



Rochford District Council

**SCHEDULE OF PLANNING APPLICATIONS TO BE CONSIDERED BY
PLANNING SERVICES COMMITTEE 21st February 2006**

All planning applications are considered against the background of current Town and Country Planning legislation, rules, orders and circulars, and any development, structure and locals plans issued or made thereunder. In addition, account is taken of any guidance notes, advice and relevant policies issued by statutory authorities.

Each planning application included in this Schedule is filed with representations received and consultation replies as a single case file.

The above documents can be made available for inspection as Committee background papers at the office of Planning Services, Acacia House, East Street, Rochford.

If you require a copy of this document in larger print, please contact the Planning Administration Section on 01702 – 318191.



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PLANNING SERVICES COMMITTEE 21st February 2006

DEFERRED ITEMS

D1	05/00899/FUL	Mr Leigh Palmer	PAGE 4
	Demolition of Existing A1 Unit and Stores, Erection of A1 and A3 Unit at Ground Floor with 9 No. Flats Above and Car Parking to the Rear 156-158 High Street Rayleigh		

SCHEDULE ITEMS

2	06/00039/ADV	Miss Catherine Blow	PAGE 15
	Display 1 x Non Illuminated 'National Trust' Sign at Bellingham Lane Entrance to Rayleigh Mount Land At Rayleigh Mount Castle Terrace Rayleigh		
3	06/00041/FUL	Miss Catherine Blow	PAGE 19
	Single Storey Extension to Provide Toilet, Changing and Showering Facilities for the Rochford and District Disability Playscheme Hockley Community Centre Westminster Drive Hockley		
4	05/01049/REM	Mr Mike Stranks	PAGE 23
	Details Of Retail Foodstore And Part Two Storey Part Three Storey Building Comprising 5No. A1 (Retail) Units, 1 No. A3 Cafe, 3 No. D1 (Non Residential Institutions) 1 No. D1 Community Hall at First Floor and 1 No. D1 Nursery at Ground, First and Second Floor With Access and Car Parking Layout. Park School Rawreth Lane Rayleigh		



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PLANNING SERVICES COMMITTEE – 21 February 2006

Ward Members for Committee Items

DOWNHALL AND RAWRETH

Cllr C I Black

Cllr R A Oatham

HOCKLEY WEST

Cllr D G Stansby

Cllr J R F Mason

WHEATLEY

Cllr J M Pullen

Cllr Mrs M J Webster



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PLANNING SERVICES COMMITTEE - 21 February 2006 Item D1 Deferred Item

TITLE : 05/00899/FUL
DEMOLITION OF EXISTING A1 UNIT AND STORES,
ERECTION OF A1 AND A3 UNIT AT GROUND FLOOR WITH
9 NO. FLATS ABOVE AND CAR PARKING TO THE REAR
156-158 HIGH STREET RAYLEIGH

APPLICANT : ADAMS HOUSE PROPERTIES LTD

ZONING : SECONDARY SHOPPING FRONTAGE

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHEATLEY

Deferred Report

- 1.1 This application was reported to Planning Committee on the 20th December 2005 where it was deferred by Members who requested officers negotiate with the developer in order to secure revisions to the scheme. The revisions requested by Members include the following:-
- The removal of the 'Juliet' balconies
 - Re-design of the windows on the upper storeys including window hierarchy
 - A more traditional shopfront design, e.g smaller proportions and stallriser
 - The detailed design of the penthouse, and
 - A method statement to accompany the application that outlines steps/measures to be taken in order to minimise the disruption caused by the construction of the development in this location.

REVISED DETAILS

- 1.2 The application has been revised with the main changes relating to a remodelled frontage of the building. These changes include:-
- The removal of the 'Juliet' balconies
 - The redesign of the windows on the upper storeys
 - A reduction in the size of the shop font including smaller glazing elements and the introduction of a stallriser
 - The redesign of the roof including a gambrel roof (reflecting the style and size of the roof over adjacent post office building)
 - The use of contrasting brickwork and slight articulation promotes three distinct bays/panels that run from the ground through the upper floors.
 - The penthouse has been redesigned and is now incorporated inside a gambrel roof



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PLANNING SERVICES COMMITTEE - 21 February 2006 Item D1 Deferred Item

- These revisions to the external fabric of the building have resulted in changes to the internal facilities. The scheme now proposes:-
 1. Ground floor footprint unchanged and to be used for either A1 Shop or A3 restaurant. It is evident from this footprint that the scheme proposes that the front wall will line through with the front of the tile shop; this is a recessed from the existing position of the camping shop.
 2. First floor:- 4 flats (2 x 1bed flats and 2 X 2bed flats) two of these flats have access to a rear terrace
 3. Second floor:- 4 flats (2 X 1bed flats and 2 X 2 bed flats) two of these flats have access to rear balconies
 4. Penthouse:- 1 x 2bed flat with access to a rear balcony. At this level there is also access to communal rear roof terrace (24sqm)
- Access is unchanged from earlier proposal and is direct onto Love Lane.
- Rear car park court is unaltered from the earlier proposal.
- In terms of the method statement the applicant comments that deliveries will be timed to avoid rush hour and school run times; in addition it is intended that the rear access and rear service yard will be used for the storage of building materials, contractors yard and site huts. More precise details will be left to be discharged via the planning condition

ADDITIONS CONSULTATION RESPONSES RECEIVED IN RELATION TO THE REVISWED DETAILS.

- 1.3 **Environmental Health:-** No objection subject to the imposition of the standard informative SI16 (control of nuisances) on any approval.
- 1.4 **Essex Fire and Rescue Service:-** Satisfactory access and water services available
- 1.5 **Essex County Council Schools Service:-** no education contribution required.
- 1.6 **Rayleigh Town Council:-** Objects insufficient amenity space, increase in traffic would cause congestion at the entrance, which is opposite a busy primary school. Another food outlet within the centre is excessive as the percentage has already been allowed.
- 1.7 **Rayleigh Civic Society:-** Welcome the improvements to the High Street Elevation, concern remains over the access problems during construction.
- 1.8 **Essex and Suffolk Water:-** No comments.



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- 1.9 **Essex County Council Highways Officer:-** No objections subject to the car parking being laid to a permanently bound material and that the spaces are allocated, they also comment on the need for a method statement to consider the congestion that may occur with contractors vehicles and delivery of stock.
- 1.10 **Essex Police Architectural Liaison Officer:-** No objection and recommends that the applicant/developer obtains secured by design accreditation.
- 1.11 1 letter has been received commenting that whilst they have no objection the flats or the car park they object to another A3 use in the town centre, no more are needed.

ASSESSMENT OF THE REVISED DETAILS

- 1.12 **As with the scheme as earlier reported the principle of a mixed scheme (commercial on the ground floor with residential over)** is considered to be acceptable in this town centre location, in addition the proposed commercial use of the ground floor whether it be retail or restaurant are considered to both help to maintain the vitality of this end of the Town Centre. It is considered therefore that a refusal based on the loss of retail floor space, if this proves to be the case (given either/or within the proposal) could not be substantiated.
- 1.13 In redesigning the front elevation of the proposal the developer has taken references and cues for the adjacent 'Post Office' building. The front elevation has now deleted all balconies, introduced symmetry with a central panel in contrasting brickwork and rhythm in the fenestration pattern across the elevation.
- 1.14 The fenestration also now includes contrasting brick header details which again echo the features on the 'Post Office' building.



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- 1.15 The proposal retains a penthouse flat within the scheme, this has been redesigned from the earlier proposal and now is contained within a gambrel roof which mirrors very closely the design and proportion of the roof over the 'Post Office' building adjacent to the site. Given the size of the roof and its recessed position from the front façade of the building it will not be visible from the street to the front of the scheme. Notwithstanding this the penthouse flat will be visible from wider/longer range view points, it is considered that the proposed redesign with the incorporation of a roof to mirror that used on the 'Post Office' building would improve the appearance of this building within the street scene. It is accepted that the inclusion of the gambrel roof has increased the overall height of the proposed development and has resulted in a more stark juncture with the tile shop adjacent to the site to the north east. This increase in height and design is not considered to give rise to significant material harm to the street scene any more than does the 'Post Office' building with the existing camping shop. There remains the potential for the tile shop to be redeveloped at some future with the potential to follow the design/scale of the application proposal. The applicant has drawn an indicative roof line of a potential redevelopment scheme for an additional floor on the tile shop on the submitted drawings.

IN CONCLUSION

- 1.16 It is considered that the revisions to the scheme have met the concerns with the earlier proposal and promotes a form of development that sits well within the street scheme as well as not adversely affecting the amenities of the occupiers of the adjacent/nearby properties plots.

RECOMMENDATION

- 1.17 Approve subject to the conditions as set out below.
- 1 SC4 Time Limit
 - 2 SC14 Materials to be used
 - 3 SC79 Car Parking Delineation
 - 4 Details and location of rain water goods to be agreed
 - 5 SC80 Car Parking Provision
 - 6 SC83 Site Levels
 - 7 SC84 Slab Levels
 - 8 SC85 Construction Method Statement to be amended to include reference to no construction materials/vehicles to be stored/parked so as inhibit the free flow of traffic and not give rise to any highway/pedestrian safety issues.
 - 9 SC90 Surface water drainage to be amended to include sustainable drainage techniques
 - 10 SC91 Foul Water Drainage



- 11 The Class A3 use (Restaurant) hereby approved shall not be operational/open to the public outside of the following times:-

09:00 – 23:30 Monday to Saturday

09:00 – 22:30 Sundays Bank and Public Holidays

The updated report from 20th December 2005 is appended to this report for ease of reference.



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COPY OF COMMITTEE REPORT 20TH DECEMBER 2005

PLANNING APPLICATION DETAILS

- 1.1.1 Permission is sought for the demolition of the existing retail shop and outbuildings and the erection of a four storey property, comprising either A1 retail or A3 restaurant with three storey residential accommodation over.
- 1.1.2 The proposed accommodation relates to:-
- First Floor - two 2 bed and two 1 bed flats
 - Second Floor - two 2 bed and two 1 bed flats
 - Third Floor - one 2 bed penthouse flat
- 1.1.3 This gives a total of 9 self contained residential flats within the scheme. All of the flats have access to either a private balcony, private terrace or communal terrace at third floor level.
- 1.1.4 Vehicular access to the site is via an existing access/crossing onto Love Lane to a rear car park court of 9 spaces, pedestrian access to the commercial unit and the flats is direct onto the High Street.

CONSULTATIONS AND REPRESENTATIONS

- 1.1.5 **Rayleigh Town Council:-** Objects, insufficient amenity space, increase in traffic causing congestion at the entrance which is opposite a big school, insufficient space for vehicles to leave the site in forward gear, extra food outlet in the High Street to be excessive to the percentage already allowed.
- 1.1.6 **Essex Police Architectural Liaison Officer:-** No objections.
- 1.1.7 **Essex Fire Authority:-** Access and water supplies satisfactory.
- 1.1.8 **Building Control:-** No comments.
- 1.1.9 **Buildings/Technical Support (Engineers):-** No Objections.
- 1.1.10 **Essex County Council Schools Services:-** No education contribution required.
- 1.1.11 **Essex County Council Archaeological Officer-** Outside of any known area of deposits therefore no archaeological recommendations are being made.



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- 1.1.12 **Rayleigh Civic Society:-** No major comments, unclear where the access to the flats will be, request method statement for construction/delivery of materials as footpath is very narrow giving rise to safety issues.
- 1.1.13 **Essex and Suffolk Water:-** No objection.
- 1.1.14 One other trader within the town centre has commented that:- owns a business in High Street difficult to find parking spaces as do customers. Another A3 would add to the problem. A number of food establishments have opened over the years but the parking has not been addressed.
- 1.1.15 **Environment Agency :-** advises of general surface water drainage issues
- 1.1.16 **Head of Housing, Health and Community Care:-** No objection subject to the following informatives:-

SI16 Control of Nuisances
- 1.1.17 The applicant is advised to contact the head of health and Community Care at the earliest opportunity in order to discuss the requirements necessary to meet current food hygiene legislation.
- 1.1.18 2 further letters from neighbours have been received :-
 - Parking will cause noise problems and pollution
 - Entrance is too small causing congestion in Love Lane
 - No provision is made for delivery vehicles for the shop
 - Loss of privacy
 - No need for further food establishments within Rayleigh.

MATERIAL PLANNING CONSIDERATIONS

ASSESSMENT

- 1.1.19 **Principle:-** There is no objection to the principle of a mixed scheme on this site as it would accord with both Government advice and development plan policies that aim to steer development to sustainable locations, as well as maximising the developable potential of the site.
- 1.1.20 New residential accommodation and the ground floor commercial use will help to maintain the viability, vitality of the this part of the centre in particular and the town centre as a whole.



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- 1.1.21 **Commercial Floor space:-** The application plot is located within the Town's secondary retail frontage where the adopted Local Plan comments with Policy SAT3 that any use should reinforce the retail function such as financial and professional services and restaurants, The pretext to this policy comments that the Council should endeavour to retain 50% of the frontage in retail use and to avoid an over concentration of non retail uses. This policy position has been followed through into the Second Deposit Draft Local Plan.
- 1.1.22 The retail policies within the Second Deposit Draft Local Plan are supported by a shopping frontage survey (June 05). Within this survey the non retail frontage of secondary frontage areas as a whole was 59%. For the part of the centre where the application site is located the survey indicates that 63% of the units are in general retail use; this equates to a metered frontage of 50%, this level of provision would remain at 50% if that retail element of the ground floor is implemented, and would reduce to a metered frontage of 40% if the restaurant use is implemented.
- 1.1.23 It is considered that, as the majority of the commercial units within this part of the centre are retained in retail use the reduction to 40% metered frontage, with two significant retail shops either side of the application site (former post office and tile shop) which in themselves are significant/potential footfall draw to this part of the town, the proposal remains acceptable.
- 1.1.24 **Access and Parking:-** There has not been a formal response from the County Highways Engineer, notwithstanding this it is considered that the provision of 9 off street car parking spaces with adequate turning facilities is considered to be appropriate for the sites town centre location. The existing access onto Love Lane is an existing access and its use for residential purposes is considered to be appropriate and unlikely to create conditions sufficient to substantiate a reason for refusal on highway grounds.
- 1.1.25 **Amenity Space:-** It is considered that given the town centre location that the level of provision of amenity space, each flat with access to either a balcony, terrace or communal space is acceptable. In addition given the location/distance to adjacent residential properties and that these are overlooked from the upper floors of the existing commercial properties in the High Street a refusal based on the loss of amenity from the direct views from the upper floors of this property could not be justified.
- 1.1.26 **Design and External Appearance:-** The proposed development is four storey in height and as such would be taller than the adjacent 'tile shop' block but lower than the 'post office' building.



- 1.1.27 The external appearance of the building proposes a simple 'modernist' style with the bulk of the building being broken down by contrasting brickwork, repetitive window pattern, ground floor shop façade beneath a parapet flat roof and flat roof to the penthouse unit. This approach is considered to be acceptable in design terms as it appropriately handles the transition from the 'modernist' style of the 'tile shop' on one side to the more traditional approach of the 'post office' on the other.

RECOMMENDATION

- 1.1.28 It is proposed that this Committee **RESOLVES** to **APPROVE** the application subject to the following heads of conditions:-

- 1 SC4 Time Limits
- 2 SC14 materials to be used
- 3 SC79 Car Parking delineation
- 4 Details and location of rain water goods to be agreed.
- 5 SC80 car parking provision
- 6 SC83 site levels
- 7 SC84 slab levels
- 8 SC85 Construction Method statement to be amended to included reference to no construction materials
- 9 SC90 Surface water drainage to be amended to include sustainable drainage techniques
- 10 SC91 Foul water drainage.

REASON FOR DECISION

The proposal is considered not to cause demonstrable harm to any development plan interests, nor harm to other material planning considerations, including residential amenity and commercial street scene such as to justify refusing the application.



PLANNING SERVICES COMMITTEE - 21 February 2006 Item D1 Deferred Item

Relevant Development Plan Policies and Proposals

SAT3, SAT4 of the Rochford District Local Plan First Review



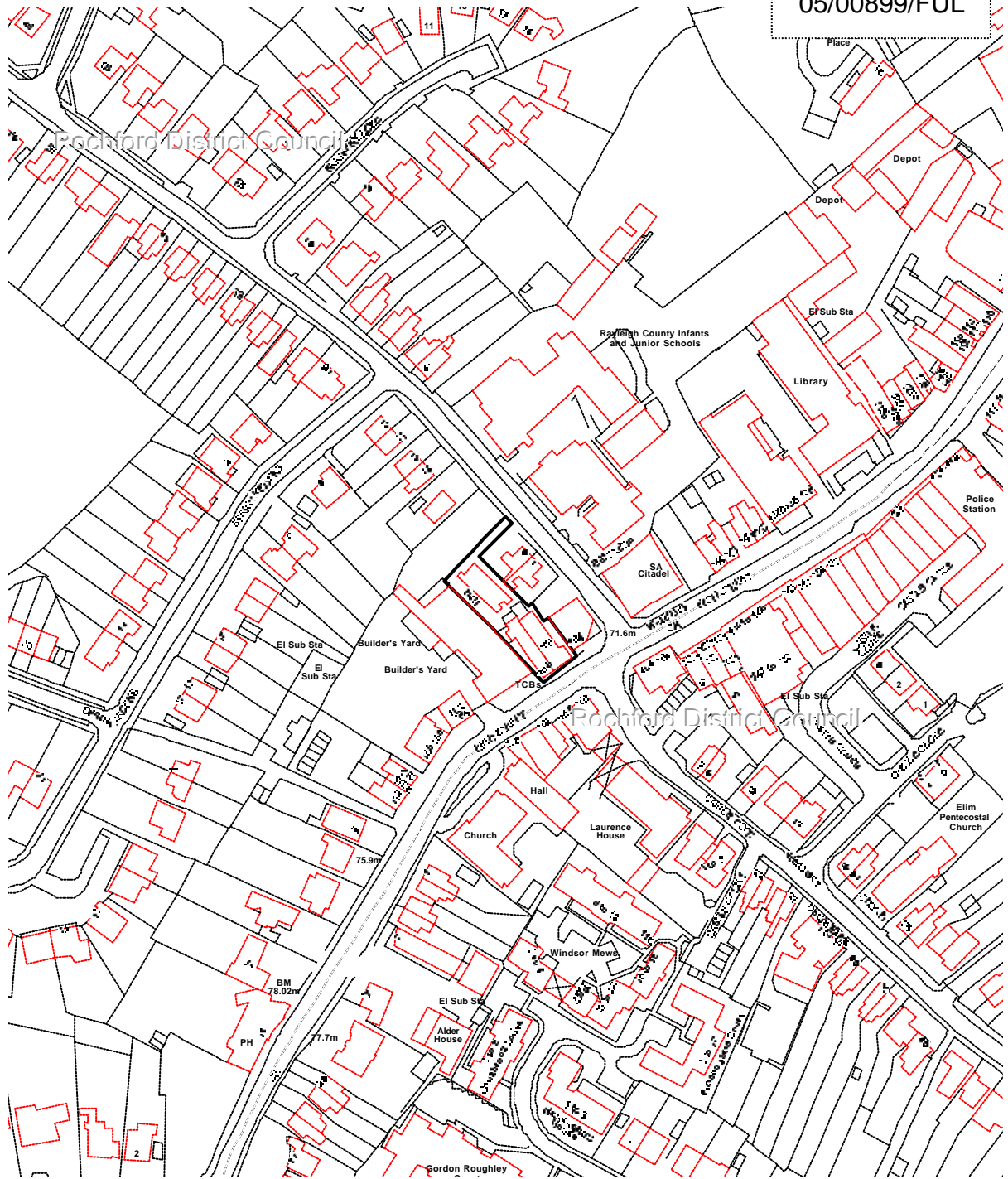
Shaun Scrutton
Head of Planning Services

For further information please contact Leigh Palmer on (01702) 546366.



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05/00899/FUL



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PLANNING SERVICES COMMITTEE - 21 February 2006 Item 2

TITLE : 06/00039/ADV
DISPLAY 1 X NON ILLUMINATED 'NATIONAL TRUST' SIGN
AT BELLINGHAM LANE ENTRANCE TO RAYLEIGH MOUNT
LAND AT RAYLEIGH MOUNT CASTLE TERRACE
RAYLEIGH

APPLICANT : MICHAEL STONE, CHAIRMAN, RAYLEIGH MOUNT LOCAL
COMMITTEE OF THE NATIONAL TRUST

ZONING : RAYLEIGH CONSERVATION AREA/COMMUNITY USE

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHEATLEY

PLANNING APPLICATION DETAILS

- 2.1 Planning consent is sought for the display of a non-illuminated “National Trust” sign at Bellingham Lane entrance to Rayleigh Mount. This entrance is located adjacent to a community centre to the east and a car park to the southwest.
- 2.2 The sign measures approximately 1.98 metres in width and 0.6 metres in depth and will be located at high level on the existing gates at the site. The proposed sign will be made of aluminium in a similar style to an existing National Trust sign on the site. These are white in colour with black writing and a green logo and will not be illuminated.
- 2.3 The application site is located to the south of “The Mill”, which is a modern building. There is a car park to the south of the site with a fairly modern built block of flats, known as Homeregral House to the south east. The area to the east of the site is set to lawn, which is an informal public sitting area with several items of street furniture/art, including the Rochford District Council crest hanging sign, a flag pole, benches etc.
- 2.4 Members should be aware that Rochford District Council own this site.

RELEVANT PLANNING HISTORY

- 2.5 There have been no previous planning applications for this site.



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CONSULTATIONS AND REPRESENTATIONS

- 2.6 There have been no responses from consultees to date. Any responses received will be reported as a addendum following publication of this report.

MATERIAL PLANNING CONSIDERATIONS

- 2.7 This directional sign is fairly large but is set in a fairly inconspicuous location away from the highway. The design is similar to other National Trust signs used.

CONCLUSION

- 2.8 It is considered that the siting, design and scale of this sign is not considered to detract from the historic nature of the conservation area. Therefore, it is recommended that the committee approve the application.

RECOMMENDATION

- 2.9 It is proposed that the application be delegated to the Head of Planning Services, to determine subject to the expiry of the consultation process subject to the following heads of condition:-
- 1 SAC1 Standard time limits
 - 2 SAC3 Condition of advertisement
 - 3 The materials and colours of the advertisement hereby approved shall be implemented in accordance with the details submitted in the supporting plans and example photograph as date stamped 20th January 2006.

REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests nor harm to any other material planning consideration.



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PLANNING SERVICES COMMITTEE - 21 February 2006 Item 2

Relevant Development Plan policies and proposals:

UC1, UC2, UC12 UC13 of the Rochford District Local Plan First Review

BC1 of the Second Deposit Draft Rochford District Replacement Local Plan



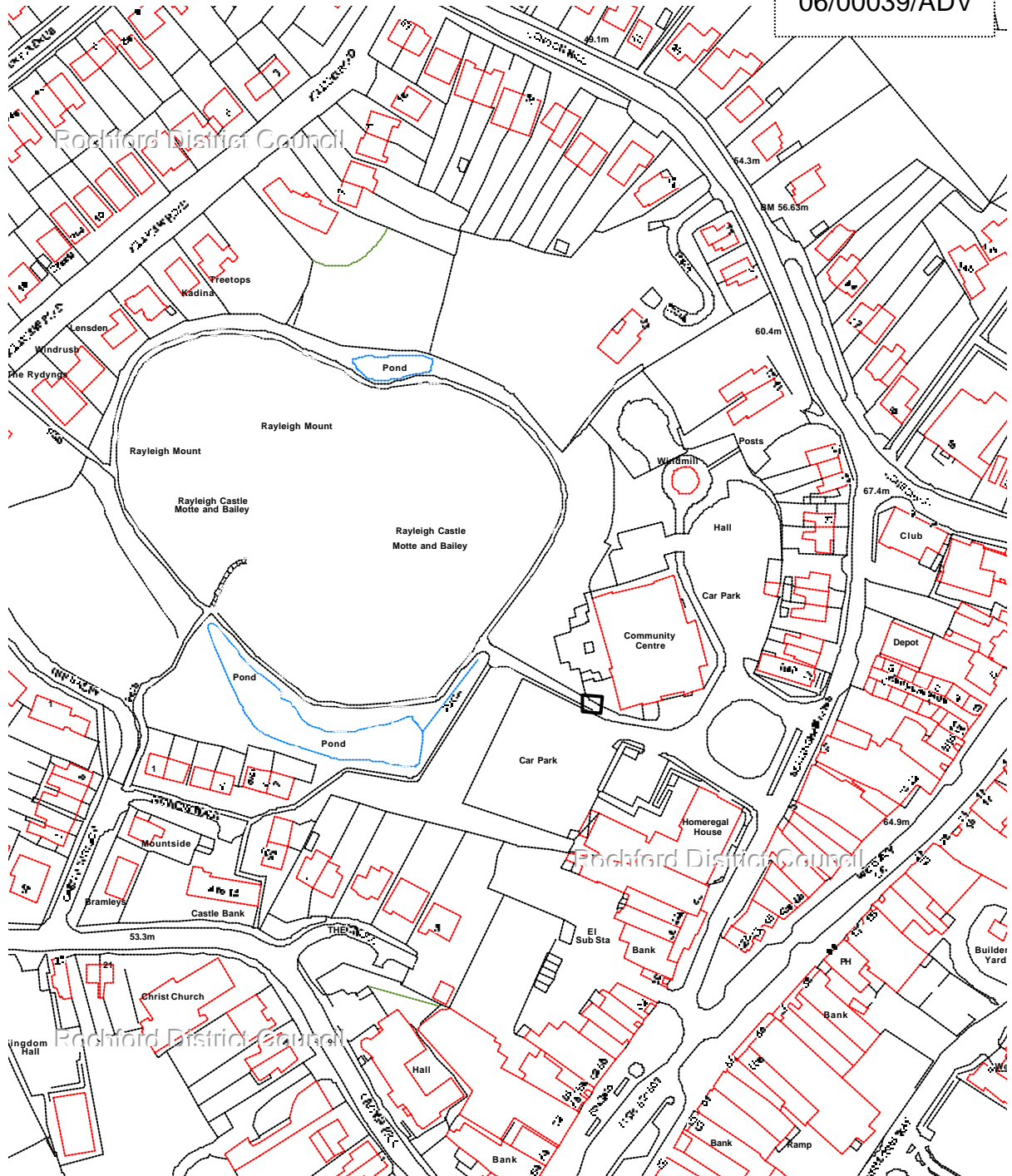
Shaun Scrutton
Head of Planning Services

For further information please contact Catherine Blow on (01702) 318095.



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06/00039/ADV



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PLANNING SERVICES COMMITTEE - 21 February 2006 Item 3

TITLE : 06/00041/FUL
DESCRIPTION: SINGLE STOREY EXTENSION TO PROVIDE TOILET,
CHANGING AND SHOWERING FACILITIES FOR THE
ROCHFORD AND DISTRICT DISABILITY PLAYScheme
HOCKLEY COMMUNITY CENTRE ASSOCIATION
WESTMINSTER DRIVE HOCKLEY

APPLICANT : HOCKLEY COMMUNITY CENTRE ASSOCIATION

ZONING : METROPOLITAN GREEN BELT

PARISH: HOCKLEY

WARD: HOCKLEY WEST

PLANNING APPLICATION DETAILS

- 3.1 This application has been brought before members as this Authority has facilitated this scheme providing some of the professional duties for this proposal and paying the planning application fee. The Authority also has a role in the Play Scheme, organising the venue, providing staffing and suitable equipment.
- 3.2 Planning consent is sought for the extension of an existing disabled toilet to provide toilet and changing facilities for the Rochford & District Disability Play Scheme. The play scheme provides respite for parents and carers during the school holidays, and operates between 10am and 3pm for children of school age, ranging from 5 –16 years old.
- 3.3 This extension is located fairly close to the main entrance to the community centre on the south elevation and will have a lean to style roof. The proposal measures approximately 2 metres in width and 4.5 metres in depth externally, creating approximately 6.8 square metres of additional floor space.

RELEVANT PLANNING HISTORY

- 3.4 There have been several previous applications on this site. These are
- 92/673/FUL - Siting of a portable building to use as changing rooms and storage hut and grounds man equipment. APPROVED
 - 95/00611/FUL – Retention of two floodlights attached to building. REFUSED
 - 03/285/FUL – Single storey rear extension for storage. APPROVED



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PLANNING SERVICES COMMITTEE - 21 February 2006 Item 3

- 3.5 The most recent application for a single storey rear extension has not been implemented. It was also noted during the officer site visit that neither of the previous proposals currently exist on site.

CONSULTATIONS AND REPRESENTATIONS

- 3.6 There have been no responses from consultees to date. Any responses received will be reported as an addendum following publication of this report.

MATERIAL PLANNING CONSIDERATIONS

- 3.7 The application site is located within the Metropolitan Green Belt and as such, policy GB1 applies. This policy restricts new buildings and extensions within the green belt except for the purposes of agriculture, mineral extraction or forestry, small-scale facilities for outdoor participatory sports and recreation, cemeteries or similar uses which are open in character.
- 3.8 The proposal therefore, represents inappropriate development and should only be consented to if the scheme proposes “very special circumstances” that outweigh the harm caused by the inappropriate development.
- 3.9 As stated previously in this report, the Rochford & District Disability Play Scheme, meets regularly at the community centre, and will be the main beneficiary of the new facilities. The applicants have submitted supporting documents with this application, highlighting that the existing disabled toilet facilities are inadequate to meet the needs of all play scheme attendees and that the dimensions of the toilets do not meet the standards recommended by the Disability Discrimination Act.
- 3.10 Other options to upgrade the facilities have been explored, for example expanding the toilet within the existing walls of the community centre. But these have been dismissed as unsuitable due to necessity for additional equipment to be installed, namely a drop down changing and shower bench, shower area and space for wheelchairs and carers.
- 3.11 The proposal is considered to be a minimal extension with a low sloping roof, set against the backdrop of the existing large community centre. It is located close to the front entrance but is on the side elevation, resulting in what is considered to be minimal impacts upon the appearance of the building or the openness of the Green Belt.

CONCLUSION

- 3.12 Given the location, scale and design of the extension and the particular circumstances outlined above, the proposal is considered acceptable in Green Belt terms.



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PLANNING SERVICES COMMITTEE - 21 February 2006 Item 3

RECOMMENDATION

- 3.13 It is proposed that the application be delegated to the Head of Planning Services, subject to the responses from standard consultees, to determine, subject to the following heads of condition:-

- 1 SC4 Time Limits
- 2 SC15 Materials to match

REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests nor harm to any other material planning consideration.

Relevant Development Plan policies and proposals:

GB1 of the Rochford District Local Plan First Review

R1 of the Second Deposit Draft Rochford District Replacement Local Plan

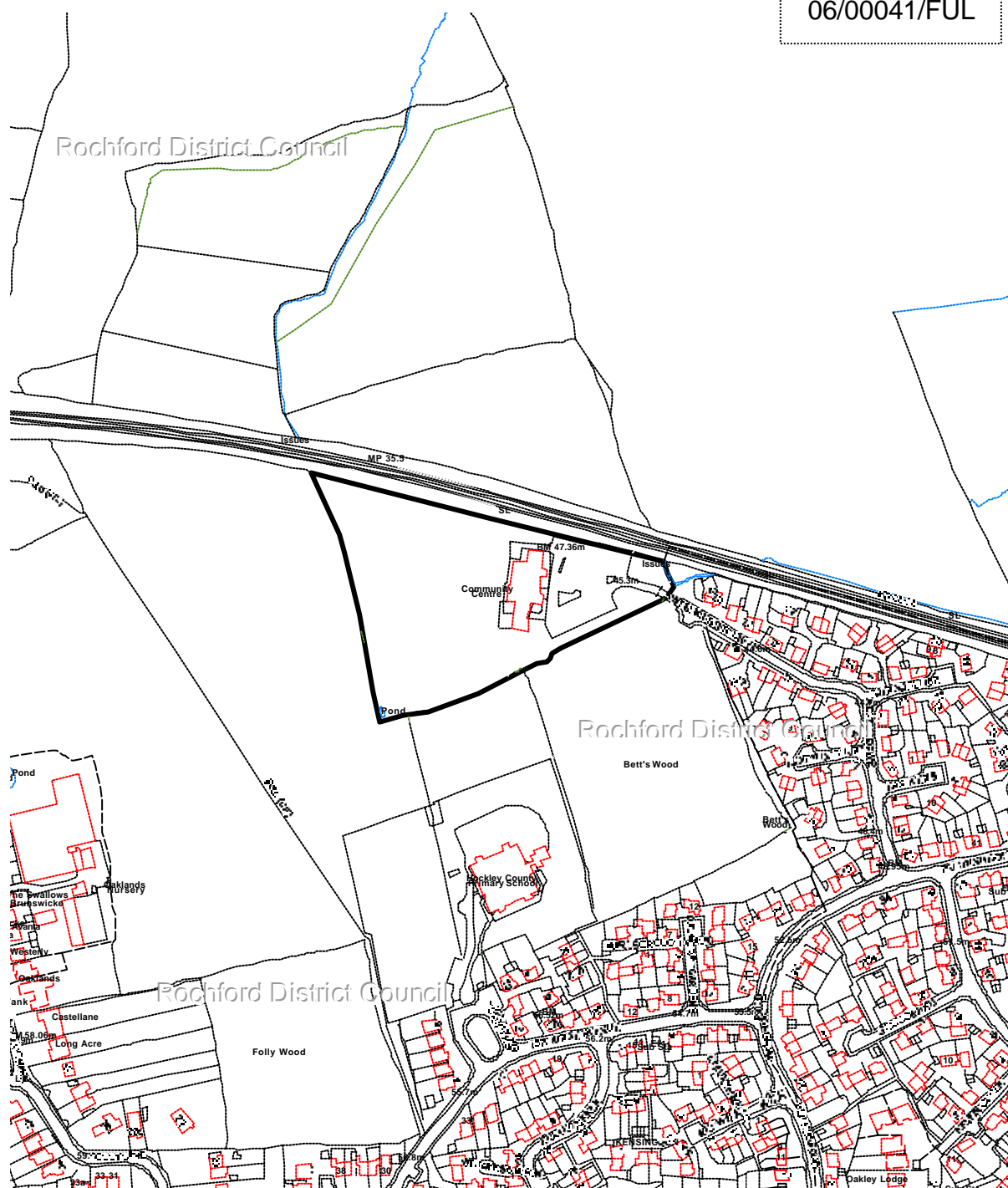


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Head of Planning Services

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PLANNING SERVICES COMMITTEE - 21st February 2006 Item 4

TITLE : 05/001049/REM
DETAILS OF RETAIL FOODSTORE AND PART TWO
STOREY PART THREE STOREY BUILDING COMPRISING
5 No. A1 (RETAIL) UNITS AND 1 No. A3 CAFÉ , 3 No. D1
(NON RESIDENTIAL INSTITUTIONS) 1No. D1 COMMUNITY
HALL AT FIRST FLOOR AND 1 No. D1 NURSERY AT
GROUND, FIRST AND SECOND FLOOR WITH ACCESS AND
CAR PARKING LAYOUT
FORMER PARK SCHOOL RAWRETH LANE RAYLEIGH

APPLICANT : HENRY DAVIDSON DEVELOPMENTS LTD AND ASDA
STORES LTD

ZONING : EXISTING SECONDARY SCHOOL

PARISH: RAYLEIGH TOWN COUNCIL

WARD: DOWNHALL

Introduction

- 4.1 This application is to the site of the former Park School located on the southern side of Rawreth Lane, Rayleigh. Outline Planning Permission has been granted under application reference 01/00762/OUT together with the agreement of a master plan for a mixed use development on the former Park School site. The spine road, sports centre and residential elements have been already considered by this committee. A proposed primary school has been considered more recently by Essex County Council. The remaining element falling for consideration is the provision of a neighbourhood centre to accommodate a range of uses valuable to the local community and to which the current application relates.
- 4.2 Condition 4 of the outline consent requires this part of the site (1.62ha) be developed to form a neighbourhood centre comprising the following Use Classes to the Town and Country Planning (Use Classes) Order (1987) Class A1 (shops), Class A3 (Food and Drink) and Class D1 (Non Residential Institutions).



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- 4.3 The outline consent was modified by application reference 04/00975/FUL to vary condition 4 to include the provision of flats above ground floor only of any part of the neighbourhood centre. Condition 4 of the outline consent goes on to suggest a range of uses which whilst not exhaustive would be appropriate in principle: local convenience shops, a children's nursery, eating and drinking establishment(s) and a local health centre considered suitable to support the adjoining local community. The components of the neighbourhood centre are intended to redress the existing lack of shops and other facilities to serve the local community and to reduce reliance upon car use to improve the sustainability of this part of Rayleigh.

PLANNING APPLICATION DETAILS

The application

- 4.4 The current application comprises a food retail store of a gross 3000 square metres floorspace proposed at the southern end of the site adjoining the Sports Centre currently under construction. A second building, part two storey and part three storey is proposed to be located at the northern end of the site fronting Rawreth Lane with a return frontage onto the spine road (now called Priory Chase) and comprising a mix of uses being Retail and Café/Restaurant at ground floor, with D1 uses (non residential institutions) at ground, first and second floor. A car park with 216 spaces including disabled bays and parent and child bays would be located between the buildings. In addition five trolley bays would be provided in the car parking area. Access to the car park would be off Priory Chase adjoining the mixed use building. An additional 10 No. staff car parking spaces would be provided adjacent the retail store within part of the walled service area adjoining the store.
- 4.5 Generally the application differs in layout terms to that previously considered by amendments to the service yard deleting the previous vehicle turntable and relocating the revised plant compound adjoining the Asda Store and revisions to the mixed use building to provide a revised internal layout and extension of the previously proposed building along the Rawreth Lane frontage. In particular, the mixed use building has deleted the 8 residential flats in favour of all D1 uses on 1st and 2nd floor together with the D1, A3 & 5 A1 shops on the ground floor.

The Retail Food Store

- 4.6 The retail foodstore would have a ground floor area of 2,760 square metres with a net sales area of 1,934 square metres retailing convenience food products and comparison goods. Within the building would be provided with a mezzanine at its southern end with a further 241.5 square metres floorspace to provide office and back up space. The layout of the store is the same as previously considered.



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- 4.7 To the south of the main building would be attached a canopy loading/servicing bay. The previous inclusion of a vehicle turn table facility in front of the bay has been deleted from this revised application. The service yard has been revised to provide the various plant rooms and external equipment enclosures to the side of the building between the main store and adjoining Sports Centre. The service yard area would be enclosed by 1.8m high walling.
- 4.8 The retail store walls would be finished in white and grey metal sheet cladding with aluminium standing seam sheeting to the roof. The exterior cladding would sit on a low brick plinth to each wall. The entrance area would be clad in grey colour sheeting with green tinted glass and white framed curtain walling to the entrance detail facing onto the car park area. The service yard canopy would also be clad in grey panelling to match.
- 4.9 This revised retail store differs in minor ways from the external appearance to that previously considered by extending the width of the entrance curtain to seven bays from the previous six and omitting the exterior sprinkler tank. Although not a matter for this application the ASDA signage is shown more centrally located to the northern front elevation onto the car park.
- 4.10 The retail store would require excavation and fill to level the site. This revised building would have an overall height of 9.8m lowering to 8.5m to finished ground level as opposed to the overall height of 10.4m for the previously considered building.
- 4.11 The applicants describe this store as medium sized.

The mixed Use Building

- 4.12 The mixed use building would be located on the inside of the junction formed between the approved spine road serving the estate and Rawreth Lane. Overall the building would have a frontage onto Rawreth Lane of 27m and a return frontage onto the spine road of 53m. The building would be set behind the existing landscaped area of the former school and fronting Rawreth Lane which is to be retained but with a pedestrian link through from the Rawreth Lane footway.
- 4.13 This revised application includes a D1 Nursery to the ground, first and second floor of the northern end of the building. The nursery would include a walled external play area together with an internal play area. The nursery would have an overall floor area of 731 square metres (not including the external play area).
- 4.14 A first floor community hall of 111 square metres floor area is proposed together with three unequal units for unspecified D1 uses.



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- 4.15 The retail element would have a total of 390 square metres divided between five unequal units. The applicants specify the retail uses to comprise Florist, Chemist, Video Shop, Hair Dresser and Dry Cleaner. The further supporting statement to accompany this revised application includes letters from Agents and prospective tenants expressing interest in the units for A3 Restaurant, D1 Child Care, A1 Chemist, A2 Estate Agents, A1 Florist, A1 Hairdressers and Beauty Services and A1 Dry Cleaners.
- 4.16 In this revised application the ground floor A3 Café/Restaurant has been reduced in size to 97 square metres floorspace.
- 4.17 The applicants state in the further supporting statement that accommodation for a health practitioner can be provided to the D1 uses allocated in the building and could comprise Doctors Surgery, Dentist Surgery, Chiropractor, Osteopath or Chiropodists. These uses are not specifically identified to any of the units proposed but could occupy those parts of the building proposed for D1 use all falling within this Use Class.
- 4.18 The building would be three storey in form but accommodating the second floor within the roofspace served by dormers. The three storey form would be sited at the northern end and fronting Rawreth Lane but lowering to two storeys midway in the elevation return onto the spine road. The building would be finished in a mixture of blockwork render and red brick to the walls with natural slate tiles to the roof. The windows would be aluminium framed and powder coated in grey finish. The shop fronts would be grey finished steel framed glazing systems. The dormer cheeks and dormer roofs would be leaded.
- 4.19 The roof to the building would have a hipped appearance with a gable feature presented to the junction to the full three storey height. The hip would rise to a flat roof over the whole of the building.
- 4.20 The design of the building provides for five of the shop units to front both the car park and spine road with entrances onto both elevations. The café/restaurant unit would have an entrance only onto the spine road. The nursery would access only onto the car park. The external play area would have an entrance onto the paved area to the east of the mixed use building. The mixed use building would be surrounded by paved pedestrian circulation areas.
- 4.21 The revised scheme also provides for revision to the agreed junction layout to include a left turn lane into Priory Chase and pedestrian control phasing for the traffic lights.



Supporting Material

- 4.22 The application is accompanied by landscaping and planting proposals and landscape design statement, a lighting plan and Architectural Design Statement. As required by conditions to the Outline Consent the application is also accompanied by an Ecological Assessment, Interim Travel Plan and Travel Assessment. The Flood Risk Assessment is accompanied by a surface water design philosophy.

RELEVANT PLANNING HISTORY

- 4.23 Application No. 01/00762/OUT
Outline application for a mixed use development comprising housing, neighbourhood centre, public open space, Primary School and Leisure Centre.
Permission Granted 18th June 2003
- 4.24 Application No. 04/00612/REM
Details of Spine Road, Associated Footpaths and Footpath/Cycleway, Roundabout and turning facilities
Permission Granted 26th August 2004.
- 4.25 Application No. 04/00677/REM
Details of two storey building to provide sports and Leisure Centre with outside Playing Areas, Skateboard Park, Access and Parking Areas.
Permission granted 21st October 2004
- 4.26 Application No. 04/00675/REM
Details of 129 dwellings comprising 38 No. four bedroomed houses , 33 No. three bedroomed houses, 11 No. two bedroomed houses, 4No. two bedroomed apartments and 43 No. two bedroomed apartments in a mixed development of two, two and a half and three storey form with estate roads
Permission Refused 20th January 2005
- 4.27 Application No. 04/00975/FUL
Variation of Conditions attached to Outline Permission Number 01/00762/OUT
To allow for separate reserved matters to be submitted and to allow flats above retail units in the neighbourhood centre.
Permission granted 17th February 2005
- 4.28 Application No. 05/00255/REM
Details of 128 dwellings comprising 38 No. Four bedroomed houses, 33 No. three bedroomed houses, 11 No. two bedroomed houses, 4No. two bedroomed apartments and 29 No. two bedroomed apartments and 13 No. one bedroomed apartments for key workers in a mixed development of two, two and a half and three storey form with estate roads
Permission granted 26th August 2005



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4.29 Application No. 05/00599/REM

Details of Retail foodstore and part two storey part three storey building comprising 4No. A1 (Retail) units and 1No. Café/Restaurant to ground floor, 3No. D1 (Non Residential Institutions) Units at first floor and 8 No. two bedroomed flats at first and second floor with access and car parking layout.

Permission refused 24th November 2005

For the following reasons;

1. The proposal fails to comply with the requirements of condition 4 of outline consent granted under application reference 01/00762/OUT and dated 18th June 2003, which requires the site to accommodate a range of uses valuable to the local community.
2. The results contained within the travel assessment submitted in support of the reserved matters application are considered unacceptable by the Local planning Authority in terms of the number of traffic movements arising from the development and the capability of the highway network to absorb those movements. As such, the proposal is considered contrary to condition 13 of the outline consent and would be detrimental to highway users.
3. The proposal by way of the floorspace, size and scale of the retail store, would be likely to have an adverse impact on the vitality and viability of Rayleigh Town Centre contrary to policy SAT 1 (iii) to the Council's second deposit draft replacement Local Plan (2004)

CONSULTATIONS AND REPRESENTATIONS**4.30 Rayleigh Town Council:**

Objects to the application on the following grounds;

- Inconceivable that Rawreth Lane could cope with the congestion that it would cause
- The removal of the turntable for articulated vehicles would mean the articulated vehicles manoeuvring in reverse gear into a busy road, leading to a school.

Rawreth Parish Council:

4.31 Object on the basis of previous objections to the previous application.

4.32 Consider a light controlled crossing should be provided to the west of the junction in Rawreth Lane to link with either the dual use pavement to the spine road or access pavement through the residential area and imperative for access to the school.



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- 4.33 Application fails to show any provision for cyclists.
- 4.34 HGV's should be prohibited beyond first roundabout in spine road.
- 4.35 Total traffic generated from the site based upon ASDA's own figures increases traffic flows by 30% and is considered totally unacceptable.
- 4.36 Consider that District Council Members were poorly briefed at the outline stage in how much the design of the neighbourhood centre could be influenced.
- 4.37 County Highways bear some responsibility for poor advice on highway issues.
- 4.38 Do not support the proposal. Consider the proposals out of scale and contrary to the description of commercial development contained in the outline approval. Proposal would overload the existing rail infrastructure. Consider the proposal is far more demanding than that considered for outline approval and should be treated as a new application .
- 4.39 Believe district should obtain a positive statement on drainage from County Highways and the Environment Agency. Current experience of designs based on equality with green field run off rates has been less than acceptable. Believe a positive statement from County Highways on the road capacity in Rawreth Lane is required. Existing concerns will be aggravated. Will cause diversion of traffic to other routes such as Beeches Road and Watery Lane.
- 4.40 Disappointed in Officer recommendation.
- 4.41 Comparison is made to the district centre at the Wick in Wickford which has a respectable sized supermarket, a health centre and a range of community facility shops. The proposal is more akin to an out of town major store.
- 4.42 The local health authority have stated that the size of the store prevents any consideration for a health centre and only a surgery will be possible.
- 4.43 The design is considered poor in relation to residential buildings adjoining the site.
- 4.44 Concern at the effect upon the area and traffic related issues. Concern that District officers should provide highway analysis if County Officers do not.
- 4.45 Consider applicants offer of £44,000 a platitude that does not address the reality or seriousness of the issues.
- 4.46 Conditions recommended do not take into consideration any of the Environment Agencies objections.



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4.47 Recommendation ignores the views of Town and Parish Councils and Local MP who represent local residents and Economic Development officer, Rayleigh chamber of trade, English Nature, Rayleigh Civic Society and the Environment Agency.

4.48 Area is already well served with out of Town stores.

Rayleigh and District Chamber of Trade

4.49 Object on the following grounds:-

4.50 Note that applicants have now put forward amended proposals which would benefit the community, such as a doctors surgery, it does not alter the fact that the size of the store remains as originally proposed.

4.51 The Local Business Community still holds the same concerns as before which were:

- Rayleigh Traders concerns over the already inadequate amount of car parking in the town and the huge increases in charges
- The fear that the development would take away potential customers from the already stretched High Street

4.52 Consider residents concerns were felt just as strongly as before, those being;

- Worry that 240 car parking spaces would be insufficient for the store and will cause chaos in surrounding roads
- Rawreth Lane is at breaking point at the moment
- Increased parking in adjoining streets would cause rat runs through existing residential roads
- Worry that delivery vehicles would cause further difficulties due to their size
- Noise, particularly from early morning deliveries and general disruption to what is primarily a residential area

Essex Bridleways Association

4.53 Object on the basis that the development will bring increased traffic onto Rawreth Lane and the spine road. Horse riders and cyclists will be in great danger negotiating the route to the bridleway.

4.54 Parkhurst Drive is under investigation to upgrade to a Bridleway. The increased width of the junction and the amount of ASDA lorries using the site will make getting from one Bridleway to another dangerous.



INVESTORS IN PEOPLE

- 4.55 Objectives to the Local Plan state improvement to Public Access to the Countryside. and sustainable methods of transport. Policy TP16 states that the Council will promote the creation of new Bridle Paths in the District in order to form a comprehensive network of routes segregated from traffic. The original legal agreement stated the internal layout to include bridleways. This application is far larger than was originally intended and should be turned down on safety grounds.

Crouch Valley Rural Routes Group

- 4.56 Refer to previous objections on other applications on this site about the lack of planned infrastructure for the use of cyclists in connection with access to the Park School Development. Consider it a failing of Officers not to have addressed this issue previously. There is now a fresh opportunity for a review of the access arrangements. Obligation under PPG 13 to ensure suitable access to all developments.
- 4.57 Already approval for a cycle way along the spine road. Argue that it would be sensible, purposeful and low cost scheme to continue the cycle way along the verge as far as the traffic lights at Downhall Park Way. Provision of this additional cycle way would reduce car dependency for some local trips and help reduce congestion and would also be a useful first step to places further afield.
- 4.58 Access via the Bridle way from Sweyne Park will not be acceptable due to remoteness and personal safety issues.

Essex Police Architectural Liaison Officer

- 4.59 No objections in principle but requests that consideration be given to certain conditions in relation to security and anti-social behaviour
1. Shopping trolleys to have a coin release to reduce impact upon the environment, theft, damage and anti-social behaviour.
 2. Provision of a car park barrier gate to prevent the car park being used out of hours or by unlawful parking of caravans. Height barrier will not prevent joy riders
 3. Provision of a gated entrance to service yard to prevent short cutting to store
 4. Consideration to access control to service yard
 5. If automatic telling machines are to be installed they should be in the front elevation under CCTV with area marked out as a defensible zone
 6. Consider making the development Secure By Design
- 4.60 **Officer Comment** : *Officers understand from the applicants that given the nature of the business undertaken at such sites that security considerations are highly important to the management and risks involved. The Council cannot enforce the Secure By Design Approach as this is undertaken between the Applicants and the Police direct. A condition can be imposed to any consent given to provide a restrictive height barrier to the car park entrance.*



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Essex County Council Specialist Archaeological Advice

- 4.61 The proposal lies within an area that has been fully evaluated. Therefore no recommendations to make.

Essex County Council Principal Urban Designer

- 4.62 Still have concerns about the roof design of the mixed use building, the truncated pitched roofs result in an unattractive built form with poor proportions. With the traditional building form proposed, smaller roof spans need to be achieved with fully pitched roofs. Possibly this could result in a longer narrower building which would better enclose the car park.
- 4.63 The external area provided for the nursery, underneath the building and open on the north and east sides, would not provide a suitable environment for small children to play, being dark, draughty and devoid of sunlight. The entrance to the nursery is in the rear corner of the building facing the car park and not easily accessible from the street for pedestrians. A street entrance or dual access should be provided with a more open reception area, improving vitality on the street and encouraging passing trade for business premises.

Buildings/Technical Support (Engineers)

- 4.64 No Objection. Advise that the area is low and subject to flooding .

English Nature

- 4.65 Comment that in view of the most recent walkover survey (October 2005) the general legislative issues surrounding protected species appear to have been adequately addressed.
- 4.66 Advise further that should it be necessary to clear habitat for nesting birds, this should be done outside the breeding season March to September.

Rayleigh Civic Society

- 4.67 The revised plans show a number of minor amendments but cannot see any evidence that the comments in the minutes of the meeting determining the previous application have been addressed.
- 4.68 Support the need for a retail facility in this area but consider a further study should be made to ascertain the additional traffic movements likely and their affect upon the viability of Rayleigh Town Centre.
- 4.69 Comment that 200 staff shown to be required for the ASDA store and only 10 staff car parking spaces provided with 216 parking spaces for customers.



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Sport England

- 4.70 No comments to make.

The Head of Housing, Health & Community Care

- 4.71 Reports that this revised application still does not appear to have taken in to consideration many environmental matters, including air quality, sustainability (e.g. materials, energy, waste) or noise. Should this application be approved in its current form, an opportunity may be lost to use this development as a flagship development with respect to environmental impact. If members are minded to approve the application, the following conditions should be attached to any consent granted:
1. Details of the proposed sound insulation scheme for the development, including predictions of the noise level at the boundary of the application site, in accordance with Planning Policy Guidance PPG24, Planning and Noise, shall be submitted to and agreed in writing with the L.P.A. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose.

Informative: In order to prepare the scheme referred to in Condition 2, the applicant will need to make an assessment of a) the pre-existing background noise levels at the site, taking into account the permitted hours of operation; b) the noise levels likely to be generated from activities at the premises c) any proposed method of ventilation/extraction.
 2. Prior to the commencement of any development, details of any external equipment or openings in the external walls or roofs of the building proposed at any time in connection with the permitted use, shall be submitted to and approved in writing by the L.P.A. before the machinery is installed or the opening formed. The equipment shall be installed or the openings formed as approved and shall be maintained in the approved form while the premises are in use for the permitted purpose.
 3. Prior to installation, details of all fume extraction and ventilation equipment shall be submitted to and approved in writing by the L.P.A. The equipment shall be installed as approved and shall be maintained in the approved form while the premises are in use for the permitted purpose.



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4. Prior to installation, details of the proposed internal lift system and associated plant shall be submitted to and agreed in writing with the L.P.A. Such agreed works shall be installed as approved prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose.
5. No amplified speech or music shall be broadcast on the open areas of the site.
6. Prior to the commencement of the development hereby permitted, details of the proposed method of storage and disposal of waste matter shall be submitted to and agreed in writing by the L.P.A. Such agreed works shall be implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form whilst the premises are in use for the permitted purpose.
7. A mechanical extraction system shall be provided to the kitchen areas and agreed in writing with the Local Planning Authority. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose
8. Within six months of the opening of the retail foodstore , the applicant shall carry out 3 months of continuous monitoring for No2 at the junction of the estate's spine road with Rawreth Lane and report the findings of that monitoring to the head of Housing, Health and Community Care by the end of the seventh month of the opening of the retail store.

Informative: The Applicants are advised to contact the Council's head of Housing, Health and Community Care at the earliest opportunity to discuss the particular requirements of the No2 monitoring procedure.

9. The development shall be constructed so as to attain a high BREEAM rating from the Building Research Establishment (Environmental rating for industrial premises) or equivalent.

Informative: Full details and guidance of the Industrial BREEAM scheme are available from <http://www.breeam.org/industrial.html>

10. Informative: The applicant is advised to contact the Head of Housing, Health and Community Care at the earliest opportunity to discuss the requirements necessary to meet current food hygiene legislation
11. Standard Informative SI16 (Control of Nuisances), Parts A & B.



INVESTORS IN PEOPLE

4.72 55 Letters have been received from residents and businesses in the area and which make the following comments and objections;

4.73 **Traffic/Highway concerns and objections**

- Problems of congestion at Hullbridge Road/Rawreth Lane mini roundabout
- Congestion problems and increased traffic
- The turnover of £23 million needs 4500 customers a week spending £100. This means 4500 extra cars per week which cannot be accommodated on the roads together with all the other traffic from other parts of the development.
- Increased development in the area and consequent traffic increases mean it is time to listen to residents
- Concern for number of articulated lorries necessary to serve the Asda Store
- Rawreth Lane is frequently gridlocked and how will traffic deadlock be policed
- Outline application quoted 249 extra arrivals and departures from 8.00–9.00 and 198 additional movements between 17:00–18:00. The new application estimates 779 and 954 than at present and 3-5 times more than originally granted and representing a totally new development
- Location has one limited access and proposal will result in pressure for an additional access
- Conflict of school, commercial and residential traffic
- Will throw more traffic onto Watery Lane
- Increased vehicle movements will provide additional hazard to school children
- Duty of Council to ensure new development does not increase the risk to the community
- No evidence of a traffic or environmental assessment on the surrounding area
- Inclusion of a community hall and Nursery would appear to add little benefit to the local community
- Rawreth Lane is not wide enough to accommodate this traffic
- Requests that a traffic census be undertaken
- Bowling uses alone will create parking problems at the sports centre with overflows into the spine road and other parking areas
- Rawreth Lane is a major artery taking as much traffic as the A127
- Asda expect to encourage their staff to walk or cycle to work but in reality staff will drive and the ten staff car parking spaces for 200 staff are derisory
- Outline permission requires the traffic generated by the proposed development must be compared to that generated by the secondary school
- Will impact upon traffic conditions to other routes such as Downhall Road, Teignmouth Drive, Exmouth Drive and Dawlish Crescent.
- Suggest making Teignmouth Drive One way
- Suggest making an artificial barrier where Teignmouth Drive and Exmouth Drives meet.
- recommend that traffic control measures be introduced before any more development proceeds (not speed humps)



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- Independent survey by Hambro Pharmacy indicates that traffic will far exceed the limit which is granted outline permission. Asda's own assessment has failed to take into account recent development in Downhall Park Way
- Question the adequacy of the car parking provided
- concern that the layout does not specifically allocate spaces for the mixed use building and this building could be sold at a later date without any dedicated car parking
- questions whether consideration has been given to provision of a safe pedestrian crossing on the Rawreth side of the Road junction
- questions how service vehicles will manoeuvre in the car parking area
- requests consideration be given to vehicle weight restriction to ensure heavy vehicles are kept away from the school site
- spine road inadequate for the number of vehicles proposed
- Essex Countryside were refused an additional access to their development because of fears at increased congestion so how can Asda be allowed such easy access onto Rawreth lane
- Applicants offer of £40k to improve the Rawreth Lane Hambro Hill roundabout is an attempted bribe
- Criticism of double standards in assessment of small and big applications
- Rawreth Lane pavement is inadequate being less than a metre wide in some places and raising the potential for danger to pedestrians
- Makro already has a permanent flow of traffic
- Asda store only shows a small storage area and will therefore require heavy trucks all day adding to congestion problems
- Dangerous traffic conditions for horse riders will result
- Speed limit to Rawreth Lane has already had to be reduced to 30 mph due to the increased traffic in the area
- present bus service is one per hour There is no mention of public transport to and from the said store.
- Danger of having to cross two lanes of traffic to turn right into Laburnum Way
- As a resident cannot accept the findings of both applicants and County Highways
- In the interests of safety urge the Council to reassess the traffic flow at the junction of Rawreth Lane and Laburnum Way
- Not aware of any traffic counts having been done during rush hour when the risk of accidents is very real
- Outline application required traffic levels to equate to those of the former school. The current application clearly shows traffic levels way in excess of that requirement. No real traffic movements from the school at weekends for instance .
- Committee Report considering the Outline (24th October 2002) quoted school traffic levels at 131 arrivals and 118 departures for AM peak and 106 arrivals and 92 departures for PM peak. The current application shows 456 arrivals and 323 departures for the AM peak and 469 arrivals and 485 departures for the PM peak, representing an increase of nearly 400% over that quoted in considering the outline consent.



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- Policy T4 to the Local Plan states the Council will refuse permission for applications that would create significant adverse impacts that would give rise to adverse environmental impacts.
- Officers failed to advise that the Council that the previous application failed to meet the requirements regarding traffic movement on this development.
- Traffic survey omits comparison with Asda stores.
- Turnover comparisons show the proposal will be 3.5% higher than Tesco, 13% higher than Sainsbury and 62% higher than Somerfield. Exact impact on trip analysis is not clear because Waitrose have been omitted but easily drawn conclusion is that trip factors are far greater for Asda operated stores than those chosen for the survey.
- Applicants have used the low growth rate forecasting figure
- Consider that traffic growth will be far greater than the central figures recommended by the National Traffic Survey, given amount of development in the area
- Unspecified traffic increases call into doubt capacity of the spine road and Rawreth Lane to cope
- Projected turnover, given spend data from Sainsburys gives an average of 2100 customer visits equating to 4,200 vehicle movements.
- Residential occupiers to Wimpey estate already parking on the spine road to potential danger of road users and pedestrians to the School
- Previous application stated that store would draw 91% of trade from within 10 minutes drive, and drawing traffic from Rayleigh, Hullbridge, Hockley, Eastwood, Wickford, Shotgate, Rettendon, Runwell and other outlying districts. The intention of this development was to provide local facilities within close proximity to the residents in west Rayleigh—considerably less than a 10 minute drive.
- Because of size of catchment (10 minute drive) store cannot be considered local
- Given offer of £40K for road improvements for applicants concerns at adequacy of road network, it is difficult to see how situation could be improved other than by construction of a relief road.
- Applicants encouragement for staff to cycle and walk to work in reality will not happen. Makro has 209 staff 4 of whom cycle to work on a regular basis, 2 using the pavement because the road is too dangerous.
- Rawreth Lane is not safe to cycle on.

4.74 Effects upon local businesses and Town centres

- Supporting statements show a transfer of sales from “other Rayleigh” of £827, 600 and a figure of £5m as “other” together with a diversion of trade from other retail stores (Iceland and Somerfield) of £310,000
- The turnover of Budgens and Co-op in Hullbridge have a turnover of £2.5m and £1m respectively
- Proposal would affect shops and small businesses in Rayleigh and Hullbridge and Hockley. Proposal would put them out of business



INVESTORS IN PEOPLE

- Adverse impact on the vitality and viability of Rayleigh town centre
- Proposal will be devastating on local shops and amenities
- No need for any more shops
- Sainsbury's at Rayleigh Weir doubling in size and will take trade from Rayleigh Town Centre in its own right.
- Tesco's at Rochford understood to also be extending
- Concern that Asda may take occupancy of the smaller building if not able to retain occupiers
- Area already well served with Supermarkets Iceland, Somerfield and Sainsbury with two Tesco's at Southend and Pitsea
- Increased use of internet shopping combined with above fail to see the need for this development
- Asda store combined with leisure centre will draw custom from Town Centre
- Proposal will upset the economic balance of the community
- Danger of losing local post office, chemist and newsagent
- Time that the High Street was put on a special reduction in rates
- Tesco had a presence in the High Street and closed due to lack of interest
- Not likely that Asda will recruit key staff from the Local area as these will be brought in. Employment will be cheap labour to stack shelves.
- If successful the store will not create new business but will come from the profits of other businesses close by
- Jobs created will be mathematical. All that will really happen is the names of the persons on benefit will change
- Proposal would cause the decline of local shops and post office and good service currently existing in favour of cut – price multi national
- Hullbridge community not aware of the application and therefore unlikely to add concerns at loss of local shops
- Development is not for local shops but an aggressive priced store aimed to attract customers from further afield
- Proposal should be built next to Sainsbury at Rayleigh Weir on the former Texas site and where it could compete direct with the multiples.
- Sports centre and school already anchor the site. Store of this size is not required. Small convenience store would be appropriate.
- Policy SAT1 to the Local Plan calls for the provision of new retail development sequentially. The site can only be described as an out of centre site with non-existent transport links

4.75 Amenity Concerns/Objections

- School requests use of the mixed use building be controlled to ensure no electronic amusements/gambling arcades, tattoo parlours, fast food outlets are not provided
- Site is within a residential area
- Already have a first class village hall in Rawreth which is modern with ground floor facilities having full disabled access



INVESTORS IN PEOPLE

- Noise and environmental pollution from congestion and delivery lorries and effect of traffic lights. Proposal contrary to Policies PN4 and PN7.
- Problem of disruptive behaviour of people hanging around the Asda Store particularly when closed
- large car park will attract nuisance of young people congregating
- Loss of views
- Lighting to the car park will cause glare to the predominantly less well lit residential areas.
- Appearance and design of Asda store unsightly for adjoining residents
- Proposal excessive and damaging residents quality of lives
- Out of keeping with the surroundings and will put pressure on the Country Park
- Location all wrong and should be on the site of the new school
- Because of turnover expectations applicants will submit application to increase scope of delivery times causing night time and rest day annoyance
- Attractions of Rayleigh slowly being destroyed
- Proposal will detract from making Rayleigh an enjoyable place to live
- Large car park will be used by people trying out their cars
- Trolleys will be left lying around
- Inevitable that a petrol filling station will be proposed
- Alternative sites exist in the Town Centre beside Rayleigh Lanes and on the site of the former Texaco garage where underground car parking could be provided and also using Websters Way car park so that all that money spent on refurbishment will not go to waste.
- how long will it take for Rawreth Lane to develop into another A127 with superstores, DIY and Mc Donald type restaurants?
- rubbish will accumulate from the existence of shops in the locality
- latest application indicates a greater range of uses and shops but marketing will be restricted will depend on commercial viability.
- Understand the Primary Care Trust have reviewed the developers proposal and rejected the facilities as unsuitable
- Location of proposed nursery is located near to busy Rawreth Lane where air and noise pollution will be a problem to the exterior area.
- If allowed CCTV, barriers should be installed as previously recommended by the Police
- Store opening hours should be restricted
- Delivery times restricted similar to MAKRO with arrival and departure direction from the west.
- Struggle to see relevance of comparisons made in previous reports with Makro and the Sports Centre

4.76 Concerns and objections relating to the Outline Permission

- turnover of £23m cannot fall into definition of local convenience shops
- new application does not state the enhancement made to peoples quality of life and lacks a clear explanation of this development will improve the lives of residents as required by the outline permission



INVESTORS IN PEOPLE

- proposal is way beyond what the community need
- facility of this size not warranted and catchment too small
- proposal does not address or benefit existing community needs
- proposal contains suggestions over and above those outlined in the original application
- Nowhere does it state in the application that the store is required to anchor the development. This will be done in any case by the school and sports centre
- Proposal merely presents a list of services which already exist in the locality and fails to meet the requirements of condition 4 of the outline consent.
- Original proposal for a number of small shops and a doctors surgery would be much better
- Enough existing shopping facilities in the area
- Do not need such a large shop
- No reason for another supermarket
- The site should be developed with facilities such as a community centre, a pub or restaurant, health centre, sewerage and a few more shops to compliment those at Hambro parade.
- Application should be refused because it does not adhere to the outline consent.
- Once the mistake is made and existing it will never go away. Application should be rejected for the benefit of the community.

4.77**Other concerns and objections**

- Authority should listen to objections and not concern itself with the costs of turning this down
- suggests canvassing local residents for their needs before any further plans accepted
- Location will limit the popularity of the sports centre
- Location of store at the back of a housing estate is lunacy and will impact on domestic and emergency traffic
- Infrastructure to the area cannot support this application
- Planning and Highways department have shown total disregard for local residents in whole of Coppice Gate saga
- Will cause loss of value to properties adjacent
- Concern at the increase in housing and inability of Sweeney Park and Fitzwimark to cope
- Already overcrowded with housing
- Not in keeping with semi – rural area
- Planning Committee have ignored residents views

4.78

1 letter has been received and which makes the following comments in support of the application;

- Very pleased Asda have applied for permission
- Do not find the proposal a threat to any shops in Rayleigh because there used to be three supermarkets in Rayleigh and people opposed the closure of Tesco.
-



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- All it does it puts back a level playing field
- Will bring jobs to the area.

- 4.79 1 Letter from Mark Francios MP which makes the following comments;
- 4.80 Objects to the application but declares that as a resident in the vicinity has an interest but main objection is on behalf of constituents.
- 4.81 Maintains previous objections reported below and in addition raises the following additional objections:
- 4.82 The Current application is not that different to the previous application rejected by the Council. The revised application does not address the Council's objections but is indicative of tactics to wear down the local authority.
- 4.83 Appropriate place to determine this application is via the Appeal process at a Public Inquiry where the Inspector can make an informed recommendation on the basis of the evidence. By such time the other major facilities on the site will be open and a real traffic survey could be undertaken to inform the Inquiry.
- 4.84 Consider that the application is contrary to the original outline consent. The supermarket of the proposed size is beyond the scale of the local convenience shops envisaged at the outline stage. The reference to the foodstore is in the context of a number of local shops and not in any way a supermarket in its own right. The proposed supermarket of floor area of 3,000 square metres and turnover of £23 million is in no way a local shop and breaches the outline consent.
- 4.85 Building a supermarket precludes a different use for the site. The Audley Mills GP practice has been investigating the possibility of establishing a small satellite health centre on the site. The primary care trust has been generally supportive of the principle and which would benefit the local community. This would no longer be possible if the land were given over to a supermarket instead.
- 4.86 Given the scale of the application the proposal is contrary to Local Plan Policy SAT1 (2004) in the likely affect upon other businesses. Rayleigh chamber of trade has also expressed strong reservations about the potential impact on the Town's High Street. Applicants have underestimated the potential impact of their store upon the High Street and other local outlets.
- 4.87 Have concerns at the ability of the electricity supply to cope with the extra requirements of a supermarket. The local grid has suffered serious capacity weaknesses resulting in a series of local outages. EDF Energy has recently had to lay additional cables across Laburnum Grove because they could not adequately supply the new primary school on this site. Have concerns about the ability of the local electricity grid to support a supermarket without adversely effecting the security of supply to local residents.



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- 4.88 The revised application generates even higher overall levels of traffic than the original application.
- 4.89 Previous Comments:
- Flooding
- 4.90 Particularly concerned that this application will create a large run off area of hard surface and that the original ditches are agricultural only designed to cope with rainfall that the fields cannot absorb. Genuinely concerned at the collective of the parts of the site will overwhelm the drainage system and require very careful attenuation. The proposal should be looked at again
- Traffic
- 4.91 Rawreth Lane already quite busy and was never designed to take the scale which will be generated by the combined developments of this site. Roundabout at the junction of Rawreth Lane with Hullbridge Road gets quite congested at peak times and is totally inadequate to cope with volumes of traffic drawn by the supermarket.
- 4.92 The new controlled junction into the site could affect the existing controlled junction at Downhall Park Way. Considerable traffic will back up along Rawreth Lane. Risk of creating a potentially dangerous road junction.
- 4.93 Questions the adequacy of the spine road and that commercial traffic will have to compete with all other forms of traffic entering the site. Consider the spine road to be inadequate.
- 4.94 The traffic assessments are estimates because of the combined nature of different development types on the overall site. There is no comparable hard data generated by locals facilities. No sophisticated computer modelling of the implications for at the actual site itself and little recognition of the cumulative effects of driver frustration. The analysis combines a four way guess which if each estimate is just 10% too low the combined effect would be very significant.
- 4.95 Conclude that modern shopping developments are a major traffic magnet. It makes no sense to build ourselves into trouble by permitting a development which is unsustainable in flooding or traffic terms. Rayleigh is a busy traffic area in its own right. The proposal will be located off a busy road and never designed to take the traffic this development will generate. Proposal is not sustainable and will lead to very significant traffic problems in Rawreth Lane if approved.



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MATERIAL PLANNING CONSIDERATIONS**Condition 1: Details of Siting Design and External Appearance and Conditions 2 & 3**

- 4.96 The reserved matters show the siting of the proposed ASDA store to the southern end of the site and backing onto existing industrial units at Imperial Park which adjoins the site to the east. The building would have an overall height of 9.8m which compares to the Council's sports centre currently under construction and adjoining the site to the south which itself has a height of 10m.
- 4.97 The retail store building would be finished in white and grey coloured cladding panels. The applicants have favoured a size and massing and panel detailing to correspond with the adjoining sports centre building currently under construction.
- 4.98 With the proposed building set against the industrial area and adjoining Sports Centre and given the separation of the building to the adjoining residential area it is considered that the building would have a satisfactory appearance in the resultant streetscene .
- 4.99 The mixed use building is designed to compare in treatment and form to the residential key worker apartment buildings directly opposite the site and consented to last year and would be finished in facing brickwork and render. The building would provide shop fronts to both the elevation to Priory Chase and the car parking area.
- 4.100 The car park area would be surfaced in black macadam with the paved areas finished in good quality flags to delineate defined safe routes for pedestrians.
- 4.101 The applicant has not redesigned the flat roofed areas of the building because of commercial viability and flexibility needs for the building. To reduce the footprint of the building would adversely affect its commercial viability. The plans however recess the flat roofed areas into a well that will not be visible to the street and will be capped with a traditional clay ridge tile.
- 4.102 Notwithstanding the concerns raised by the County Urban Designer, it is considered that the proposed building is of an acceptable design and form that would provide a satisfactory relationship to adjoining development and in particular provide the necessary scale and form to adjoin the access road entrance. Whilst a design with narrower roof spans would be more traditional the design is not unattractive particularly given the need to ensure commercially viable spaces within the units.
- 4.103 However, it is considered necessary to include a condition requiring the submission of materials as part of any approval that might be given. It is also considered necessary to condition the requirement for the consideration of roller shutters to any of the units proposed. The applicant has otherwise met the requirements of condition 1 of the outline consent.



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- 4.104 The proposal is submitted before 17th June 2006 and therefore meets the requirements of condition 2 of the consent
- 4.105 Members will be aware that at the consideration of the master plan for the site there was some agreed variation to the precise size of the site arising from the final design of the spine road and sub division of the site. It is considered however that the proposal meets the requirement that the site area be 1.62ha and accordingly condition 3 of the outline Consent is discharged.

Condition 4 : Composition of Neighbourhood Centre

This condition states:

- 4.106 *The neighbourhood centre shall accommodate a range of uses valuable to the local community and falling into the following use classes of the Town and Country Planning (Use Classes) Order 1987: Class A1 (Shops), class A3 (Food and Drink) and Class D1 (Non Residential Institutions). Though not exhaustive, the following uses would be appropriate in principle: local convenience shops(foodstore , newsagent, post office etc.) a children's nursery, eating / drinking establishments and a health centre. Any application for development of the neighbourhood centre should be accompanied by a clear statement setting out the benefits of the proposal to the Local Community .*

Reason:: For the avoidance of doubt and to ensure that the details of the proposal are acceptable to the Local Planning Authority.. The area is poorly served by local shops and other facilities: The components of the neighbourhood centre are intended to address this issue, to reduce reliance upon car use and improve the sustainability of this part of Rayleigh, including the residential development of the site to which this permission relates

- 4.107 Asda operate 280 stores throughout the UK. The perception is that Asda favour large Superstore formats. The average size of a UK Asda store is 7,860 square metres with an average net sales area of 4, 445 square metres. The current application is for a store which represents only 38% of the average gross floorspace and 43.5% of the average net sales area and would amount to one of the smaller stores in their overall portfolio. In comparison the applicants state the Shoeburyness store to have a gross floorspace of 6,904 (3,911 net) square metres and South Woodham Ferrers 5,588 gross (3,639 net) square metres, both significantly larger than the current proposal.
- 4.108 The size of the proposed store closely compares with the Somerfield store in Eastwood Road, Rayleigh. This store has a gross floor area of 3,600 square metres and net floorspace of 1,900 square metres.



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- 4.109 The district centre at Western Approaches, approved in 1979/80 provides a further useful comparison. This development contained a supermarket of 2400 square metres gross (1,670 square metres net) with 3 shop units, a pub and community centre. This development is served by a car park of 247 spaces to serve the whole development including the community centre.
- 4.110 In contrast the Makro store situated on Rawreth Industrial Estate whilst not a comparable retail function , has a gross floorspace of 9,826 square metres, more than 3 times the size of the proposed Asda store.
- 4.111 By alternative comparison the Council's Sports Centre adjoining the site has a gross floorspace of 3,100 square metres including part of the first floor of the building.
- 4.112 The Asda store building proposed would provide an overall net sales floorspace of 1,934 square metres. The breakdown of the sales space is as follows;

Total convenience floorspace i.e. food sales	1,564 square metres
Clothing sales floorspace (sq.metres)	185 square metres
Women's fashion Approx 70	
Men's Fashion Approx 40	
Children's Approx 40	
Footwear Approx 35	
General merchandising (sq. metres)	185 square metres
Newspapers,magaz. books Approx 20	
Music and Video Approx 30	
Domestic Household Goods Approx 30	
Homewares including Kitchenware and other smaller items Approx 35	
Electrical Goods Approx 20	
Gardening Products Approx 20	
Seasonal Goods Approx 30	
TOTAL	1,934 square metres

- 4.113 Table 1 to Appendix A to Planning Policy Statement 6 : Planning for Town Centres defines a local centre as ;

“ to include a range of small shops of a local nature, serving a small catchment . Typically local centres might include amongst other shops, a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include a hot food takeaway and launderette. In rural areas, large villages may perform the role of a local centre.”



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- 4.114 A footnote to table 1 states that small parades of shops of purely neighbourhood significance are not regarded as centres for the purposes of this policy statement.
- 4.115 Table 3 to Appendix A describes Supermarkets as self service stores selling mainly food, with a trading floorspace of less than 2,500 square metres, often with car parking.
- 4.116 Superstores are similarly described but considered to have a trading floorspace of greater than 2,500 square metres and selling mainly food or food and non-food goods.
- 4.117 It will be seen from the breakdown of the floor area to the proposed retail store that the building would predominantly retail food. The proposed Asda store is clearly small in scale by comparison to the various developments described above and compares closely with the district centre at the Approaches. PP6 lends support to the proposal as a smaller store that would be appropriate in a local centre.
- 4.118 The proposed Asda store has the potential to act as an anchor to the other retail shops in the scheme and it is questionable whether smaller shops would be viable in this location otherwise. The Western Approaches district centre mentioned previously includes a larger foodstore and smaller shops intended to serve the local population. Condition 4 suggests a range of uses that might be appropriate and it is considered that the current application fulfils the requirement for a possible foodstore and local convenience goods.
- 4.119 The current application specifies uses to the retail units for the mixed use building together with the Nursery and Café/Restaurant. The other D1 Units are unspecified as to occupancy but provide 3 units in addition to the nursery and Community Hall for such uses to be accommodated. The applicants state that degree of speculation is required prior to interest being expressed from various users. Pre-lets on such developments are not always assured. Often units only become fully occupied once the scheme has been completed and potential occupiers can understand the format of the development. In the planning terms there is no requirement for the final occupiers to be specified at this stage.
- 4.120 Without specific conditions the five Shop (A1) units could be occupied by any retail activity and comply with the outline consent. The nursery, community hall and three D1 first floor units could all be used for uses such as medical or health services, crèche, education, display of art, museum, library, hall or in connection with public worship. If approved the building could be occupied by these uses without further consent and would still meet the requirements of the outline consent.
- 4.121 In the current application the applicants state that an opportunity exists for a health practitioner to occupy a certain amount of the D1 floorspace applied for. Any decision not to occupy the space for this purpose would be commercial and not brought about by perceived deficiencies in the Planning Application.



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- 4.122 The applicants state that Condition 4 to the outline permission allows flexibility and clearly states that the Use Classes specifically identified were not exhaustive but would be appropriate in principle. The applicants consider that provision over and above the requirements of the condition is achieved.
- 4.123 Whilst various interpretations have been provided for the condition, the first sentence is clear in specifying the uses the neighbourhood centre should accommodate. The second part simply provides a list of uses that might be appropriate in principle. Accordingly, it is considered that the scheme now proposed is in accordance with the outline consent.

Community Benefits

- 4.124 The applicants state that the proposed Asda Foodstore would employ approximately 200 part and full time positions.
- 4.125 The town of Rayleigh is relatively healthy and stable serving primarily its immediate catchment but to also to a lesser extent the wider area. The applicants submit that the proposed Asda store will provide localised benefit without detrimental effect upon trading patterns for Rayleigh Town Centre. The Council's own retail study (April 1999) illustrated that Rochford and Rayleigh Town Centres drew only 22% of the available expenditure with the remainder lost to other stores outside the district. Trade is lost to Sainsbury's at Rayleigh Weir, Tesco off the Southend A127 and Asda's own store at Shoeburyness. The Council's consultants identified in projections that the proportionate level of leakage would remain unaltered up to the year 2011.
- 4.126 The applicants submit that there is significant capacity for additional convenience goods floorspace to serve both Rochford and Rayleigh catchments and that the significant level of trade leakage works to the detriment of existing traders largely due to a lack of choice at local level to serve customers shopping requirements. These factors are implicit to the reason for condition 4 of the outline consent which refers to this part of Rayleigh being poorly served by local shops and other facilities and there is no doubt that the Council had this in mind when it initially considered the concept of a neighbourhood centre on the site.
- 4.127 The applicants have provided an analysis of trading patterns for three stores at Cranford Heath, which is a smaller format store in a neighbourhood centre location. Comparison is made with Asda Shoeburyness a larger format store out of centre location and Asda South Woodham Ferrers which is described as a medium to large format town centre location. It is anticipated that the proposed Asda store at Rawreth Lane will draw 91% of its trade from within 10 minute drive time and 94% from 15 minute drive times.



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- 4.128 This compares exactly to information provided for the Cranford Heath site which draws only 4% of its trade from the wider area (beyond 15 minutes drive). In contrast the South Woodham Ferrers store draws 59% of its trade from within 10 minutes and 79% from within 15 minutes. The Shoeburyness stand alone store draws 72% of its trade from within 10 minutes and 86% from within 15 minutes. The larger stores it can be seen take a significantly greater proportion of trade from the greater area beyond 15 minutes drive from the site.
- 4.129 The applicants have considered the Goad plan and centre report (specialist retail report) for Rayleigh together with their own re-survey of September 2005. The applicants note there are several key attractors such as Woolworths, Boots, Argos, Superdrug, Burtons and Clarks within the town. Convenience provision is provided by Somerfield and Iceland. The level of convenience provision is 55% more than the national average. This healthy position is despite the significant trade leakage from the catchment area. Furthermore the proportion of vacant outlets was less than half the national average at 4.76% in September 2005.
- 4.130 Rayleigh Town Centre has continued to flourish despite considerable catchment competition from out of centre foodstores and competing shopping centres such as Basildon and Southend.
- 4.131 In the additional supporting information accompanying this revised application the applicants state that the size of store is necessary to compete with the key national multiples such as J Sainsburys at the Weir, Rayleigh and Tesco at Princes Avenue Southend and which currently result in spending outside the district. The applicants anticipate a maximum diversion of trade from Somerfield and Iceland within Rayleigh Town Centre to be 3% and will not detrimentally affect those operators trading position.
- 4.132 The applicants submit that the proposal would provide an anchor store to ensure the viability of the neighbourhood centre that would support the provision of other local shops and services to provide convenient shopping facilities in a sustainable manner to reduce the need for travel and or more linked trips. In providing for a range of uses on the site, such uses would serve and benefit the local community of western Rayleigh.
- 4.133 The impact of the proposed store and neighbourhood centre is one of the key concerns of objectors. However, the available evidence, not just from the applicants, but from the Council's own retail study shows that the majority of the district's residents carry out most of their food shopping outside the district and that despite this situation, Rayleigh town centre continues to flourish.
- 4.134 The diversion of trade from the town centre to the neighbourhood centre will be a small percentage of the total trade for Rayleigh town centre and on that basis, it is considered that the proposal is acceptable.



- 4.135 Furthermore, the aim of the neighbourhood centre is to provide local facilities that will reduce both the need for and the length of car journeys and it is concluded that the proposed scheme would certainly have this effect.

Condition 6: Screening and means of enclosure

- 4.136 The submitted details show provision of a 1.8m high badger fence to be erected 2m in from the existing palisade fence along the eastern boundary with the industrial estate. This would be adjoined by a 1.2m high hedge planted on the site side and bounding the car park. Retaining walls adjoined by hedging would contain the reduced level of the car park to the north eastern corner and central area fronting the spine road. A retaining wall and 1.8m high screen wall would bound the southern boundary with the adjoining sports centre and to the rear of the Asda store. The service yard and staff car parking areas to serve the store would be contained within a 1.8m high screening wall. Otherwise the remainder of the site would be open in character.
- 4.137 The means of enclosure would combine with the function of the areas they enclose and the landscaping to provide a good relationship to the street and public areas to enhance the development in amenity terms. It is considered therefore that condition 6 of the outline permission is discharged.

Condition 7: Landscaping

- 4.138 The submitted application is accompanied by a Landscape design statement and detailed plans to show the concept and planting proposals.
- 4.139 Within the application site a group of 23 No. trees the subject of Tree Preservation Order 21/02 and consisting of Birch, Ash, Whitebeam, Oak, Alder Bird Cherry, Purple Sycamore, London Plane Eucalyptus, Pine and Field Maple exist where it is proposed to provide the mixed use building and car parking area. These trees are mostly middle aged and vary between 5m high and 12m in height. The applicant submits that the trees to be lost are of varying quality and of less significance in the landscape. Their loss will have limited effect given replacement planting proposals. The existing landscaped frontage of the site will be the subject of five new trees to be planted subject to agreement with the site owners.
- 4.140 The proposed landscaping scheme would provide 36 No. trees, 4,353 shrubs and groundcover climbers and 572 ornamental grasses. It will be noted that the layout will provide for hedging adjoining the Badger run and around the walled areas fronting the spine road.



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- 4.141 The applicant states that the 2 metre wide buffer zone is provided for in the submitted layout. The existing mature trees, hedges and scrub along the site boundary will be retained. The Badger run itself will be managed and protected to ensure disturbance of the corridor and its wildlife will be minimised. The remainder of the landscape provision will be routinely managed.
- 4.142 The landscaping details are considered satisfactory and condition 7 of the Outline consent is therefore discharged.

Condition 10: Ecological Assessment

- 4.143 The application is accompanied by the Badger Survey of September 2002 and Ecological Assessment of September 2003 previously considered in the reserved matters applications for the Sports Centre and residential elements of the site. In response to comments made by Essex Wildlife Trust and English Nature the applicant has instructed Consultants to review the findings of the previous reports given the lapse of time since those surveys.
- 4.144 A walkover survey of the site in October last year has highlighted that the character and habitat structure has changed significantly. The demolition of the former school buildings and disturbance to the grassland areas in preparation for development has left several small areas of scrub interspersed with trees.
- 4.145 The eastern boundary of the site is reported to retain scattered hedging which provides some suitable habitat for breeding birds together with preserved trees retained about the site.
- 4.146 No evidence was found of badgers within the site or up to 30 m from the site boundary. The area where the Badger set was located had been subject to disturbance. Since the demolition of the school buildings there is no suitable habitat for roosting Bats. No evidence of any other protected species was found.
- 4.147 It is considered that Badgers are no longer using the site for feeding, foraging or shelter. No impacts on the species are therefore predicted. The vegetation remaining on site is however suitable for breeding birds.
- 4.148 It is recommended that vegetation clearance should be undertaken outside the breeding season (1st February to 31st August). If any vegetation is required to be cleared during this period the vegetation should be checked by an ecologist 24 hours before works or felling. Any nest in use or being built will need to be left undamaged for the entire nesting period and alternative approaches to the work proposed.
- 4.149 This matter can be the subject of a condition to any approval that might be given. It is considered that the requirements of condition 10 of the Outline Consent have otherwise been discharged.



Condition 12 : Travel Plan tailored to this site

- 4.150 The application is accompanied by an Interim Travel Plan. This plan is submitted for consideration as a basis for preparation of a final Travel Plan to be submitted and agreed at a later date and to be implemented within one month of Council Approval of the final Travel Plan.
- 4.151 The applicants express a commitment to reducing the number and length of motorised journeys and encouraging alternative means of travel to the car by staff and colleagues. The plan proposes to survey colleagues within 6 months of trading to determine baseline information and modal split to establish realistic targets. It is proposed to repeat this survey every two years. The plan will be managed by a member of staff with sufficient authority. Participation in the survey will be encouraged by entry into a prize draw.
- 4.152 A plan of safe pedestrian routes will be made available to all colleagues and will be displayed to assist customers. Similarly plans of Cycle Routes will be made available. Locker and storage facilities will be made available for staff. The company will offer staff the opportunity to purchase bicycles at discounted rates. In the event of an emergency colleague cyclists will be provided with a ride home.
- 4.153 Plans of Public Transport routes and timetables will be made available and displayed prominently within the store.
- 4.154 The applicants will consider negotiating with Public Transport operators to seek special deals for staff.
- 4.155 The applicants will introduce a car sharing scheme between staff who travel from similar areas. Preferential parking will be considered for those who car share. In the event of an emergency staff who car share will be provided with a ride home.
- 4.156 The Interim Travel Plan is clearly tailored to the requirements of this development. It is considered that condition 12 of the Outline consent is discharged.
- 4.157 Concern has been expressed that the number of employees likely for the Asda store and the other shops and businesses bears no relationship to the number of available car parking spaces. Of course, the plans outlined above are intended to ensure that staff do not utilise customer parking spaces and indeed as an employer, Asda is in a position to ensure this is not the case, since the utilisation of all spaces by staff would mean there being no space for shoppers.



Condition 13: Travel Assessment

- 4.158 Assessment of the application against the Council's most recent revised car parking standards provides for a maximum requirement of between 206 spaces together with staff parking and parent waiting for the nursery. Assessed against the higher standard for retail foodstores the maximum requirement would be for 270 car parking spaces with staff parking and parent waiting area for the proposed nursery.
- 4.159 The current application provides for 216 car parking spaces and in addition 10 further parking spaces for staff to the retail store (Total 226 No. car parking spaces). The proposal achieves the maximum provision for the lower standard for retail stores, but is 54 spaces short of the absolute maximum standard required for food retail stores.
- 4.160 It should be borne in mind that car parks associated with retail foodstores in themselves create a limiting factor on trade levels. The provision for the neighbourhood centre is considered acceptable, but this does differ very significantly from the very large car parks associated with the large out of district foodstores that most residents use. Whilst the total number of spaces is a little below the standard, this will place some limit on the use of the store.
- 4.161 The Travel assessment identifies that under the Council's current standards 109 cycle spaces and 25 motorcycle spaces would be required. The Applicants propose to provide 25 cycle spaces and 10 motorcycle spaces initially having considered this amount of provision to be excessive. The applicants undertake however to review this provision through the travel plan and provide additional spaces if demand is found to be approaching capacity. Given these standards are maximums and that provision will be monitored through the travel plan, officers consider this approach to be acceptable.
- 4.162 The applicant has submitted a Travel Assessment as required by Condition 13 of the Outline Consent. The Travel Assessment concludes that a total of 779 vehicle movements for the Friday morning peak hour (0800– 0900hrs), 954 vehicle movements for the Friday afternoon peak hour (1700–1800 hrs) and 814 vehicle movements for the Saturday peak hour (1600–1700hrs) will result from the arrivals and departures associated with all elements of the development of the whole former school site namely housing, primary school, sports centre and proposed neighbourhood centre uses. Within these figures, 314 vehicle movements during the Friday morning peak hour, 550 vehicle movements during the Friday evening peak hour and 564 vehicle movements during the Saturday afternoon peak hour would be attributed to the foodstore. These total vehicle movements combine figures for both arrivals and departures.



- 4.163 The Travel Assessment accompanying the previous application considered only Friday afternoon peak hour (total vehicle movements 652) and Saturday peak hour movements of 634). Within this figure a total of 338 vehicle movements for Friday peak hour and 398 vehicle movements for the Saturday peak hour are attributed to the foodstore. Analysis of the overall total figures shows variation to include the new uses proposed and revised figures for the residential element. It is also noted that the applicants have revised figures for the foodstore increasing the Friday afternoon peak hour total by 212 vehicle movements and Saturday afternoon peak hour by 166 vehicle movements.
- 4.164 The applicant's consultant has confirmed the difference in figures to arise from use of data prepared by George Wimpey and already endorsed by Essex County Council. Essex County Council have recommended use of this data in the revised Assessment to accompany the current application. The data for the previous application was based upon Asda's own data. The applicants confirm their view that under either data used the junction into the site would function satisfactorily.
- 4.165 In any event, as specified earlier in the report, Asda is now proposing to further enhance the capacity of the junction through the provision of a left turn lane and pedestrian phase crossings
- 4.166 In considering these figures, Members need to be aware these are the absolute maximum number of movements that can be expected at the busiest peak times, vehicle movements will be much less and certainly the capacity of the junction already agreed is capable of accommodating the forecast numbers: the revised junction, particularly with a left turn lane, will only improve capacity further.
- 4.167 As before the applicant confirmed that the Store would trade between the hours 08.00 – 22.00 hrs Monday to Saturday and for 6 hours between 10.00 and 18.00 hrs on Sundays.
- 4.168 Concern has been expressed about the impact of HGVs, but the applicant states that the store will only require four large ASDA delivery vehicles per day (8 trips). A further 8 deliveries from other providers (16 trips) would also be required, but it is anticipated that these will be undertaken by smaller vans to include bread and milk deliveries. Given the concerns expressed by residents at potential nuisance from deliveries the applicants suggest a condition that deliveries would not be before 7.00 hrs and not after 23.00 hrs on any day. This condition could be attached to any permission that might be granted.
- 4.169 Members will note that the latest service yard layout to the retail store is shown by the applicant (Appendix R to the Transport Assessment) to accommodate the manoeuvre of service vehicles without the need for the provision of the previously proposed turntable. Subject to no adverse comments on this aspect being received from the Head of Transportation and Operational Services at Essex County Council, officers consider this revised layout feature acceptable in planning terms.



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- 4.170 The applicant is aware of concerns expressed at the adequacy of Rawreth Lane and the roundabout at the Hullbridge Road junction and is willing to make a financial contribution of £40,000 to be used as the Council see fit towards future initiatives to secure improvements, notwithstanding the fact that the highway authority does not consider improvements are necessary. The revised transport assessment accompanying this revised application does though identify that beneficial improvements could include alterations to provide anti skid surfaces on the approaches to the roundabout. This suggestion is based on analysis of accident data associated with the roundabout and junction.
- 1.171 This offer does provide an opportunity to achieve some improvements to the Hullbridge Road roundabout, particularly perhaps better skid resistant surfacing, and if Members were minded to grant consent, the contribution could be secured by the use of a unilateral agreement.
- 1.172 The Travel assessment concludes that as a result of the examination of the Traffic Impact undertaken the development proposed can be satisfactorily accommodated. Members will recall that in the previous application the County Council 's Head of Highways and Transportation had no objection to the proposal on Highway Grounds subject to a number of conditions forming part of any approval that might be given.
- 1.173 Whilst the comments of the Essex County Council Head of Highways and Transportation regarding the current application are awaited at the time of drafting this report, officers are of the view that subject to no objections from the County Highway Authority the application meets the requirements of condition 13 of the Outline Consent.

Condition 14: Cycle and Motorcycle parking. Illustration of car parking arrangements, pedestrian and cycle routes, bridleways and bus coach dropping off facilities

- 1.174 The submitted layout provides car parking, motorcycle parking to the main car parking area between the Foodstore and Mixed use buildings on each part of the site. Cycle provision is proposed to an area on the eastern boundary immediately in front of the foodstore and adjoining the mixed use building adjoining the car park entrance and to the front of the building fronting Rawreth Lane on the paved area about the mixed use building. The spine road incorporates a wider pavement adjoining this site to accommodate a cycle route. No provision is shown for separate Bridle way or Bus or coach dropping off facility. The carriageway would provide acceptable passage for horses to connect with bridleway provision off the turn around and connecting with Sweyne Park bridle path at the southern end of the site. The turn around facility at the end of the spine road will provide adequate room for any coach or bus activity associated with the primary school. It is considered therefore that the requirements of condition 14 of the outline consent are discharged in this submission.



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Condition 16: Flood Risk Assessment

- 1.175 The application is accompanied by the Flood Risk Assessment carried out by Buchanans Consulting Engineers and which was considered alongside the previous submissions for the Sports Centre and Housing elements of the development. In addition the applicant has provided an update to the assessment in the form of a Surface Water Design Philosophy. This philosophy argues against the provision of Sustainable Urban Drainage Systems because of the inability of London Clay present on the site to allow surface waters to absorb through the clay layer. However the drainage system incorporated within this development satisfies sustainable drainage aims by managing run off flow rates comparable to the previous development of the site at 10 litres per second and reducing the impact of urbanisation on flooding and protecting water quality. The attenuation is achieved by use of oversize pipes that will provide capacity for at least a 1 in 30 year storm event.
- 1.176 Anglian water have stated to the applicants that there is no spare capacity within the sewerage network. Foul water discharge will therefore be restricted to the previous peak flow of the former school which equates to 6.5 litres per second. It is anticipated that a storage facility of some 45 cubic metres capacity is required to serve the site and which will require limited treatment to avoid septicity. This requirement can be achieved by a packaged dosing system.
- 1.177 The comments of the Environment Agency are awaited at the time of writing. Following consideration of the previous application the agency removed their previous objection in favour of a condition requiring the provision of a scheme for surface water drainage giving full consideration to incorporating sustainable drainage principles.
- 1.178 The potential for the development of the park school site to contribute to surface water flooding in the area is an issue of concern. However, the flow of surface water from all developments on the site, including the neighbourhood centre, will be attenuated to the volume calculated for the original secondary school. On that basis, the risk of surface water flooding will be no more than it was for the previous use.
- 1.179 **Condition 17** of the outline consent requires the reserved matters to be accompanied by results of a Archaeological Field evaluation. The site has been fully evaluated and condition 17 is therefore considered discharged.



CONCLUSION

- 1.180 Members will be aware that the previous application was recommended for Approval by officers but was refused permission on the basis that the application failed to meet the requirements of Condition 4 of the Outline consent concerning the composition of the neighbourhood centre not providing a range of uses valuable to the local community, that the travel assessment was unacceptable in terms of the capability of the highway network to absorb traffic movements associated with the development, contrary to condition 13 of the outline consent and that the size of the retail store would have an adverse impact upon the vitality and viability of Rayleigh Town Centre.
- 1.181 The applicants have sought to address these matters in the revised application and supporting material. The current application increases the range of uses providing nursery care and a community hall and ascribes particular retail uses to those units within the mixed use building. Although not specified to particular units, health practitioners could make use of the three unspecified D1 Units at first floor or make use of the Nursery element of the building or combinations within the rights of the use classes that would result to any approval that might be given. The applicants state that flexibility is necessary to market the site. Unlike some residential schemes final make up of the centre cannot be guaranteed until prospective tenants can see the completed scheme. Notwithstanding the flexibility desired for commercial reasons, the proposal satisfies the scope of the definitions of the composition of the neighbourhood centre as defined in the condition 4 of the outline consent. The submission achieves a range of uses that it is considered will benefit the local community and on that basis the requirements of condition 4 of the outline consent have been fulfilled.
- 1.182 Officers maintain the view that this revised application also accords with the development of a neighbourhood centre as granted by the terms condition 4 of the outline permission for the site granted on 18th June 2003 under application reference 01/00762/OUT.
- 1.183 The applicants have revised the provisions of the Travel Assessment required to accord with condition 13 of the outline consent. The revised assessment, as previously, concludes that the development proposed can be satisfactorily accommodated. The revised assessment has used data considered more robust as prepared by consultants for the other parts of the greater site. This demonstrates an increase in traffic over and above the assessment by the applicants on the previous application but is considered to be accommodated through the parking and manoeuvring areas shown to the proposed layout and further improvements to the junction on Rawreth Lane into the site. Subject to no adverse comments being received from Essex County Council's Head of Transportation and Operational Services, officers consider that the revised assessment utilising more robust data meets the requirements of condition 13 of the outline consent.



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- 1.184 In this revised submission the applicants reaffirm their previous view that Rayleigh Town Centre has withstood competition from out of town centres and will withstand the effects of the current proposal, primarily because the applicants will compete with other multinationals and will help reduce spending outside the district. Furthermore, the size of foodstore proposed falls within the definitions and floorspace of a neighbourhood foodstore described in Appendix A to PPS 6
- 1.185 The applicants provide details of anticipated trade diversion more specifically towards Somerfield and Iceland stores located within Rayleigh and representing a diversion of 3%. A diversion of 1% is anticipated from other stores in Rayleigh and divided between a number of stores so that no one particular operator or product group will be affected to any detrimental extent. The applicants further consider that potential will exist to retain a greater degree of trade within the immediate Rayleigh catchment area offsetting potential diversions from the centre. And therefore overcoming concerns that the proposal would conflict with the provisions of Policy SAT1 (x) to the Council's Adopted Local Plan and Policy SAT1 (iii) to the Council's emerging Local Plan .
- 1.186 The impact of the store on Rayleigh town centre is a key concern, but the evidence does not demonstrate there will be a negative impact.
- 1.187 There is no doubt whatsoever that the application proposal taken together with the housing, leisure centre and primary school developments on the Park School site will result in a major change to this part of the town. However, it must be borne in mind that the site extends to 10 hectares (25 acres) within the urban envelope of the town and that a significant part of the site has been retained as open space/playing fields. This might not have been the case, particularly given the existence of the 55 acre Swayne Park to the south.
- 1.188 The application proposal does meet the requirements of the outline planning consent in terms of the mix of uses proposed, will not have a negative impact on Rayleigh Town Centre and the traffic levels that will result from the scheme can be accommodated on the road network and site junction arrangements.

RECOMMENDATION

- 1.189 It is proposed that this Committee **RESOLVES to APPROVE the detailed reserved matters SUBJECT TO A UNILATERAL UNDERTAKING from the applicants for**
- A Financial contribution of £40,000 towards such improvements to the Highway Network
 - Preparation and monitoring of a Final Travel Plan in accordance with the County Council Guidance

and to the following heads of conditions:-



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- 1 Details and samples of external materials to be submitted and agreed
- 2 Prohibition of roller shutters to mixed use building
- 3 Submission of details for the proposed sound insulation of the scheme
- 4 Submission of details of any external equipment or openings
- 5 Submission of details of any external fume extraction and ventilation equipment
- 6 Submission of details of the proposed internal lift system and associated plant
- 7 No amplified speech or music shall be broadcast in the open areas of the site
- 8 Submission of details for the proposed method of storage and disposal of waste matter
- 9 Provision of 70 x 4.5 x 70 metre visibility splay to car park entrance
- 10 Provision of 48 x 4.5 x 70 metre visibility splay to service yard
- 11 Inspection of spine road prior to and following the development. Damage attributed to the development shall be rectified by the applicants at no cost to the Highway Authority
- 12 No occupation of the development until the spine road has been constructed to at least road base level
- 13 Submission of details for a restrictive height barrier to the Public Car park entrance
- 14 Protection of Nesting Birds to any clearance of vegetation within breeding season
- 15 Hours of store deliveries not before 07.00 or after 23.00 hrs
- 16 Delivery vehicles to the ASDA store to approach and return from the west

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.



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PLANNING SERVICES COMMITTEE - 21st February 2006 Item 4

Relevant development plan policies and proposals:

BE1, CS1, CS4, TCR4 of the Essex and Southend-on-Sea Replacement Structure Plan (Adopted April 2001)

SAT1, SAT5, SAT16 of the Rochford District Local Plan First Review (Adopted 11th April 1995)

SAT1, SAT6, SAT7, TP4, PN4, PN7 of the Second Deposit Draft Rochford District Replacement Local Plan (24th May 2004)



Shaun Scrutton
Head of Planning Services

For further information please contact Mike Stranks on (01702) 546366.



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Rochford District Council

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CODE OF CONDUCT FOR PLANNING MATTERS

GENERAL PRINCIPLES

Members and Officers must:-

- **at all times act within the law and in accordance with the code of conduct.**
- **support and make decisions in accordance with the Council's planning policies/Central Government guidance and material planning considerations.**
- **declare any personal or prejudicial interest.**
- **not become involved with a planning matter, where they have a prejudicial interest.**
- **not disclose to a third party, or use to personal advantage, any confidential information.**
- **not accept gifts and hospitality received from applicants, agents or objectors outside of the strict rules laid down in the respective Member and Officer Codes of Conduct.**

In Committee, Members must:-

- **base their decisions on material planning considerations.**
- **not speak or vote, if they have a prejudicial interest in a planning matter and withdraw from the meeting.**
- **through the Chairman give details of their Planning reasons for departing from the Officer recommendation on an application which will be recorded in the Minutes.**
- **give Officers the opportunity to report verbally on any application.**

Members must:-

- **not depart from their overriding duty to the interests of the District's community as a whole.**
- **not become associated, in the public's mind, with those who have a vested interest in planning matters.**
- **not agree to be lobbied, unless they give the same opportunity to all other parties.**
- **not depart from the Council's guidelines on procedures at site visits.**
- **not put pressure on Officers to achieve a particular recommendation.**
- **be circumspect in expressing support, or opposing a Planning proposal, until they have all the relevant planning information.**

Officers must:-

- **give objective, professional and non-political advice, on all planning matters.**
- **put in writing to the committee any changes to printed recommendations appearing in the agenda.**



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