

APPLICATION: 12/00398/REM**DETAILS OF RESIDENTIAL DEVELOPMENT OF UP TO 100 DWELLINGS, NEW ACCESS, PARKING AREA AND BUS PARKING FACILITY FOR THE KING EDMUND SCHOOL, ASSOCIATED INFRASTRUCTURE AND LANDSCAPING.****AT LAND EAST OF SPENCER GARDENS, BRAYS LANE, ROCHFORD****APPLICANT: BELLWAY HOMES LTD****ZONING: METROPOLITAN GREEN BELT****PARISH: ROCHFORD****WARD: HAWKWELL SOUTH****1 PLANNING APPLICATION DETAILS**

1.1 The application is submitted as reserved matters following the grant of outline planning permission on 7 June 2012 under application reference 11/00315/OUT. That outline application was submitted with all matters reserved, but included an indicative type layout of the plots to show how the site might be developed in order to demonstrate that the quantum of development could be achieved. That layout, although indicative, included land within the site to provide a roundabout junction in Brays Lane to access the development.

1.2 The current application is the reserved matters pursuant to the grant of outline permission and comprises the following:-

- The layout of the site to provide a central spine road accessing the site and the King Edmund School from Brays Lane by way of a roundabout junction. The school parking and access would be enclosed by security fencing with gates and would become part of the school grounds.
- The layout of 1ha of land adjoining the King Edmund School to provide a car parking area of 110 car parking spaces and in addition parking area for 12 school buses and turning loop.
- The layout of 100 dwellings in two and two and a half storey form.

1.3 The private housing would comprise 65 dwellings in the following mix:

- 3 no. two-bedroomed houses in two house types;

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- 18 no. three-bedroomed houses in one house type;
 - 21 no. four-bedroomed houses in four house types; and
 - 23 no five-bedroomed houses in two house types.
- 1.4 The affordable housing would comprise 35 dwellings in the following mix:-
- 16 no. one bedroomed flats;
 - 4 no. two bedroomed flats;
 - 8 no. two bedroomed houses; and
 - 6 no. three bedroomed houses.
 - 1 no. four bedroomed house
- 1.5 The layout would feature a central area of public open space containing a pond to provide a holding area for storm water with seating area and footpath link across this space. This area would be excavated below finished ground level by 1.2m graduating to the lowest point at the centre of the pond to a depth of 1.6m. The applicants anticipate that the overall pond water depth would rarely exceed 0.6m. This area would be adjoined on three sides by visitor parking spaces.
- 1.6 The central spine road, with speed “bump” restrictions, would have a carriageway width of 6.8m. The carriageway would be adjoined by a greensward area a further 4m in width. This area would be tree lined and planted with evergreen flowering ground cover *Berberis Buxifolia* “Nana,” which has a spiny growth and grows to a height of about 0.5m. This ground cover would be contained alongside a verge to the adjoining 2m wide footpaths by 0.5m high knee rail fencing.
- 1.7 The housing would front shared surface access roads and private drives. The housing fronting Brays Lane is set back behind a landscaping strip and will front and take access from shared private drives accessed from within the estate.
- 1.8 The application was revised on 3 August to include further information to address concerns raised by the Environment Agency in response to consultation.
- 1.9 The application was revised on 23 August to make minor changes to two house types and the layout to address concerns raised by the County Council’s urban designer following the response to consultation.

2 THE SITE

- 2.1 This application is to a site on the southern side of Brays Lane east of the built up area beyond Spencer Gardens, and 370m east of the junction between Brays Lane and Ashingdon Road.
- 2.2 The site at present comprises grazed meadow running alongside the boundaries to properties fronting Spencer Gardens and the end of Hilary Crescent and to the north of the King Edmund School. This part of the site is broadly rectangular in shape and relatively flat with a gentle slope downhill southwards. The eastern part of this part of the site includes stables and out buildings to an existing stud farm/livery yard for horses. The frontage to Brays Lane has a substantial hedge. The field is divided into three paddock areas. The field margins with the residential development to the west and school boundary to the south are hedged with trees within. Ten of these trees about the site margins are the subject of Tree Preservation Order No. 42 / 10.
- 2.3 The site area is approximately 5.46ha. (13.5 acres).

3 RELEVANT PLANNING HISTORY

- 3.1 Application No. 00/00843 / FUL

Erection of 52 dwellings, including the provision of a new access road onto Brays Lane and school bus drop off point.

Permission refused 8 February 2001

- 3.2 Application No. 10/00374/OUT

Outline application for residential development of up to 150 dwellings, new access/bus turning facility and reserve lane for King Edmund School, associated infrastructure and landscaping.

Land east of Spencer Gardens and Golden Cross Road, Brays lane, Rochford.

Application withdrawn.

- 3.3 Application No. 10/00315/OUT

Outline application for residential development of up to 100 dwellings, new access/bus turning facility and reserve land for the King Edmund School, associated infrastructure and landscaping.

Land east of Spencer Gardens, Brays Lane, Rochford.

Permission granted 7 June 2012.

4 CONSULTATIONS AND REPRESENTATIONS

Rochford Parish Council

- 4.1 Comment that the layout is acceptable, particularly that the affordable housing areas are split.
- 4.2 The road structure should be constructed before any houses are commenced.
- 4.3 Concern that there is no indication of a second (emergency) access to and from the estate.
- 4.4 Question who will be responsible for the proposed open space (maintenance, health and safety, etc.).
- 4.5 Would like to see the following infrastructure improvements:-
 - a) Traffic lights to be installed at the junction of Brays Lane with Ashingdon Road.
 - b) A 20 mph speed limit put in place throughout the whole estate and in Brays Lane from the junction with Ashingdon Road.
 - c) The main access road to have no waiting at any time to allow for the free flow of school traffic and emergency access.
 - d) Provision of some form of public transport to and from the estate.

Natural England

- 4.6 The proposal does not appear to fall within the consultations that Natural England would routinely comment upon. Advise generally that the area could benefit from enhanced natural green infrastructure such as improved flood risk management, accessible green space, climate change adaptation and biodiversity enhancement. The application presents an opportunity to incorporate features to the design, which are beneficial to wildlife such as roosting opportunities for bats or the installation of bird nesting boxes. If the Local Planning Authority is aware of protected species being present, the Authority should request a survey before determining the application.

Essex County Council Senior consultant Architect / Urban designer

- 4.7 Advise that the scheme has gone through a number of iterations and there have been improvements to the layout and house types, however some elements still need to be addressed.
- 4.8 The layout for plots 48-51 is confusing. What is public, what is private space? There seems to be lots of space left over after planning with no clear distinction of who owns the space or what it will be used for. Overall the layout in the mews serving plots 47 to 52 is poorly planned. On the flatted units it is

worth considering how the units access the private amenity area. Perhaps French doors may be appropriate from the ground floor flats.

- 4.9 The school fencing and gate will be highly visible and has a negative impact on the quality of the public realm; in particular I am concerned with the visibility of the fence around the NE corner of the school car park and the entrance gateway. The gateway should be moved away from the frontage to 52-53 and the fencing should be set back behind the avenue of trees. This will not only provide a more attractive entrance to school but will allow for some space for the school to put up a school sign or feature on the public side of the gates.
- 4.10 The open space for the site is located centrally in the form of a formal square with a large retention pond. There appears to be a change in level around the edge of the open space and I would suggest that some cross sections are produced. Will this pond have a permanent body of water? This space could look too sterile with just some trees around the edges, although the wild flower meadow proposed may look attractive during certain months. Given the prominence of this space and that its function is to provide a high level of visual amenity rather than space for physical activity I think there needs to be more diversity in the planting with more shrubs and ornamental grasses providing interest throughout the year.
- 4.11 Additional planting is required in front of plots 61-72 to provide a better degree of enclosure - this can take the form of hedge planting. Shrub and tree planting is also required along the perimeter to the school car park and within the car park in front of plots 38-40 to improve the outlook from plots 31 to 41.
- 4.12 At key locations in the layout there are side elevations, which, although not completely blank, do not present an appropriate elevation to terminate views. The plots that I refer to are plots 15 and 87. These plots should have their principal elevation facing the street and not the private drive.
- 4.13 The flank elevation to plot 23 also needs to be improved. It is bland with only one window to the staircase and a large expanse of brick work. Additional windows at ground and first floor and a bay to the sitting room would enhance this house type and improve surveillance to the street.
- 4.14 In terms of materials I have no problem with the range of walling materials proposed. However, in terms of creating character areas I think there should be more consistency in the treatment of the elevations facing the formal open space. I note also that on some frontages, which are mainly rendered or boarded, the render or boarding is not carried around to the side elevations or the rear, e.g., plots 10,19, 56 to 58, 73, 75, 76, etc. The side elevations on most of these plots are visible from the public realm and the render and boarding should therefore be carried around all the elevations.

- 4.15 In respect of the roofing materials the Marley Mendip is an interlocking pan tile. The Essex Design Guide requires all pitched roof buildings of two storeys and above to be roofed in plain tiles.

Essex County Council Schools, Children and Families

- 4.16 No objection to raise.

Environment Agency

- 4.17 Previously requested that the range of rain fall durations could be submitted to ensure that the out fall rate was always restricted to a maximum of 18 litres per second. These calculations have since been submitted to demonstrate that this is the case in all durations of 1 in 100 year rain fall event inclusive of climate change.
- 4.18 This information also details that the out fall pipe that is to cross third party land has been agreed with both the landowners and Anglian Water and that the final adoption of this off-site sewer will be carried out under a section 104 agreement with the third party landowner. This has met the Agency's concerns regarding viability of the out fall pipe. Condition 8 to the outline permission can therefore be discharged.
- 4.19 Previously requested that the range of storm durations were modelled to determine the maximum storage volume required as only the 30 minute storm had been modelled. The submitted calculations now detail that the maximum storage volume is required in the 6 hour winter 1 in 100 year rain fall event, including climate change and that above ground storage would be filled to a level of 12.545, which equates to a depth of 0.145m. This will be able to be contained within the open space area. Therefore consider that the requirements of condition 9 have been met.
- 4.20 Previously detailed that in the intense 30 minute duration 1 in 100 year storm including climate change, a localised depression in the green open space in the south eastern corner of the site with a capacity of 39 cubic metres is to be provided to store the 23 cubic metres of flooding surface water. The Local Planning Authority will need to ensure that this depression will be maintained throughout the life time of the development.
- 4.21 Previously detailed that the pipe 9.000 would flood by 6 cubic metres in this high intensity rain fall event. The pipe network has been revised to prevent this pipe from flooding.
- 4.22 Previously detailed that to meet condition 10 the drainage strategy should show where the surface water flow paths are, to ensure that if the drainage network flooded in the very large or intense flood event the surface water would not flood buildings. Drawing. no. H142-016 has been submitted to address this and showing which pipes would flood in a 1 in 500 year rain fall event, the volumes of flooding water and where water would flow. The majority of pipes would not flood or would flood by insignificant amounts and

the water would flow away from the proposed buildings and instead would follow the roadways to the south east of the site. The main area of flooding would be from a pipe at the south east of the site and would flow to the depression nearby. The surplus flows would then drain to the public open space off-site. The Local Planning Authority should ensure it is satisfied with these proposals. Consider that sufficient information has been submitted to discharge condition 10.

Essex and Suffolk Water

- 4.23 Advise that existing apparatus will be affected by the proposed roundabout and highway works. Have plans to divert existing 6 CI water main to permit the highway works to be carried out at the cost to the developer. Have no objection to the development and give consent on the condition that water mains are laid on the site and a new water connection made onto the network for revenue purposes.

Anglian Water

- 4.24 Advise there are assets owned by Anglian Water within or in close proximity to the site that may affect the layout of the site.
- 4.25 Advise that foul flows from this development will drain to Rochford Sewage treatment works, which has capacity for these flows.
- 4.26 The foul sewerage system at present has capacity for these flows.
- 4.27 Advise that the preferred method of surface water drainage disposal would be a sustainable drainage system with connection to the sewer seen as a last option. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable.
- 4.28 Recommend condition requiring no dwelling to be occupied until works have been carried out in accordance with the surface water strategy.

Rochford District Council Engineers

- 4.29 Advise surface water drainage proposals to be agreed with Essex County Council and the Environment Agency.

Rochford District Council Consultant Arboriculturalist

- 4.30 The tree protection report and method statement are acceptable. The tree retention and protection measures must be adhered to at all times. A monthly inspection is required by an independent arboricultural officer and detailed landscaping scheme is required.

Rochford District Council Strategic Housing Manager

- 4.31 Raise no objection to this application. The proposal to include 35% affordable housing in the mix proposed meets the Council's identified housing need. Ideally, the tenure split of the affordable units should be 80% social rented and 20% intermediate.

London Southend Airport

- 4.32 No safeguarding objections, but advise that any crane or piling rig would need to be safeguarded separately.

Neighbour Notification Responses

- 38 letters have been received from the following addresses:
- Apton Hall Road: "Gore Bungalow "
- Ashingdon Road : 47a, 263, 447a, Flat 10 Aspen Green
- 541 Becket Close: 1, 2 (2 letters),
- 3 The Bramleys:
- 20 Brays Lane: Hazels (2 letters) Silver Gardens, 3, 27 (2 letters), 31, 33 (2 letters)
- Braxted Close: 7 (2 letters)
- Canewdon View Road: 63, 65
- Golden Cross Road: 2a, 9,10, 84, 86
- Hilary Close: 14
- Spencer Gardens:9, 48, 70 (3 letters)
- Whitehouse Road, Leigh – on Sea: 51 (2 letters)
- One e-mail of no postal address and one signed but unaddressed letter.

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

Highway Issues

- Whilst accepting that some of the existing hedgerow will have to be removed for the development of the access roundabout, suggest that a condition be made that the loss of hedgerow should be kept to a minimum. New hedging and trees should be planted round the roundabout (note Southend Council had to revise the cuckoo corner

roundabout at a large sum of money to allow these boats to be transported as well as Rochford District Council moving a beacon outside Rochford Station to allow the movement of boats).

- The roundabout could make it impossible to bring large boats into Essex Marina.
- Proposed roundabout appears totally out of character and encroaches onto the Green Belt to the north breaching the defensible boundary.
- Land to the north should be made secure as we already have an issue with people accessing this private land for the security of our property.
- Do not fully understand the necessity of the large roundabout as believe the traffic issue is going to be in Ashingdon Road.
- If a roundabout is needed, and perhaps this is the case, it should and surely must be located within the area of land east of Brays Lane. We appreciate that this may mean a slightly smaller number of houses being built (although we are sure that this would not be the case if the plan was re-designed).
- The proposed roundabout is intended to be built in the field opposite the development, which is Green Belt and was supposed to be remaining untouched. This will result not only in further loss of open space, but also in the removal of hedgerow causing a reduction in wildlife.
- This roundabout, from the plans, appears to encroach onto the land opposite this development on the other side of Brays Lane, which in the past the Council thankfully had refused planning permission for development following very strong objections raised by residents. Many reasons were raised by residents as to why that development should have been rejected and we in particular felt that as this land was designated 'Green Belt' the Council would honour its decision for the future. This plan now, however, seems to go against this - WHY!!
- The proposed structure and location of this roundabout will have a very negative effect on the countryside and a potential of some loss of local wildlife. No doubt the hedgerows will also disappear and the actual countrified appearance of our local rural area will be lost for good.
- The extent of any traffic problems in the local vicinity has only been exacerbated by the over-development of a school originally built to accommodate 400 pupils. Indeed to improve the situation it would be far better if pupil numbers at King Edmund School were decreased, rather than increased. With the development of Great Wakering and Barling it is surely time for this area to have a major secondary school

of its own. This would greatly reduce the amount of traffic trying to squeeze down the Ashingdon Road. After all this is the real bottleneck, not Brays Lane or Spencer Gardens. This is where school and non school traffic meet and a revised access to the school will do nothing to change this. As I discussed with our local MP at the time, Sir Teddy Taylor, there is a real case here for any funds in the Highways budget for improvements to Ashingdon Road being transferred to the education budget to fund the building of a school in Great Wakering. It makes obvious common sense and is an environmentally beneficial solution. My daughter lives in Great Wakering and parents there would greatly appreciate their children not having to travel to Rochford. School places at King Edmund would be freed up for local children without any expense for expansion.

- If the developers want a roundabout they should use the land the Council has already agreed to and no more!
- Concerned about the impact the construction traffic will have on the area. There are already far too many huge lorries using Brays Lane. As its name indicates it was not constructed to be used as a main highway.
- More houses mean more cars. The prospect of these extra vehicles emerging into Brays Lane, along with ten bus loads of schoolchildren at a time when a timber boat has recently docked at Baltic Wharf is a recipe for disaster. The timber lorries come from far afield; therefore their drivers have no local knowledge and perhaps are less inclined to treat the area with the caution it deserves. Allowing this development to proceed along with the construction of this mini roundabout is tantamount to saying What if we have a major accident here seems as good a place as any?
- A large roundabout will now be yet another danger my children will face as heavy vehicles use this road and will be turning. As a family we take walks across the fields at the back of Golden Cross Road but now part of the land will be taken. This was not agreed in the original submission.
- Assume that the access roundabout and roadways within the development will be completed first to provide access to the site and that development access will NOT be via the gate opposite my property.
- These plans quote numbers of vehicles as 256 residents, 100 school staff + buses. Despite claims in the original plans, this volume cannot be satisfactorily supported by the existing road infrastructure, in particular Brays Lane itself and Ashingdon Road.

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- To reflect the volume of traffic from the new development, the Brays Lane junction with Ashingdon Road should be converted to a roundabout, otherwise there will be excessive queuing in Brays Lane.
 - No reference to the electricity supply to the development. Existing supply in Brays Lane is an overhead cable; surely this would not have sufficient capacity. Assuming that new cabling infrastructure will be required, the opportunity should be taken to put Brays Lane cabling underground and get rid of the existing ugly telegraph poles and overhead cables.
 - Creation of the access roundabout in Brays Lane will remove significant mature tree and hedgerow. The developers should re-plant at least as much as they remove.
 - This will have a negative effect on the countryside. I feel this is a deliberate attempt for Bellway Homes or any other development company to try and build on more Green Belt land.
 - If a low hump style of roundabout is used then this will cause the vehicles to rattle their loads causing disruption to the new neighbourhood, especially as the lorries start using the road from 4 am.
 - This opening could still be a T junction as on the other two roads that enter Brays Lane being Spencer Gardens and Canewdon View Road if the opening is large enough then it will easily cope with the turning of the coaches (we have had to put up with larger heavier vehicles entering this site over the past few weeks digging drainage, entering via a far smaller entrance directly adjacent our property)
 - Brays Lane is used as a race track breaking the speed limit. The roundabout will not solve this.
 - Will the entrance in Vaughan Close be closed? If so, children will walk along Brays Lane to get to shops, etc.

Housing Issues

- With regard to the building of yet more houses in the area it is blatantly obvious that the present infrastructure would not cope.
- The junction of Brays Lane and Ashingdon Road regularly floods in heavy rain and recent improvements in drainage have not improved things. I appreciate that the housing targets of structure plans and strategies put pressure on planning departments. However, I was under the impression that Rochford District Council was very proud of its nine-tenths Green Belt; indeed it was once part of your logo. I therefore assume that it is indeed the duty of someone in your position

to diligently maintain that precious situation. It has been those nine-tenths Green Belt that have acted as a sponge to soak up the surface water, thus leaving the other tenth relatively free from any flood worries.

- Proposal is flawed and not in the interests of local residents as the roundabout does not address any likely problems.
- In recent Allocations Development Plan Document there is often reference to defensible Green belt boundary. The land in question is Green Belt. The defence of it is quite straight forward - you reject any planning application.
- Rochford has been listed as a pleasant place to live, but taking away our fields and open spaces and overcrowded roads, lacking repair, pollution will all add up to mean that Rochford is no longer a desirable place to be.
- Consider three storey houses could cause overlooking.
- We moved to Ashingdon as we liked the mix of rural and town feel of the area and the amount of green sites, little by little these are being taken away and planning passed allowing more housing. It seems we are doomed to live in an area where there are no more green fields, just new developments.
- The building of an additional 100 dwellings will be a further blight on our landscape and not in keeping with the rural nature of the area. Together with the additional 600 dwellings off Hall Road, Rochford will be losing a significant amount of open farm land. To extend the size of the local population in this way will further detract from the village nature of the area. I urge the Council and those who have been elected to serve the local people to do so and refuse this planning application. Our Green Belt land should be preserved.
- I do not object to the school parking area, nor the public open space, but I strongly object to the construction of a further 100 dwellings.
- Waiting times at Southend Hospital are already at an unacceptable level. The additional burden of a further 100 households (on top of the 600 dwelling development referred to above) will exacerbate the situation. We do not have the local infrastructure to deal with the addition of a further 100 dwellings.
- Rochford is renowned for its wonderful countryside but the Council appears to be determined to let companies build on Green Belt. Why isn't land on empty industrial sites used? This must be looked at! The Council has a responsibility to its residents and to listen to their

views/concerns. I have lived in Rochford for the majority of my life; developments are continuing to spring up at an alarming rate. Rochford will no longer be able to sustain this onslaught.

- Yet another display of 'urban sprawl' inflicted on the residents of Rochford.
- The boundary is not something you can just move as the whim or financial considerations affect you, otherwise there would be no point in having it in the first instance.
- Refer you to the Planning Services report dated 8th February 2001, the conclusion of which contains the recommendation for refusal signed by Shaun Scrutton and the comments of Ashingdon Parish Council. It is worth bearing in mind that this report referred to the impact of 52 houses as opposed to the current application's 100. As previously stated, the reasons for rejection then still apply now, if not more so.
- When will developers stop acting like spoilt children and learn that the answer is still NO, no matter how many times you ask!
- The proposed layout does not show a continuity of frontage and would change the semi-rural aspect and loss of hedgerow to both sides of the lane.
- Seek assurance that more suitable fence is provided to the boundary of the site with Silver Brays.

Other Issues

- Feel that residents' comments are ignored.
- Extra houses will add to overcrowding in schools, doctors and dentists.
- Area is a 66% flood plain. In recent years Brays Lane has not coped with heavy rainfall and the developers' survey does not go far enough. Additional housing and more concrete surface will only add to this problem.
- Recently the junction of Golden Cross and Spencer Gardens/Vaughan Close flooded and residents could not use drains, toilets or wash.
- Quality of life for the majority of people in the area must be the main concern for the Council and officers and therefore trust the plans will be reviewed to a more acceptable amended plan.
- Remain surprised that outline planning permission has been granted despite conclusive objections against the plan being raised.

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- The proposed properties being built alongside our bungalow appear to tower over our building. I have grave concerns as this will throw the side of our building in constant shade and prevent us from enjoying the evening sun and may affect the generation time for our solar panels as we will not benefit from the late afternoon sunshine.
 - The new housing adjacent to the rear of our property will be affected by the sound of our cockerel that serves our chickens. We moved deliberately to a semi-rural area as we were being considerate to our neighbours and refrained from keeping the birds until we had no neighbours. Now we are going to have more immediate neighbours that are going to be disturbed than when we lived in the centre of Southend.
 - Brays Lane and the surrounding roads will become another bottleneck for local residents with likely another 200 vehicles trying to get out of the already frequently 'gridlocked' area of the Ashingdon Road. Golden Cross Road will become even more of a short cut/rat-run for people trying to avoid the busy Ashingdon Road and it is bad enough already! And if we have snow it does not bear thinking about. The views we had behind our house of Canewdon Church are distant memories since the last set of housing built behind us, as are the memories of pheasants in the garden, the local hunt going across the fields and the surrounding area being home to a variety of wildlife - this has had its own impact on us all already. Especially as we made Ashingdon our home because it was a rural area and not a concrete jungle!
 - Hopefully those children in the catchment area for King Edmund will not be 'pushed out' by the children moving into the new houses. If the school increases in size this will have its own impact on the area/parking/congestion and feeder schools.
 - Doctor's surgeries/dentists/hospital/shops/recreation/ surrounding roads - all will be impacted by the number of extra people joining the Ashingdon area - this affects everyone! Hopefully the 'green' area that is being created is going to be accessible for all - in the development behind our house the 'green' area is for residents only. How does that replace the area that was there and accessible to all before the housing was built there?
 - Drainage, the more housing, especially paving (which many people use on their drives and gardens) the more the area floods as the water cannot drain away so easily. Developments in Ashingdon have already restricted the flow of water from the Ashingdon Heights area so that there are a couple of properties on the Ashingdon Road that have water running through their driveways and across the road every time it rains! Our garden is now much wetter than it ever was; thankfully we live towards the top of a hill!

- Every winter since the new development behind our house we have had regular power cuts; this never happened before and therefore we feel that the resources are being overstretched to cause these issues.
- There is a marked increase in urban foxes, sparrow hawks, buzzards, squirrels, rats and mice inhabiting our local gardens. Sadly, this is due to their habitats constantly decreasing - and we have the cheek to see them as a nuisance!
- The fields are full of nature such as insects, bees and other animals and their activities are beneficial to us all.
- Suspicious of the Council's obsession with the expansion of the King Edmund School and what might be the real motivation in supporting an institution that has little regard for its neighbours and wishes to grow, regardless of the impact on the surrounding area.
- Cannot see how this development can be of benefit to the local community. Despite relief from the buses and coaches there will be 200 cars from the housing development that will use Spencer Gardens as a rat run to avoid congestion on the Ashingdon Road.
- 12 coach spaces implies an increase in school capacity where the existing cost of the coaches is £0.2m per year at a cost to the tax payer.

5 MATERIAL PLANNING CONSIDERATIONS

- 5.1 The principle of the development is established by the grant of outline planning permission to which these reserved matters now relate. The outline application is subject to a legal agreement for the following heads of terms:-
- Provision of the 35 affordable dwellings;
 - Provision of the school access, bus turn around facility and parking area;
 - Secure land convenient to the school for two full size football pitches for future long term use;
 - Highway contribution of £25,000 towards safety and capacity improvements at Ashingdon Road/Rectory Road junction, Ashingdon Road/Hall Road and West Street junctions;
 - Highway contribution of £21,000 towards passenger transport improvements at the two Brays Lane bus stops on Ashingdon Road; and

- Provision of a commuted sum of £20,000 to provide for the upkeep and maintenance of the open space area of the site.
- 5.2 The outline permission establishes the principle of the use of the site for residential purposes, including the provision of a roundabout to access the site from Brays Lane. That outline application considered the issue of the impact of the resulting traffic arising from the development upon the highway network and was found acceptable. The current application is to seek consent for the matters relating to the detailed layout and design of the development.

Detailed Design Considerations

- 5.3 The layout generally provides for detached private housing with detached pitched roofed garages, which reflects the urban edge location close to Brays Lane. The exception is the use of a terraced unit of three houses to plots 11–13, which turns the corner in the street alignment. Each building would be provided with a side space at or in excess of the Council's 1 metre requirement.
- 5.4 The Brays Lane frontage would comprise two storey houses set back from the street to respect the general siting of the existing prevailing building line and a continuation of that further eastwards.
- 5.5 The central public open space area would be fronted predominantly by the two and a half storey house types to give a more formal enclosure and setting to the open space.
- 5.6 The affordable housing would be provided in two areas to the north and to the east of the school car parking area and comprise terraced house types and flats in semi-detached pairings with the use of parking and mews courts contained by the envelope of the buildings. The proposed flatted buildings are shown without buildings to provide bin and cycle stores. The two groupings would comprise 22 dwellings and 13 dwellings respectively.
- 5.7 The five-bedroomed house types featuring rooms in the roof space would have an overall ridge height of 10.2m with walling to eaves of 5.2 and 6.1m between the differing designs. Whilst not typical to the wider locality, these two and a half storey houses would be sited in the depth of the site and would be acceptable in the context of the overall scale, form and design of the resulting development.
- 5.8 The two, three and four bedroomed private housing would range between an overall ridge height between the designs of 8.2- 8.5m with walling to eaves consistent at 5m.
- 5.9 The two-bedroomed houses to be part of the affordable provision would also be to an overall ridge height of 8.2m with a walling to eaves at 5m. The proposed flatted buildings would also be to this height.

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- 5.10 These height and scale parameters of the smaller buildings are typical of modern housing and would not appear alien in scale or form to the locality.
- 5.11 The applicants would use a range of external materials comprising brick, render timber boarding to the walling and with stone window cill details. The County Council's urban designer supports the range of walling materials but is concerned that plain tiles should be used on the main roofing areas. There is disagreement between the applicant and the urban designer on the use of pantiles. The Essex Design Guide (page 104) clearly states that pantiles should be used on single storey elements whereas the applicants favour their use on the main roof. There is no indication, however, on the choice of roof covering throughout the scheme. The more precise details and samples of final material and in particular the roof covering therefore need to be further considered by a condition of the planning consent. Officers also consider the appearance of the house types with rendered front walls with slight rendered returns to the side should have the render extended to the full elevation. This matter has been raised with the applicants with a view to receiving revised plans of those dwellings.
- 5.12 The proposed layout would provide for garden amenity areas in accordance or exceeding the Council's standards. The only exception is the affordable mid-terraced four-bedroomed unit proposed to plot 39, which would have a rear garden area of only 74 square metres. Occupiers would be able to access the communal open space to the middle part of the estate shared, of course, with other residents and visitors. The rear garden, although under size, would be a useable shape. It is considered that, given the access to communal open space nearby within the scheme and the desire for a dwelling mix that would include larger affordable dwellings in accordance with Policy H5 to the Council's adopted Core Strategy, on balance this isolated short fall can be accepted. Otherwise the applicants could substitute the house type for a three-bedroomed unit that would comply.
- 5.13 In response to the detailed criticisms raised by the County Council's urban designer regarding the layout of the affordable housing areas to plots 48-51 the applicant has demonstrated how the amenity space to serve the flats is distinct from the more general landscaped areas outside the flat curtilage. These areas would be maintained by the housing provider and set with amenity grassland.
- 5.14 The applicant has replied to the criticism raised at plots 15 and 87 by pointing to the fact that these two buildings do not have their principal elevation facing the street. These buildings are articulated with elements of good proportion. Both these dwellings are sited off the central axis of the adjoining street and have their principal elevation onto private drives. As such, District officers do not consider the need for the two dwellings to be re-sited as suggested.
- 5.15 The applicant has, however, amended the design of the house to plot 23 to add two ground floor and two first floor windows. Although not essentially

required, this change has served to enhance the appearance of the side elevation of this particular dwelling type, which was otherwise unrelieved.

- 5.16 Other than as discussed below, the proposed layout would not give rise to conditions of overlooking that would result in loss of privacy with existing or between future occupiers. The houses to plots 85 and 86 at the eastern side of the site would be sited a distance of 38 metres between opposing walls with those neighbouring dwellings fronting Brays Lane. The layout to the western side of the development has distances of between 40m-50m between opposing windows with dwellings fronting Spencer Gardens. These are each in excess of the 25m distance to maintain privacy stated in the Essex Design Guide.
- 5.17 The bungalow to No. 9 Hillary Close has a skewing eastern boundary with the site and would adjoin the flats to plots 41 and 42 and the terraced houses to plots 39 and 40. These proposed dwellings would have garden depths of between 10m-13m with No. 9 Hillary Close. However, whilst in the case of flats it is stated that privacy between windows is achieved over 35m or more, that distance can be reduced where the developments are not directly opposed, as in this case. Officers consider that the first floor flatted house type to plots 41 and 42 could be improved with alterations to the windows to reduce that impact and that the building could be sited further forward than shown to improve the relationship with the bungalow at the rear. A similar approach could be followed with changes to reduce the number of first floor rear windows to the adjoining plot 40. Subject to the receipt of revised plans improving this issue, officers consider the relationship between the dwellings to plots 40, 41 and 42 with No. 9 Hilary Close would be acceptable
- 5.18 Condition 3 of the outline consent requires account to be taken of the need for safe communities and that where possible the principles of Secured by Design are to be followed. At the time of writing the comments of the Essex Police Architectural Liaison Officer are awaited. The County Council's urban designer has not identified any failings in this respect. The applicants' detailed submission does not set out how these matters have been taken into account and an assessment from the applicants is awaited.

Parking and Highway Considerations

- 5.19 At the time of writing the comments of the County Highway Authority are awaited. The proposed garage designs are each to the Council's preferred size. The single width but double depth garage to plots 93 and 94, however, has an internal depth of 12.6m. Officers consider as this garage has the required width it can be considered to provide two garaging spaces.
- 5.20 The proposed layout would provide 1 car parking space for each one-bedroomed unit as required and between two and three spaces, including garages, for the housing. The larger houses to the south east corner of the site feature double garages with corresponding double width forecourt areas. The Council's standard would require the provision of two car parking spaces

for each dwelling with, in addition, one quarter of a visitor space. The proposal exceeds this requirement and would provide for 14 visitor car parking spaces in excess of the number required by the Council's parking standard. Each garage and parking space is shown to the preferred size to the Council's adopted standards.

Landscaping Considerations

- 5.21 The applicants have included general details of the site landscaping proposals showing a tree lined boulevard to the spine road, use of hedging species to the front curtilages and the provision of wild flower grassland to the open space area. However these details are imprecise and do not set out the density of planting or site preparation and maintenance regime that would be expected to allow enforcement. It is therefore necessary that more detailed landscaping submissions are required by a condition to the grant of consent.
- 5.22 Officers also consider the need for a hedge to be re-instated to the new northern boundary of the site beyond the roundabout junction and to adjoining land. This requires a Grampian style condition included in the officer recommendation below.

Means of Enclosure Considerations

- 5.23 Conditions 5 and 19 of the outline consent require consideration to the means of enclosure within the layout and the treatment of the eastern boundary of the site. The application details show the use of 1.9m high feather edged timber boarding on timber gravel boards in stained finish with timber access gates to garden areas or the use of 2m high brick walling with timber gates. The brick walling detail has two courses of engineering brick and would be capped with a course of engineering bricks set on edge above a tile creasing. The majority of the public frontages would, however, be contained by the use of hedging contained within 0.6m high picket fencing.
- 5.24 The pond to the open space area would be contained at its edge by a post and rail fence 0.75m high.
- 5.25 The boundary to the school car park and access area would be contained by a mesh metal fence 3m in height . This fence would be of a sectional design with rectangular pattern forming mesh 200mm x 50mm mounted in sections between steel posts. The mesh is made by 5mm diameter wire welded to strengthening wires of the same diameter. The wire would extend 30mm at the top to form a discreet spike. This type of fencing is an alternative to the palisade security type fencing and is increasingly seen in public view. It is a more sensitive form of secure fencing as it is small gauge covered metal, which allows views through the fencing The applicants would plant beech hedging on the outside of the fence on the northern side so that in a short period of time the hedge would contain the parking area with the necessary fencing behind on the school side. No details of the gate to the school

entrance have been provided and it is considered this detail can be the subject of a condition to the grant of consent.

- 5.26 There are no details of the boundary treatment for the eastern part of the site, as required by condition 19. It is therefore necessary to require the submission of these specific details by a condition to the grant of permission.

Other Matters

- 5.27 The applicants advise that the design of the dwellings, which would include the provision of solar panels, would achieve code 3 for sustainable homes, as required by policies ENV 8 and 9 to the Council's adopted Core Strategy (2011).
- 5.28 Policy H6 to the Council's adopted Core Strategy (2011) requires new homes to be built to the lifetime homes standard and at least 3% of the dwellings to be built to full wheelchair accessibility standards. It is not clear from the application details as to whether this has been taken into account. The application was considered prior to the adoption of the Council's Core Strategy, however the future allocation set out in that document formed very special circumstances as to why permission was exceptionally granted. In these circumstances it is considered that the applicants can submit details to demonstrate compliance with the lifetime homes standard by way of a condition to the grant of permission.
- 5.29 The application is accompanied by an arboricultural impact assessment. This relates to the trees and hedgerows that exist to the site margins and including those trees that are the subject of Tree Preservation Orders 42/10 and Tree Preservation Order 07/90. The application shows the removal of the five groups of trees and an individual tree to the central part of the site, which are young and establishing, of no contribution. The tree in this group has a fence through its centre. The loss of these small trees would be offset by the landscaping and tree'd boulevard proposals to the development.
- 5.30 An oak tree estimated to have only ten years life expectancy due to stem decay located in the south west corner of the site alongside the new school gate from the proposed car park would be removed. A hawthorn tree with similar limited life expectancy would be removed at the rear of the garage block proposed to plot 68. A willow tree similarly described would need to be removed near the eastern boundary alongside plot 78. The loss of each of these trees would be offset by the extent of new tree planting shown.
- 5.31 The existing frontage to the site currently has an established hedge to both sides of Brays Lane. The application would necessitate the removal of eight trees comprising oak and ash of limited size and value adversely affected by the presence of the adjoining ditch and water logging and the routine maintenance of overhead cabling.

- 5.32 The hedge to the southern side of Brays Lane is considered of moderate quality with 20 years life expectancy. The hedge on the north side is of poorer quality with 10 years life expectancy. The removal of these hedgerows would be offset by the new hedge planting, albeit of smaller nature in the development and the tree planting proposed, which would provide new trees in better location in less conflict with the adjoining water course.
- 5.33 The Council's consultant arboriculturalist has no objection to raise against the findings of the report. It is necessary, however, to require a condition to the grant of permission to ensure the recommendations regarding tree retention and protection during construction are achieved.

6 CONCLUSION

- 6.1 The detailed reserved matters accord with the outline consent. The proposal would achieve the ambitions of the outline consent in providing a new access to the King Edmund School and the extension of the residential envelope with a development of good design and scale in accordance with the Council's detailed guidance.

7 RECOMMENDATION

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

To **APPROVE THE DETAILED RESERVED MATTERS**, subject to the receipt of revised plans to improve the relationship of the proposed buildings to plots 40, 41 and 42 with No. 9 Hilary Close and subject to the following conditions:-

- 1) No dwellings shall be occupied until the works have been carried out in accordance with the drainage strategy report by Messrs Ardent Consulting Engineers Report Reference H142-002 Dated June 2012 and as amended by the letter and details from Messrs Ardent Consulting Engineers dated 3 August 2012 and reference TS/ss12723/H142/RM, unless otherwise approved in writing by the Local Planning Authority.
- 2) No development shall commence before details, including samples of all external facing (including windows and doors) and roofing materials to be used in the development, have been submitted to and approved in writing by the Local Planning Authority. Such materials as may be agreed in writing by the Local Planning Authority shall be those used in the development hereby permitted.
- 3) No development shall commence before plans and particulars showing precise details of the hard and soft landscaping, which shall form part of the development hereby permitted, have been agreed in writing by the Local Planning Authority. Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority, which shall

show the retention of existing trees, shrubs and hedgerows on the site and include details of:-

- schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
- existing trees to be retained;
- areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
- paved or otherwise hard surfaced areas;
- existing and finished levels shown as contours with cross-sections, if appropriate;
- means of enclosure and other boundary treatments;
- car parking layouts and other vehicular access and circulation areas;
- minor artifacts and structures (e.g., furniture, play equipment, refuse or other storage units, signs, lighting, etc);
- existing and proposed functional services above and below ground level (e.g., drainage, power and communication cables, pipelines, together with positions of lines, supports, manholes etc);

shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.

- 4) Prior to the commencement of the development the applicants shall submit to the Local Planning Authority details of the design and siting of the school access gates to be provided at the threshold of the school access and car park. The development shall be implemented in accordance with such details as may be agreed.
- 5) Prior to the commencement of the development the applicants shall submit to the Local Planning Authority details of the design and siting of the boundary treatment to the eastern boundary of the site. The

development shall be implemented in accordance with such details as may be agreed.

- 6) Prior to the commencement of the development the applicants shall implement the recommendations for the protection of existing trees to be retained as part of the development, as contained within the arboricultural impact assessment by messrs. D F Clark Bionomique Ltd reference DFC 1259 Rev. B 15 June 2012.
- 7) Prior to the commencement of the construction of the residential housing hereby approved the applicants shall submit details to the Local Planning Authority to demonstrate how the dwellings hereby approved comply with the lifetime homes standard. Such details shall include the construction of not less than three dwellings to be constructed to full wheelchair accessibility standards. The development shall be implemented in accordance with such details as may be agreed.
- 8) The northern and eastern boundaries to the school parking and school access areas shall be fenced in accordance with the detailed design and layout of security fencing shown on the plan “security fencing” by Liz Lake Associates as date stamped received 10.07.2012 by the Local Planning Authority prior to the first use of the school parking and access areas hereby approved.
- 9) No development requisite for the permission hereby permitted shall commence before the applicants have secured the means for the provision of a hedge to the north of the highway boundary to the roundabout. Details of the species and planting density and implementation of the hedge shall be submitted in accordance with the landscaping details to be submitted in accordance with condition 3 above.
- 10) The existing hedge to the southern side of Brays Lane shall be retained but for those breaks required within its length required for pedestrian and vehicular access and necessary visibility splays.
- 11) Prior to the commencement of the dwellings hereby approved the applicants shall submit to the Local Planning Authority typical details of the design and appearance of the solar panels to be provided to the dwellings hereby approved. The development shall be implemented in accordance with such details as may be agreed by the Local Planning Authority.
- 12) Prior to the commencement of the development the applicants shall submit to the Local Planning Authority details for the provision of a physical barrier to separate vehicle parking from the central area of public open space to be provided east of the main access road. The

development shall be implemented in accordance with such details as may be agreed.



Shaun Scrutton

Head of Planning and Transportation

REASON FOR DECISION

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

Relevant Development Plan Policies and Proposals

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

H1, H5 , H6,CP 1, ENV 8, ENV9.

Rochford District Replacement Local Plan (2006) as saved by Direction of the Secretary of State for Communities and Local Government and dated 5 June 2009 in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004.

HP1, HP 6

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

Standard C3

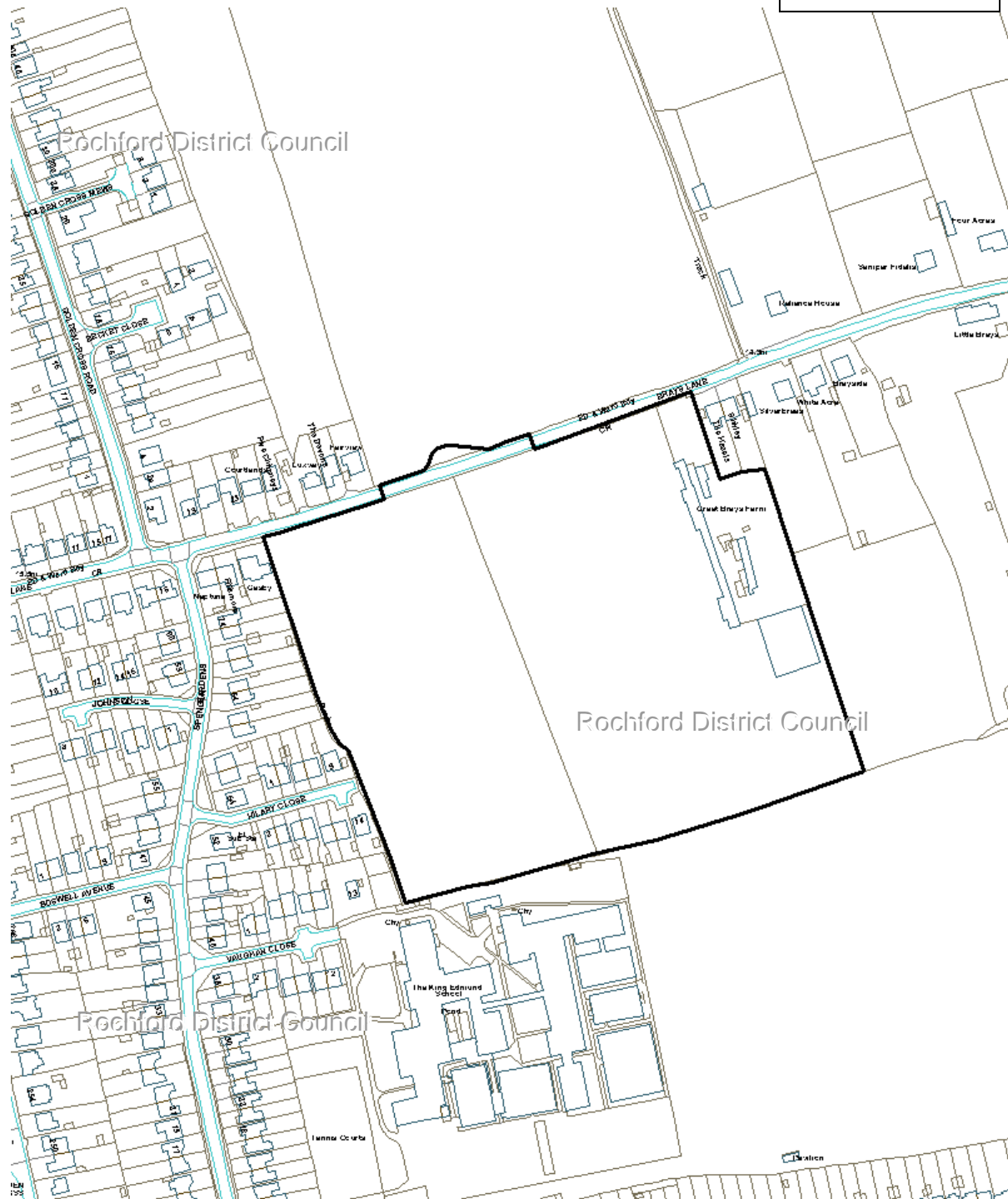
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