acceptable in this regard. This policy also requires that proposed development will be required to include measures to ensure that it does not have an adverse impact on air quality. The proposed development would not be in close enough proximity to the only identified AQMA in the district, in Rayleigh High Street, such as to warrant the requirement of any mitigation in relation to this.

### **Other Issues**

- 5.81 Representations received include claims to ownership of part of the access road and frontage to existing properties located at the northern end of the lane from the junction with High Road. These matters are a private matter and do not strongly influence the application at hand because the highway works proposed in this application could only be implemented if and when the applicants can secure control over the land affected by the works. If the developer does not own the land required for the application to be implemented it would not be possible to implement the permission.

## **6 CONCLUSION**

- 6.1 The development is proposed to previously developed land located in the Metropolitan Green Belt and where the re-development of such sites is considered appropriate and accords with national and local planning policy. Although detailed design and layout does not fall for consideration at this outline stage the application details show that the quantum of development proposed can be accommodated on the developed areas of the site and that the form of the proposed housing would improve the openness of the site in comparison to the more imposing built form of the existing prison complex.
- 6.2 The development proposed includes improvements to the existing site access that would improve visibility and access at the junction with High Road. The applicant has demonstrated that the traffic flows that would arise from the re-development of the site for residential purposes can be accommodated on the highway network.

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

That the application be approved, subject to the completion of a legal agreement under Section 106 of the Act for the heads of terms set out below and to the heads of conditions set out further below, subject to any reasonable changes the Council's Director shall deem fit.

**Heads of Terms**

- a) Footpath contribution - to create a public footpath from the development to the edge of the woodland (approximately 150 metres);
- b) Provision of Public Open Space (children's play area including six 'experiences,' i.e. natural play, logs, rocks, play equipment) and maintenance;
- c) Transfer of Whitbread Woods to the Rochford District Council;
- d) Healthcare Contribution of £19,740;
- e) Affordable Housing (35% provision) review of tenure delegated;
- f) Childcare Contribution of £47,185 Index linked to April 2015 costs;
- g) Provision of refuse bins (60 units x £168 = £10,080);
- h) Prior to occupation of the proposed residential development, the developer shall provide and implement a residential Travel Plan including payment of a £3000 Travel Plan Monitoring fee to ECC. The plan is to be monitored annually, with all measures reviewed to ensure targets are met;
- i) Provision for maintenance and management of open areas of the site.

**Heads of Conditions****Reserved Matters**

1. No development shall commence until plans and particulars showing precise details of the layout, scale, design, appearance, provision of affordable housing and landscaping of the site (herein after called the "Reserved Matters") have been submitted to and approved in writing by the Local Planning Authority. All development at the site shall be carried out in accordance with the Reserved Matters details approved.

**Timeframe for Reserved Matters**

2. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters

or, in the case of approval on different dates, the final approval of the last such matter to be approved.

### **Approved Plans**

3. The development shall be implemented in accordance with the approved plans such as they relate to the outline permission hereby granted notwithstanding the consideration of the necessary reserved matters in condition 1 above:-

Site location plan as received on 8 June 2015

Illustrative layout plan Drawing No. Sk3b dated 13/05/15

General arrangement highway boundaries Drawing No. 002 Rev. A06

Measured Building Drawing No. ENC/250115-9R4 dated January 2015

Roof and section Drawing No. ENC/250115-9R4 dated January 2015

Elevations Drawing No. ENC/250115-9R4 dated January 2015

Bullwood Hall ground floor plan showing conversion of no number but received 8 June 2015.

Bullwood Hall first floor plan showing conversion of no number but received 8 June 2015.

Bullwood Hall ground second plan showing conversion of no number but received 8 June 2015.

### **Ecological Recommendations and Mitigation**

4. The development hereby approved shall be implemented in accordance with the recommendations and ecological measures outlined within the Ecological Assessment by messrs. Ecology solutions dated June 2015 (Reference 6439.EcoAs.vf2). Further survey work and licensing procedures are to be submitted to and approved by the Local Planning Authority at the appropriate time prior to the commencement of any construction work that could have an adverse or illegal impact on the species of protected species population. All works within the scheme shall be carried out in accordance with the approved details, unless otherwise approved in writing by the local planning authority. The works shall be carried out prior to the occupation of any part of the development.

### **Ecological Buffer**

5. No development shall be provided within a 15m wide buffer to be provided between the development boundary and the extent of the adjoining ancient woodland. The buffer shall be retained as semi-natural habitat.

### **Submission of Details for Biodiversity Enhancements**

6. The reserved matters required by condition 1 above shall include details of the design and siting of features for the enhancement of

biodiversity of the site such as provision of bird nesting boxes and bat roosting opportunities.

### **Provision of Replacement/Replanting and Siting of Gates to “Whitbreads”**

7. Prior to the commencement of the highway works hereby approved the applicants shall submit a scheme to the Local Planning Authority setting out details and methodology for the provision of replacement/replanting of the hedging to be re-sited to the curtilage of “Whitbreads” and siting of gates to “Whitbreads”. Those details as may be agreed shall be implemented prior to commencement of highway works adjoining “Whitbreads”.

### **Scheme for Mitigation Against Listed Buildings**

8. Prior to the commencement of the development the applicants shall submit details to the Local Planning Authority to mitigate the effects upon Listed Buildings fronting the site access road from construction traffic associated with the development. Such details shall include the designation and management of large vehicle passing places so as to minimise the risk of such vehicles reversing and leading to building strike, installation of monitors to Listed Buildings to monitor building movement and limitation as to size/weight of vehicles passing in close proximity to Listed Buildings. The development shall be implemented in accordance with such details as may be agreed.

### **Construction Management**

9. No development within each phase (Reserved Matters application) shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:-
  - I. the parking of vehicles of site operatives and visitors
  - II. loading and unloading of plant and materials
  - III. storage of plant and materials used in constructing the development
  - IV. wheel and underbody washing facilities

### **Contamination**

10. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent

specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

## 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:-

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:-
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - ground waters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

## 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**3. Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

**4. Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

**5. Long Term Monitoring and Maintenance**

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of [x] years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

**Arboricultural Requirements**

11. No [works or] development shall take place until a full arboricultural survey and report in accordance with BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The report shall include the following:-
- a) a plan that shows the position, crown spread and root protection area in accordance with section 5.5 of BS5837:2012 of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on the plan.
  - b) details of each surveyed tree in a separate schedule in accordance with section 4 of BS5837:2012
  - c) a schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work. All tree works shall be carried out in accordance with BS3998:2010.
  - d) details and positions of the ground protection in accordance with section 2 of BS5837:2012.
  - e) details and positions of Tree Protection Barriers identified separately where required for different phases of construction work [e.g. demolition, construction, hard landscaping] in accordance with section 6.2 of BS5837:2012. The Tree Protection Barriers shall be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
  - f) details and positions of the Construction Exclusion Zones in accordance with section 6.2 of BS5837:2012.
  - g) details and positions of the underground service runs in accordance with sections 4.2 and 7.7 of BS5837:2012.
  - h) details of any changes in levels or the position of any proposed excavations, including those on neighbouring or nearby ground in accordance with paragraph. 5.4.2 of BS5837:2012.
  - i) details of any special engineering required to accommodate the protection of retained trees [e.g. in connection with foundations, bridging, water features, surfacing] in accordance with section 7.5 of BS5837:2012.
  - j) details of the methodology to be employed with the demolition of buildings, structures and surfacing within or adjacent to the root protection areas of retained trees.

- k) details of the methodology to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of “No-Dig” construction.
- l) details of the methodology to be employed for the access and use of heavy, large, difficult to manoeuvre plant [including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc] on site.
- m) details of the methodology to be employed for site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phototoxicity
- n) details of the method to be employed for the stationing, use and removal of site cabins within any root protection areas in accordance with section 6.2 of BS5837:2012.
- o) details of tree protection measures for the hard landscaping phase in accordance with section 5.6 of BS5837:2012.
- p) the timing of the various phases of the works or development in the context of the tree protection measures.

### **Submission of Surface Water Drainage Scheme**

12. Before each phase of development approved by this planning permission, a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, should be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
- Infiltration testing in line with BRE 365 and contamination testing of made ground on site. If infiltration is found unviable, run off rates for all storms up to the 1 in 100 inclusive of climate change should be limited to equivalent green field rates.
  - Storage that contains the 1 in 100 year event inclusive of climate change and urban creep.
  - An appropriate level of treatment for all run off leaving the site in line with table 3.3 of the CIRIA SuDS Manual.
  - Appropriate reprofiling of the site to minimise ponding on site.
  - Seasonal ground water testing.
  - Details of the future adoption and maintenance of the proposed surface water scheme for the lifetime of the proposed development.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

**Archaeology**

13. Archaeological evaluation by trial trenching shall be undertaken by the applicant or successor in title prior to the submission of any detailed layout proposals. A report of the trial findings shall be submitted to the Local Planning Authority with the reserved matters application. This work shall be undertaken to the standards required by the Local Planning Authority and specified in an archaeological brief issued by the Local Planning Authority acting through its historic environment advisers (Essex County Council Historic Environment Advisers).
14. An archaeological mitigation strategy detailing the excavation strategy shall be agreed with the Local Planning Authority through its historic environment advisers and submitted with the reserved matters applications.
15. No development or preliminary ground works can commence until the satisfactory completion of field work, as detailed in the mitigation strategy, and signed off by the Local Planning Authority through its historic environment advisers.
16. The applicant will submit to the Local Planning Authority a post-excavation assessment (to be submitted within six months of the completion of field work, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at a registered museum, and submission of a publication report (to be completed within two years of the completion of field work, unless otherwise agreed in advance with the Planning Authority, through its historic environment advisers).

**Highways – New Junction**

17. Prior to commencement of the development, except for demolition and remediation, the proposed junction improvements as shown in principle on Waterman Drawing CIVSA90002 RevA06 shall be provided entirely at the developer's expense. The junction, at its centre line, shall be provided with a visibility splay with dimensions of 2.4m metres by 81 metres to the west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splay shall be provided before the junction is first used by vehicular traffic and retained free of obstruction above 600mm at all times.

**Highways – Lane Improvements**

18. Prior to commencement of the development, except for demolition and remediation, the proposed Bullwood Hall Lane improvements including localised widening as shown in principle on Waterman Drawing

CIVSA90002 RevA06 shall be provided entirely at the developer's expense and include the provision of a shared cycle/footway along the eastern side of the carriageway and shall be a minimum of 3 metres wide, commencing to the south of Maryon House and provide a dedicated link to the proposed development.

#### **Highways – Discharge of Surface Water**

19. 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.

#### **Highways – Surfacing Materials**

20. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

#### **Existing PROW**

21. The public's rights and ease of passage over public footpath No. 3 (Hockley) running into No. 49 (Rayleigh) shall be maintained free and unobstructed at all times. Any alteration shall require an order securing the diversion of the existing definitive right of way to a route to be agreed with the Local Planning Authority has been confirmed and the new route has been constructed to the satisfaction of the Local Planning Authority.

#### **Highways – Estate Roads**

22. 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.

#### **Car Parking Spaces to Preferred Standard**

23. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

#### **Garage Spaces to Preferred Standard**

24. All single garages should have a minimum internal measurement of 7m x 3m. All double garages should have a minimum internal measurement of 7m x 5.5m. All tandem garages should have minimum internal measurements of 12m x 3m.

**Sustainable Transport Travel Information Pack**

25. The developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for every household for sustainable transport, to include six one day travel vouchers for bus travel approved by Essex County Council.

**Submission of Play Equipment Details**

26. The reserved matters in condition 1 above shall include precise details of the play equipment to be provided at the play space to serve the development. The development shall be implemented in accordance with such details as may be agreed.

**Elevations Bullwood Hall**

27. Notwithstanding the requirements of condition 1 above, details shall be submitted to the Local Planning Authority prior to the commencement of the development of the external appearance and elevations for the conversion of Bullwood hall hereby approved.

**Design of Dwelling to be in Accordance with National Standards**

28. All the dwellings hereby approved shall be designed to comply with the “Technical Housing Standards – nationally described space standard “ by Communities and Local Government dated March 2015 including minimum ceiling heights of 2.3m.

**Lifetime Homes – Wheel Chair Accessibility**

29. Prior to the commencement of the development hereby approved details shall be submitted to the Local Planning Authority to demonstrate how not less than 3% (2 dwellings) to the development hereby approved shall meet the optional requirement under part M of the Building Regulations (2010) to achieve full wheelchair accessibility standards. The development shall be implemented in accord with such details as may be agreed.

**Water Efficiency in Design of Dwellings**

30. Prior to the commencement of the development hereby approved details shall be submitted to the Local Planning Authority to demonstrate how compliance with part G water efficiency of the Building Regulations (2010) as amended will be achieved for the dwellings hereby approved. The development shall be implemented in accord with such details as may be agreed.

**Energy Efficiency in Design of Dwellings**

31. Prior to the commencement of the development hereby approved details shall be submitted to the Local Planning Authority to demonstrate how compliance with code level 4 of the Code For

Sustainable Homes will be achieved in respect of energy performance for each dwelling. The development shall be implemented in accordance with such details as may be agreed.



Shaun Scrutton  
Director

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### **Relevant Development Plan Policies and Proposals**

Rochford District Council Local Development Framework Allocations Plan  
Adopted February 2014

ELA3

Rochford District Council Local Development Framework Core Strategy  
Adopted Version (December 2011)

H1, H2, H4, H5, H6, GB1, GB2, CP1, CP3, URV1, CLT5, ENV3, ENV5,  
ENV8, ENV9, ENV11.

Rochford District Council Local Development Framework Development  
Management Plan adopted 16 December 2014.

DM1, DM2, DM4, DM7, DM10, DM25, DM26, DM27, DM28, DM30.

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

C3

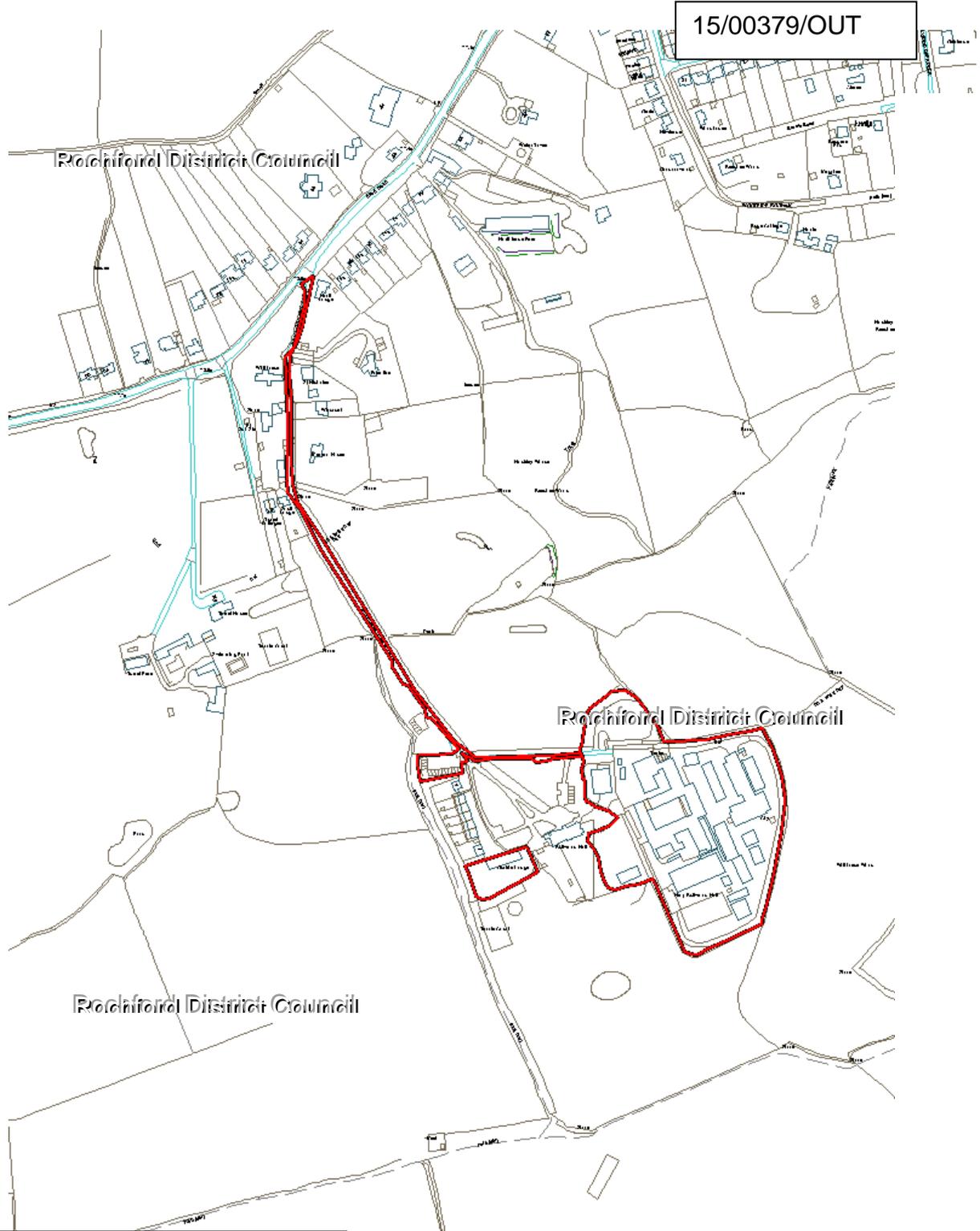
Rochford District Council Local Development Framework Supplementary  
Planning Document 2 Housing Design (January 2007)

Department of Communities and Local Government. Technical housing  
standards – nationally described space standard. Adopted March 2015.

For further information please contact Mike Stranks on:-  
Phone: 01702 318092  
Email: [mike.stranks@rochford.gov.uk](mailto:mike.stranks@rochford.gov.uk)

If you would like this report in large print, Braille or another  
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