

**20/00996/REM**

**LAND NORTH OF LONDON ROAD, WEST OF RAWRETH  
INDUSTRIAL ESTATE, RAYLEIGH**

**APPLICATION FOR RESERVED MATTERS (ACCESS,  
LAYOUT, APPEARANCE, SCALE AND LANDSCAPING)  
RELATING TO PROPOSED DETAILS OF SPINE ROAD  
BRIDGE CROSSING**

APPLICANT: **MR WOOD, COUNTRYSIDE PROPERTIES UK  
(LTD)**

ZONING: **SER1**

PARISH: **RAWRETH**

WARD: **DOWNHALL & RAWRETH**

**1 RECOMMENDATION**

**1.1 It is proposed that the Committee RESOLVES**

That planning permission be approved, subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this approval.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

- (2) The development shall be undertaken in strict accordance with the submitted plans referenced:

TOR-L (93)-81 - Location plan, F00132-WCL-NA-NA-DR-C-P01-9903 Rev P02 (Details - AIP) - Construction Detail, F00132-WCL-NA-NA-DR-C-P04-9901 Rev P04 (Plan - AIP) - Block Plan/Site Layout Plan, F00132-WCL-NA-NA-DR-C-P04-9902 Rev P04 (Sections - AIP) - Section and Elevations, TOR-L (93)-80 - Landscape Strategy.

- (3) Prior to the undertaking of any planting, including tree and shrub planting works within the landscaped areas as indicated by plan reference TOR-L

(93)-80, details including a schedule of species, size, density and spacing of all trees and shrubs to be planted shall have been submitted to and agreed in writing by the Local Planning Authority. The planting works shall be undertaken in full in accordance with the agreed details within the first planting season following the completion of the Bridge Crossing hereby approved unless an alternative timetable has been agreed in writing by the Local Planning Authority.

Any tree, shrub, or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.

REASON: To ensure certainty in terms of the specific details of the associated landscaping works and the timing of such works to retain adequate control over the landscaping of the site and ensure ecological value in the interests of amenity and in the interests of preservation and enhancement of habitat for foraging bats and birds in compliance with the provisions of the National Planning Policy Framework and Policy DM25 of Rochford Council's Local Development Framework's Development Management Plan.

## **2 PLANNING APPLICATION DETAILS**

- 2.1 The site area the subject of this Reserved Matters application occupies a central area within an allocated site (SER 1) which is being developed in phases further to the granting of outline planning permission ref 15/00362/OUT which secured permission for development as follows: -

Outline Planning Application (with all Matters Reserved) for the erection of Residential Development with associated Open Space, Landscaping, Parking Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-Residential Floor Space to Part of Site, Uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre).

- 2.2 The site is on the southern side of Rawreth Lane and to the north of London Road. It represents part of the site that has outline planning permission for residential and other associated development.
- 2.3 The application is for the construction of a section of the spine road comprising a bridge crossing over the Rawreth Brook. The proposed bridge would connect to the two sections of the spine road to the north and south which were approved under planning reference 19/01023/REM. The proposed section of road and bridge structure would align with the two sections of spine road approved by the 19/01023/REM application which also approved modifications in land levels to ensure that the bridge crossing when constructed and its

surfaced finish would vertically align with the adjoining sections. No engineering works are associated with this development as those works were covered by the previous 19/01023/REM approval.

- 2.4 Approval of the northernmost and southernmost sections of the spine road, onto Rawreth Land and London Road respectively, was issued as part of the original outline planning consent ref 15/00362/OUT (Drawing 47065807-DES-01 P5). Part of the spine road (central link section) is also subject to a separate consent ref 19/00315/REM.
- 2.5 This application proposes the final section of the spine road which would be approximately 90 metres in length (in total) with the bridge spanning a central section of approximately 43 metres. The proposal would include the construction of a precast concrete portal single span bridge 12.5 metres in width which would be supported by a pre cast concrete beam structure founded on reinforced concrete piles. The structure would also comprise of precast concrete parapet upstands and precast concrete wing walls. The bridge would feature a barrier to be provided on the parapet upstands and the precast concrete wing walls. The proposed bridge crossing would feature a 3.5m footpath cycleway on the south side and a 2.0m footway on the north side forming a continuation of the layout arrangements established under the previous Reserved Matters approvals relating to the spine road. The road would be 6.750m wide and a typical two-way residential distributor road with a single 3.375m wide lane in each direction.
- 2.6 This current application seeks approval in respect of all Reserved Matters, namely, access, appearance, landscaping, layout, and scale and these are therefore the matters for consideration.

### **3 MATERIAL PLANNING CONSIDERATIONS**

#### **Relevant Planning History:**

- 3.1 There is significant planning history relating to the site as a whole, not all of which is directly relevant to this particular application. Relevant site history is cited as follows:
- 3.2 Application No. 14/00627/OUT - Outline Planning Application (with all Matters Reserved apart from Access) for the erection of Residential Development with associated Open Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-Residential Floorspace to Part of Site, Uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). REFUSED on 10 February 2015. APPEAL PENDING.
- 3.3 Application No. 15/00362/OUT - Outline Planning Application (with all Matters Reserved) for the erection of Residential Development with associated Open

Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-Residential Floorspace to Part of Site, Uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). APPROVED on 3 June 2016

- 3.4 Application No. 19/00456/DOC - Discharge of condition 34 (surface water drainage scheme) on approved application reference 15/00362/OUT. drainage details relating to the Spine Road Stage II as defined by works under application reference 19/00315/REM. (Part Discharge Spine Road Phase): PART DISCHARGE 26 June 2020
- 3.5 Application No. 19/00424/DOC - Application to Discharge Conditions 21 (landscaping) to residential development approved on 3 June 2016 under application reference 15/00362/OUT. DISCHARGED 8 January 2021
- 3.6 Application No. 19/00420/DOC - Discharge of Conditions 12 (driveway/garage gradients) and 13 (discharge of surface water) of application reference 15/00362/OUT and conditions 4 (ground surface finishes) and 11 (path lighting and drainage) of application reference 17/00578/REM. DISCHARGED 27 January 2021
- 3.7 Application No. 19/00409/DOC - Discharge of Condition 7 on approved application 15/0362/OUT. PARTIAL DISCHARGE 3 April 2020
- 3.8 Application No. 19/00391/REM - Reserved Matters for utility Infrastructure (gas and electricity) - Partial amendment to details previously approved under Reserved Matters approval 17/01114/REM. Approved 28 October 2019.
- 3.9 Application No. 19/00328/ADV - 2 No. Internally Illuminated Totem Signs and 8 No. Flag Signs. Advert Consent issued 4 November 2019.
- 3.10 Application No. 19/00065/REM - Reserved Matters Application for Utility Infrastructure (Gas and Electricity Stations) - Amendment to Approved Application Reference 17/01114/REM. Outline application was EIA development because an ES was submitted at that time. APPLICATION RETURNED
- 3.11 Application No. 18/01205/DOC - Discharge of condition 22 (tree protection) of approved application reference 15/00362/OUT. APPLICATION WITHDRAWN
- 3.12 Application No. 18/01136/DOC - Discharge of condition 22 (Tree Protection) of approved planning application reference 15/00362/OUT. Discharged 21 April 2019
- 3.13 Application No. 18/01108/DOC - Discharge of Condition 23 (Great Crested Newts) of Approved Application Reference 15/00362/OUT. Discharged 21st April 2019.

- 3.14 Application No. 18/00997/NMA - Non material amendment to Condition 3 (materials) to update the approved schedule of materials (primarily in respect of brick details). Reference in condition no. 3 to change from " material schedule date stamped 9 June 2017" to "the materials schedule titled Rayleigh Phase 1 Material Schedule and referenced Revision A dated 11/10/2018 by Saunders Architects". APPROVED
- 3.15 Application No. 18/00995/DOC - Discharge of Conditions 15 (Construction Method Statement) and 38 (Construction Surface Water Management) in Relation to Phase 1 of Approved Application Reference 15/00362/OUT. APPROVED
- 3.16 Application No. 18/00936/NMA - Application for a Non Material Amendment Following Grant of Planning Permission Reference 17/00578/REM to Amend 19 Plots (plots 3,10,12,21,46,61,64,67 and 181 - Previously 4 bed house type 4.05 becomes 4 bed house type 4.12V2 or 4.12V3, plots 17, 38, 39, 44, 45, 63,175 and 170 - previously a 2 ½ storey 4-bed house type 4.11 becomes new 2 storey 4-bed house type 4.01, plot 22 - previously 3-bed house type 3.07 becomes 4-bed house type 4.12v3, - plot 35 - previously 4-bed house type 4.11 becomes 3-bed house type 3.08v2. APPROVED.
- 3.17 Application No. 18/00077/NMA - Outline Planning Application (with all Matters Reserved) for the erection of Residential Development with associated Open Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-residential Floor Space to Part of Site, Uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). PENDING CONSIDERATION.
- 3.18 Application No. 17/01117/DOC - Discharge of Conditions 28, 29, 30 of approved planning application 15/00362/OUT. DISCHARGED
- 3.19 Application No. 17/00943/DOC - Discharge of conditions no. 13 and 34 of 15/00362/OUT. DISCHARGED by letter dated 19 January.
- 3.20 Application No. 17/00857/DOC - Discharge of Condition 23 (Great Crested Newts) of Approved Application Reference 15/00362/OUT. DISCHARGED
- 3.21 Application No. 17/00578/REM - Reserved Matters Application for 192 Residential Units with Associated Access, Parking, Servicing, Landscaping and Utilities. (Phase 1). APPROVED
- 3.22 Application No. 17/00588/REM - Reserved Matters Application for Strategic Landscaping Proposals for Phase 1. APPROVED on 9 January 2018
- 3.23 Application No. 16/01236/DOC - Submission of details of phasing (condition 4) and Density (Condition 25) to outline permission granted for residential development on 3 June 2016 under application reference 15/00362/OUT. DISCHARGED by letter dated 27 January 2017.

- 3.24 Application Number. 19/01023/REM – Reserved Matters Application for the construction of a spine road (Southern Link) granted approval 15 May 2020.
- 3.25 Application Number 20/00912/REM - Reserved Matters Application, namely access, appearance, landscaping, layout, and scale relating to the strategic landscape area to the western part of the site and outline planning consent reference 15/00362/OUT. PENDING CONSIDERATION.

### **Appraisal of Main Issues**

#### **Access and Layout**

- 3.26 Consideration of the reserved matter relating to access requires consideration of accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- 3.27 The proposed section of spine road and bridge would correspond with the previously established principle for a spine road to run through the site from north to south, as set out in the Site Parameters Plan relating to the original outline consent. The proposal would also link to sections of the spine road immediately north and south which have been granted Reserved Matters consent. The proposed development is required to facilitate a through road vehicular access at this strategic development site.
- 3.28 As has been set out in the proposal description above, the section of road would be of appropriate width to accommodate two-way vehicular traffic and would provide dedicated footways and a cycleway to one side of the carriageway; this would link to previously approved sections of such to the south and north. Essex County Highway Authority raise no objection to the proposal and are satisfied with the specifications proposed. The proposal would complete the spine road and would be considered to provide appropriate access for vehicles, pedestrians and cyclists at this site.
- 3.29 In terms of layout, the proposal seeks to link two sections of spine road that already benefit from Reserved Matters consent and these dictate the layout proposed.

#### **Scale**

- 3.30 Scale usually relates to the height, width and length of buildings proposed within a development site and the acceptability of such in relation to the surroundings. In this case the proposal relates to a bridge structure, the scale of which is somewhat dictated by the engineering considerations.
- 3.31 The proposal advises that the road construction would comprise a normal bound surface and that the carriageway would be drained by a proposed highway swale in line with the other parts of the road.

- 3.32 The Environment Agency (EA) has been consulted on the proposal as this section of the spine road would cross the Rawreth Brook. The EA have confirmed that they raise no objection to the proposed layout and scale of the bridge which they consider to be an appropriate crossing with regard to flood risk considerations; they are satisfied that the bridge structure would not impede the flow of the brook. The level of the base of the bridge and its supporting structures would bear a 900mm minimum clearance above 1 in 100 year flood event water level as required by Environment Agency.

### **Appearance**

- 3.33 The Reserved Matter of appearance requires consideration of the visual impression that the development would make in its context because of its architecture and external facing materials. The material finish of the structure would comprise precast concrete portal sections with associated precast concrete spandrel walls to be of smooth finish. The main structure constitutes a precast concrete portal single span structure of 12.5m clear width comprising 7 portal units with precast concrete parapet upstands and precast concrete wing walls and precast concrete cill beams founded on reinforced concrete pile caps with piles under.
- 3.34 The bridge would feature metal parapet railings formed of galvanised steel or aluminium to either side; these would be mounted onto the proposed spandrel walls of the bridge. The railing adjacent to the side with the cycle/footway would have a height of some 1.4 metres whilst the railing to adjacent to the footway on the other side of the carriageway would have a height of some 1.15 metres. Approach and departure barriers would also be provided across a length of 30 metres (minimum) on approach and 7.5 metres (minimum) on departure.
- 3.35 It is considered that the appearance of the bridge reflects a typical engineering solution to bridge the Rawreth Brook which from an appearance perspective is considered acceptable.

### **Landscaping**

- 3.36 Plan reference TOR-L (93-80) (Bridge Crossing Strategic Landscaping) shows the proposed landscaping arrangements coinciding with the bridge crossing. The submitted plan indicates that an area of ground located either side of the Rawreth Brook and either side of the bridge crossing itself forms part of the application site (as defined by the red line) in which an area of tree planting is proposed. The two areas located North West and South East of the bridge crossing itself are shown each to be approximately 60 metres (the lengths running parallel to the Rawreth Brook) by 90 metres (the width which is traversed by the Rawreth Brook) in extent.
- 3.37 This plan indicates an area of tree planting together with the retention of existing brook vegetation, the latter of which would be retained within a 5 metres strip from the edge of the brook on either side. The Landscape Plan also indicates the sowing of meadow grassland and amenity grass. The key to

the plan indicates that the details of the location of the proposed trees are to be finalised in accordance with condition 21 of the outline planning permission.

- 3.38 Condition 21 of the 15/00362/OUT permission made reference to the provision of details including the details of soft landscaping within strategic open space (natural/semi natural green space and amenity green space as identified on the approved Parameters Plan) or localised open space and landscaping within the developable areas including in the local greens. It is noted that the red line forming part of this current application adjoins the red line supporting the concurrent application reference 20/00912/REM which seeks approval for strategic landscaping within the western part of the site which has omitted the area of land forming part of this application for reasons which are understood. Cross referencing the Land use and Landscaping Plan approved at outline planning permission stage (plan reference 180605\_URB\_PP\_LLUB\_011) it is noted that the area now as outlined in red on this current application formed part of the Strategic Open space (Natural / semi natural green space).
- 3.39 Although the plan submitted in support of this current application indicates a soft landscaping treatment which is broadly in alignment with the principles set out at outline approval, given that this current application seeks approval in respect of landscaping, it is considered that it is entirely appropriate to seek certainty in terms of the actual tree species type and specification which is not submitted as part of this application for approval, which should cover these details. It is not considered that this matter can be placed to one side and left to be addressed subsequent to condition 21 of the outline planning permission as inferred by the annotation on the plan reference TOR-L (93-80) (Bridge Crossing Strategic Landscaping).
- 3.40 It is therefore recommended that this matter is covered by a planning condition to require specific details of the proposed soft landscaping including planting schedule. The recommended condition would also provide certainty in terms of stipulation of the timing of such landscaping works being required to be carried out.

#### **4 CONSULTATIONS AND REPRESENTATIONS**

**Environment Agency:** No objection

- 4.1 No objection to the proposal on flood risk grounds. It indicates that the proposed soffit level of the bridge at 12.71mAOD is above both the upstream and downstream 1% (1 in 100) annual probability flood levels including climate change of 12.28mAOD and 11.28mAOD respectively, which will ensure that it does not obstruct flood flows.
- 4.2 The correspondence received indicated that it issued a bespoke Flood Risk Activity Environmental Permit for the bridge on 27 May 2020, with reference number EPR/CB3498JY\_v2. which the applicants have included a copy of in the documents as submitted.



**Essex Highways:** No objection

4.3 Essex Highways issued the following advice:

All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of and at no cost to the Highway Authority. It advises that an application for the necessary works should be made to Essex Highways.

4.4 It also advises that the Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes technical check, safety audits, site inspection, commuted sums for maintenance and any potential claims under the Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required as security in case of default.

## **5 EQUALITY AND DIVERSITY IMPLICATIONS**

5.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the Equality Act 2010

## **6 CONCLUSION**

6.1 The proposal is considered not to cause undue demonstrable harm to any development plan interests, other material considerations or to the character and appearance of the area such as to justify refusing the application.



Marcus Hotten

Assistant Director, Place and Environment

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

H1, H2, CP1, ENV4, CLT5, CLT7, T1, T6 of the Core Strategy 2011  
DM1, DM25, DM26 and DM27 of the Development Management Plan 2014  
SER1 of the Allocations Plan 2014

National Planning Policy Framework

**Background Papers**

None.

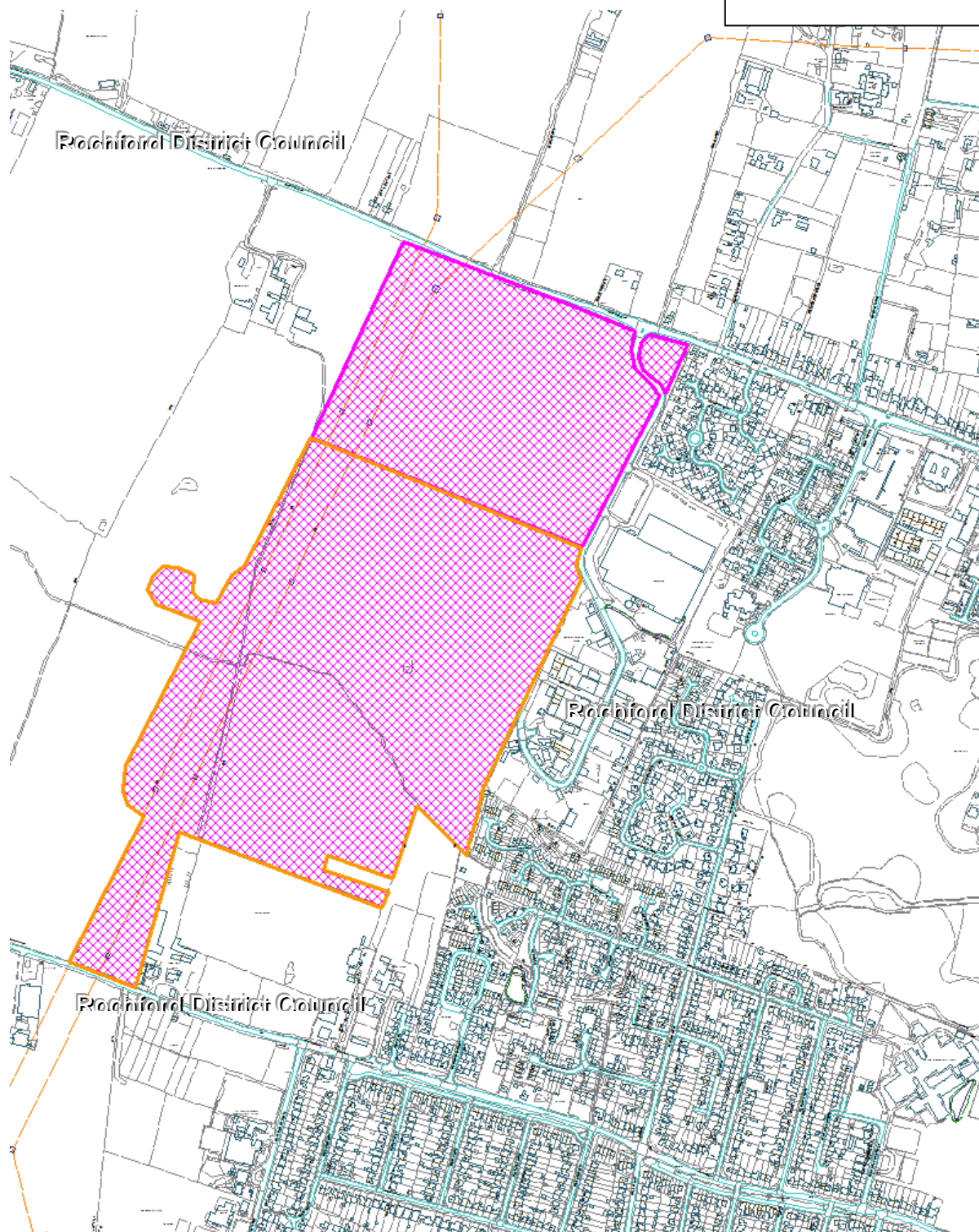
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