

20/00363/OUT

**LAND EAST OF ASHINGDON ROAD AND NORTH OF
ROCHFORD GARDEN WAY, ROCHFORD**

**OUTLINE APPLICATION FOR THE DEMOLITION OF NOS.
148 AND 150 ASHINGDON ROAD, REMOVAL OF HIGHWAY
TREE AND FORM ACCESS ONTO ASHINGDON ROAD,
FORM SECONDARY ACCESS ONTO PERCY COTTIS ROAD
TO SERVE RESIDENTIAL DEVELOPMENT OF 662
DWELLINGS AND COMMUNITY BUILDING WITH
ASSOCIATED INFRASTRUCTURE. DETAILS OF PHASE 1
OF 223 DWELLINGS TO CONSIDER ACCESS, LAYOUT,
APPEARANCE, SCALE AND LANDSCAPING. DETAILS OF
PHASE 2 AND 3 TO CONSIDER ACCESS AND LAYOUT
ONLY.**

**APPLICANT: BLOOR HOMES, ABER LTD, A.W. SQUIRE
LTD, D.W. SQUIRE LTD**

ZONING: SER8, MGB

PARISH: ROCHFORD PARISH COUNCIL

WARD: ROCHE NORTH AND RURAL

1 BACKGROUND TO ADDENDUM REPORT

- 1.1 This addendum report should be read in conjunction with the Committee report dated 26 November 2020 – set out at Appendix 1. It has been prepared in response to Members' deferral of this application at the Development Committee on 26 November 2020 to provide clarification and further information in relation to the key concerns raised by Members at this meeting. This report should also be read in conjunction with the published addendum to the report to the 26 November 2020 Development Committee, attached at Appendix 2.
- 1.2 Legal advice has been obtained in respect of those matters in relation to which the application was deferred at the Development Committee of 26 November 2020 and a summary of this is set out in Appendix 3.

- 1.3 The applicant has also submitted a post Development Committee briefing note to the Council dated 9 December 2020 and updated s106 Heads of Terms which are also summarised in this report.
- 1.4 Since the consideration of the application at the Development Committee on 26 November the Council has published an updated Annual Monitoring Report which details the up-to-date position with regard to housing delivery; the necessary updates to paragraphs in the original Committee report are therefore also reported below.
- 1.5 Updated consultation responses are also reported, as are additional responses received from neighbour and other respondents.

2 FURTHER CONSIDERATION

Status of the adopted Development Plan

- 2.1 Concern was raised by Members in debate during the consideration of this application at the Development Committee on 26 November that the adopted Development Plan, in particular Policy SER8 of the Allocations Plan, which is particularly relevant to the determination of this application, was out of date as a result of it not having been updated in the last 5 years.
- 2.2 Whilst the Allocations Plan was formally adopted on 25 February 2014, some 7 years ago, it is not out of date with respect to the allocation of this site for residential development as set out in Policy SER8. The Allocations Plan always intended to set out the Council's approach to the delivery of strategic development across the district for an extended period, with Policy SER8 identifying at paragraph 3.225 that this site allocation would be expected to come forward for development in 2021. The determination of an application for planning permission for residential development of this site allocation in 2021 is therefore in accordance with the timetable set out in this policy which forms part of the adopted Development Plan.
- 2.3 The legal advice received expands on this point further and concludes that the development proposed is based on policy within the Development Plan which is not materially out of date.

Over Development

- 2.4 Concern was raised by Members in debate that the proposal amounted to over development. Paragraphs 3.21 to 3.24 of the Committee report dated 26 November 2020 set out why 662 dwellings would be considered acceptable in respect of density, but this is expanded on here to give greater understanding.
- 2.5 The application proposes 662 dwellings in total. This is 162 more dwellings than the 500 dwellings referenced in Policy SER8 for this site allocation.
- 2.6 The site would achieve an overall average density of some 33.1 dwellings per hectare. This calculation takes the total number of dwellings (662) and divides

this by the total area of land on which they would be built (20ha). The total area of land (20ha) excludes parts of the site on which no residential development is proposed, i.e., the drainage ditch running west-east, the south-east corner where attenuation basins are proposed, the public open space to the western boundary, the parcel of non-residential land proposed and the sections of highway along Ashingdon Road and Percy Cottis Road. Omitting land where no residential dwellings would be built ensures that the density calculation more accurately reflects the density and resulting character of the built-up residential area to be developed.

- 2.7 If the density were calculated based on the whole application site area (25.7ha) then the average density would reduce to an average of some 25.7 dwellings per hectare but for the reasons stated above this would not be representative of the true density as it would include large areas of land on which dwellings are not proposed to be built.
- 2.8 The Council's policy DM2 requires that sites achieve a minimum density of 30 dwellings per hectare. The proposal at an average of 33.1 dph would slightly exceed this minimum and therefore would accord with this policy requirement; anything less than 30pdh would not be policy compliant and would not be considered to make best and most efficient use of land.
- 2.9 Policy DM2 goes on to additionally identify that the 'precise density for any individual site will be determined by its immediate context, on-site constraints, the type of development proposed and the need to provide an appropriate mix of dwellings to meet the community's needs.' The proposed dwellings would be a mix of terraced, semi-detached and detached mostly two-storey houses with some 2.5 storey houses with rooms in the roof. Some, but limited flats are also proposed; those flatted blocks in Phase 1 where scale is to be determined at the outline stage are in blocks over two and three storeys.
- 2.10 The residential dwellings in the streets surrounding the application site set the context for the proposed development. Dwellings on Oxford Road to the north are largely semi-detached and detached bungalows and chalet bungalows. Dwellings in Percy Cottis Road and Rochford Garden Way to the south are detached and semi-detached two-storey houses. To the east, dwellings on Ashingdon Road are a mix of terraced, semi-detached, and detached two-storey houses, bungalows and chalets. In addition, there are purpose built three-storey flatted blocks in the locality on Ashingdon Road to the south and to the west of Ashingdon Road on Sandon Close. The scale and form of the proposed residential development would not appear out of character in this context.
- 2.11 The average density of 33.1dph would result in a residential development that would be in keeping with the scale and character of surrounding residential development. The proposal at this density would not result in harm to visual amenity and it is therefore considered that the proposal could not reasonably be considered to amount to overdevelopment.

- 2.12 Any concern relating to the proposal amounting to overdevelopment would have to be very clear about the actual harm that would result from the proposed 662 dwellings. It would not be appropriate to simply reference overdevelopment per se; this is reiterated in the legal advice received which advises that ‘Over development has to be critically applied to a planning context...’. Any inspector considering this issue at appeal would investigate the actual harm that would result, and the Council would have to be able to clearly explain the harm so as not to appear unreasonable in their decision making.’

Impact on Local Highway Network

- 2.13 The application is accompanied by a transport assessment and an addendum to this which have assessed and considered the impacts of vehicular traffic generated by the proposed development on the local highway network. The conclusions reached are summarised and discussed in the original Committee report.
- 2.14 Essex County Council as Highways Authority has independently confirmed that the transport assessment that has been produced is robust and appropriately assesses the impacts. For example, in respect of baseline traffic data collected via traffic survey by the applicants’ transport consultants, ECC compares this to data it holds to ensure that the data is not unrepresentative. The traffic survey was carried out at an appropriate representative time, i.e., mid-week, not during school holidays and prior to the pandemic.
- 2.15 The Highway Authority has considered the transport assessment and addendum and are satisfied that the proposal would not result in severe impact on the local highway network. As the legal advice has set out, the Highway Authority’s consultation response which advises of no objection to the proposal, carries significant weight.
- 2.16 ECC Highways raises no objection to the quality of the transport assessment submitted and there is no other contrary technical evidence that suggests that the applicants’ transport assessment has not properly considered the impact of the traffic movements from the proposed 662 dwellings on the local highway network. At appeal, an inspector would expect the Council to explain in detail and evidence why the submitted transport assessment is not acceptable and it is considered that the Council could not reasonably argue this given that the Highway Authority would not support this position. Indeed, the Highway Authority’s statement would explain why it considered that the applicants’ transport assessment does in fact appropriately consider the impact of traffic from the proposed development on the local highway network.
- 2.17 It is considered that the submitted transport assessment does appropriately consider the impact of the proposed development on the local highway network. It then falls to consider whether the residual cumulative impact on the local highway network could, contrary to the applicants’ conclusion, be considered severe.

- 2.18 The Committee report details the residual cumulative impact on the local highway network, as identified by the transport assessment (and addendum) which would remain once junction improvements that would be delivered had been considered. It is the case that at the Ashingdon Road/West Street/Hall Road junction, no junction improvements could be carried out and that the proposed development would add to queuing and congestion here. However, the Highway Authority has considered the impact carefully and do not consider that this residual impact would be severe.
- 2.19 Although there may be a perception that the proposed development would lead to severe impact on the local highway network it would not be adequate to rely on a perceived impact to justify refusing the application. At appeal, the Council would be expected to explain in detail and evidence why the residual cumulative impacts identified by the applicant's transport assessment would be severe. The Highway Authority would not offer support as they raise no objection to the proposal and the Council would have no evidence to present to support this case at appeal.
- 2.20 The legal advice received by the Council advises similarly that 'cogent technical reasons would be required to disagree with the response of the Highway Authority Officers'.
- 2.21 Members requested that officers enquire whether the Council could commission its own transport assessment and safety audit report of the junction on Ashingdon Road opposite the two schools. Firstly, it was confirmed that the Development Committee does not have the authority to commission independent reports; this would be a matter for the Council to expedite. Secondly, it is likely that any commissioned consultant would need to rely on the traffic figures contained within the applicants' transport assessment carried out by the specialist consultant Ardent dated December 2019, as any new traffic count carried out at this present time, during a pandemic, would not present a true picture of traffic movements with a large percentage of the community working from home. Furthermore, considering the comprehensive extent of the Ardent transport assessment, the scrutiny by the Highway Authority and the subsequent addendum from Ardent, it is unlikely that any eminent transport consultant would conclude that the submitted transport assessment does not adequately assess likely highway impacts, that the impacts would be severe or that the proposed main vehicular access would not be appropriate.
- 2.22 On this basis it is considered that embarking on commissioning independent reports would, in all probability, be unlikely to produce any information that would cast doubt on the submitted information. Finally, the legal advice obtained by the Council advises on the weight to be given to the statutory consultees response and warns that not following that advice would likely amount to unreasonable behaviour by the Council; a point that is firmly established in planning law. Following the receipt of legal advice, no further enquiries in respect of the commissioning of transport related reports have been made.

Proposed Junction onto Ashingdon Road

- 2.23 It is a requirement that safe access to the site be achieved. The main vehicular access is proposed off Ashingdon Road at a point opposite part of the frontage of two schools. The proposed access would necessitate changes to the layout of a section of Ashingdon Road to provide a ghost right hand turn. Alteration to the pedestrian crossing would also be required and a section of the footway to the front of the school would be narrowed.
- 2.24 Members raised concerns relating to the safety of the proposed junction immediately opposite a school entrance and the impact of this on the pedestrian environment in this area which is often busy with pupils, their carers and other pedestrians. In response to Members' concerns, officers approached the Highway Authority requesting detailed information on how the safety of the junction had been assessed. In its updated additional consultation response (12 February 2021) the Highway Authority confirms that the developer submitted all the necessary information with the planning application in relation to the proposed vehicular access. This included the Transport Assessment, Layout Drawings, Tracking Drawings, and independent Stage 1 Safety Audit with associated Designer's response.
- 2.25 The Highway Authority has considered the design of the main proposed vehicular access and confirmed in its consultation response that the design is acceptable in highway safety terms.
- 2.26 ECC has also confirmed in its updated additional consultation response that the narrowing of a section of the footway outside the school, whilst undesirable, would not be objectionable providing it would still meet the minimum technical highway standard for shared footway/cycleways of 3 metres, which it would.
- 2.27 As emphasised in the legal opinion received by the Council, very great weight must be given to the advice of the statutory consultee, the Highway Authority, who raise no objection to the proposed vehicular access on safety grounds. The proposal in this regard is therefore considered acceptable.

APPLICANTS' BRIEFING NOTE

- 2.28 The applicants have submitted a briefing note dated 9 December 2020 which includes comment on the key points of discussion from the Development Committee meeting on 26 November. Key aspects of the applicants' comments are summarised below:
- It is unclear on what basis the Council may sustain an argument that the Local Plan is out of date. The Plan is in date and is being delivered; at this point in time the delivery of SER8 is on schedule to assist in maintaining a 5-year housing land supply, as intended under the Core Strategy. Furthermore, the Council is reviewing the plan as required under the Implementation, Delivery and Monitoring section of the Core Strategy

(page 138). If the Plan is out of date by virtue of 5-year housing land supply, that is a different matter which favours the positive determination of the application without delay. It is illogical for the Council to cherry pick which applications should have the full weight of the lawful Development Plan imposed on them and which should not. Clearly, it is a worrying indictment of the plan-led system to suggest that a site planned for later in the plan period might be regarded as out of date prior to 2021 being the earliest delivery date set out in the plan. Such a move just invites speculative development as the LPA cannot be relied upon to deliver its own Local Plan.

- Policy DM2 of the Development Management Plan seeks a density that is a minimum of 30 dwellings per hectare across the site. It is not capped. DM2 states that “The precise density for any individual site will be determined by its immediate context, on-site constraints, the type of development proposed and the need to provide an appropriate mix of dwellings to meet the community’s needs.” This aligns with the case officer’s comment that by compliance with the technical design standards is a sound test, to assess density. Figure 2 on Page 20 of the Development Management Plan shows the character around the site is between 25-34 dph (denoted green and blue). The application is within this range but more than the minimum 30 dph, so complies with Policy DM2.
- The application is supported by a comprehensive and substantial traffic impact assessment, the access regime and traffic modelling and mitigation have been validated and assessed by Essex County Council as Highway Authority. The technical work by the applicant and the assessment by the ECC Highways Consultee would appear to be robust and sound and no alternative technical evidence has been presented by any objectors that demonstrates any conflict. The absence of any contrary technical evidence to support the argument may imply it is unsound.
- It is also interesting to note that this matter was considered at Examination in Public for the adopted Core Strategy. See Planning Statement 6.54 – 6.56, in which extracts of the Inspector’s Report are cited, to demonstrate that the wider impact on the capacity of the area has been fully considered when SER8 was tested and it was found to be sound.
- The County Council is the independent assessor of traffic impacts, yet it has also asked for independent assessment of its work and that has led to the access strategy being agreed. Likewise, Bloor Homes has instructed an independent audit of the scheme and this too was presented as part of the application.
- Policy SER8 at 3.236 states: The type of youth facilities required to accompany development should reflect the needs of the target age group. This could take the form of indoor and / or outdoor facilities but in any case, a minimum of 0.02 hectares for outdoor youth facilities should be provided. The application delivers a BMX cycle track over 0.03 hectares to

meet SER8, with further details to be provided by condition, if required. The officers did not require any further contribution, whether by provision on site or by financial contribution through a section 106. Paragraphs 3.125 – 3.131 of the officer's report deal with this matter. It is considered that the proposals deliver youth facilities in line with SER8. However, notwithstanding the fact that the policy requirement is met, Bloor Homes would make a meaningful financial contribution to facilitate the improvement of Youth Facilities across the locality.

- 2.29 The provision of a BMX cycle track would deliver a youth facility, and this would be appropriately located within the Green Belt outside of the allocated site; as such, a facility would not be harmful to the openness of the Green Belt nor conflict with the purposes of Green Belt land. The applicant has, however, acknowledged that this type of youth facility would only cater for youths interested in this type of provision and have therefore advised that in addition, a financial contribution of £75,000 would be paid to Rochford District Council to improve existing youth facility provision within the locality; this would form an additional Head of Term in a s106 legal agreement.
- 2.30 In addition, a further financial contribution of £75,000 would also be paid to Rochford District Council to be used for additional off-site tree planting by way of further mitigation relating to the loss of the tree on Ashingdon Road which is subject to Tree Preservation Order.

UPDATE TO HOUSING DELIVERY TEST

- 2.31 Since the publication of the Committee report dated 26 November 2020 the Council has published an updated Annual Monitoring Report relating to housing delivery. Paragraph 3.11 of the committee report dated 26 November 2020 is therefore updated to acknowledge that the current annual housing target for the district is now identified as 360 dwellings per annum as opposed to the 385 dwellings as originally reported. Following publication of the 2020 Housing Delivery Test results, the Council no longer needs to apply a 20 per cent buffer to its 5-year housing land supply calculations. Consequently, the Council is now able to demonstrate a 5-year housing supply based on an annual housing target of 360 dwellings (with an additional 5% buffer to provide choice and competition). Paragraph 3.194 of the original committee report is therefore updated to correctly note the current position that paragraph 11(d) of the NPPF would not apply to the determination of this application.
- 2.32 Notwithstanding the fact that the Council can currently demonstrate a 5-year supply of housing, it is accepted that this supply is highly reliant on the delivery of sites allocated for housing in the Council's current development plan. Most of these sites were released from the Green Belt to facilitate their development. It is accepted that the Council is unlikely to be able to sustain a 5-year supply of housing when assessed in future years, given the relatively limited quantity of urban and previously developed sites available and the extent of constraints on land outside of the urban area, including most

pertinently the extent of the Metropolitan Green Belt. Consequently, there are significant advantages to achieving greater capacity on existing allocated sites insofar as it helps to safeguard the Council's housing supply beyond 5 years and in so doing makes it more probable that the Council can resist inappropriate development elsewhere whilst it progresses with its new Local Plan which is programmed for adoption in 2023.

- 2.33 Paragraphs 3.195 to 3.203 of the original Committee report must also be now considered in light of the updated position with regard to the 5-year housing land supply. It remains the case, however, as detailed in the Committee report dated 26 November 2020 that a clear requirement of the NPPF is a presumption in favour of sustainable development and the requirement to make efficient use of land and the proposal would meet these aims. In uplifting and making most efficient use of this allocated site, this proposal would help to support the Council's 5-year housing land supply, both now and in future years, which would help to reduce both the likelihood of speculative development in future years and the pressure to release Green Belt land within the district to meet longer-term housing needs.

ADDITIONAL CONSULTATION RESPONSES (SUMMARISED)

ESSEX COUNTY COUNCIL

- 2.34 An updated additional consultation response has been received, dated 12 February 2021 which concludes the following:-
- 'It is considered that, on balance, ECC does not object to this planning application on education, public health or highway grounds, as outlined above. However, we recommend that further discussion takes place with the school and ECC property services to agree appropriate mitigation measures.'
 - In the response ECC also advise that 'We do not consider the proposal to reduce the foot and cycle way outside the school to be unacceptable, provided it meets the minimum technical standard for a shared or segregated area. However, as outlined in our initial corporate response, it would be a significant downgrade from what is already in place and is therefore undesirable from an education and public health perspective.'
 - The response also advises of the stages of safety audit proposed vehicular accesses must go through.
- 2.35 The applicants have provided an illustrative plan showing a scheme for enhancing the landscaping to a section of the frontage of the school opposite where the section of footway would be narrowed. The applicants have agreed to an additional s106 requirement to require a detailed landscape improvement scheme to be agreed with ECC and the works carried out by the developer or a financial contribution (£50,000) be paid to ECC to facilitate such improvement works.

ADDITIONAL NEIGHBOUR/OTHER RESPONSES (summarised)

Response from Holt Farm Junior School

- 2.36 This response was read out at the start of the officer presentation of the application at the Development Committee on 26 November but is included here for completeness.
- 2.37 Holt Farm Junior School appreciates that a development on this particular site has already been agreed as part of a long-term strategy for the provision of homes in the area so whilst there is not an overall objection to the planning for the number and location of the homes, we need to register our objection to the current proposal as set out in application number 20/00363/OUT.
- 2.38 Our objection specifically relates to the position of the access to the site being directly opposite the schools, Holt Farm Junior School and Holt Farm Infant School, and the lack of consideration of alternative options providing safer access to the site further along Ashingdon Road.
- 2.39 The proposed site access specifically removes a cycle path and narrows the pavement in front of our site. We believe that this will have an extremely detrimental impact on the safety of our pupils and parents attending the schools which have overall pupil numbers of 600+. The site access also compromises the access point to the shared car park for both schools which is already located very close to a busy road with an unmanned pelican crossing giving us further safety concerns for this proposal for both our staff, parents and pupils. We believe that there are alternative sites for access to the development that have not been explored simply due to financial implications which is unacceptable considering the overall infrastructure pressures in Rochford, in particular, along the Ashingdon Road.
- 2.40 Additional letter of objection from occupants of 124 Ashingdon Road and 7 Cedar Walk, Canewdon – points of objection relate to matters previously reported, in particular concern relating to impact on local highway network, loss of important tree and development being uncharacteristic and poorly related to the surrounding development: three storey or 2.5 storey buildings in prominent positions not in keeping with single storey character of Oxford Road. Concern that not all development would be contained within the allocated site as play space and allotments would fall outside. Concern relating to how money paid by the applicants to mitigate impacts, e.g. relating to bus services/cycle networks will actually be spent to secure improvements. Concern that attenuation ponds would not be properly maintained in the long term. Concern that number of dwellings is not justified as there has been no identified under provision of dwellings in the locality, as required by Policy SER8.

CONCLUSION

- 2.41 This application proposes residential development of a site specifically allocated by the Council for such use in the adopted Development Plan. The Development Plan always envisioned that this site would come forward for development in 2021 as is the case. The quantum of dwellings proposed, namely 662, would make best and most efficient use of the land and would accord with the national planning policy requirement for this. The resulting density would only marginally exceed the minimum density that the Council's policy requires and the largely two and two and a half storey, detached and semi-detached dwellings proposed, would not appear out of keeping in the context of the locality.
- 2.42 ECC Highway Authority is satisfied that the proposed main vehicular access to the site which would necessitate changes to the layout of a section of the highway opposite the entrance to two schools would be safe, and great weight must be given to the advice of this statutory consultee. Whilst it is acknowledged that the proposed development would impact on the local highway network, ECC Highway Authority does not consider that the residual cumulative impact, taking account of mitigation proposed, would be severe.
- 2.43 The proposal would result in the loss of a highway tree of significant amenity value and this is regrettable; however, significant mitigation is proposed to compensate for this loss including two significant financial contributions to enable new tree planting in the locality. The application, if approved, would be subject to a section 106 legal agreement which would secure appropriate contributions and works to mitigate the impacts of the development.
- 2.44 There has been significant local objection to the proposed development; however, as the original development Committee report and this addendum report set out, concerns could be appropriately mitigated, and the proposal would accord with the allocation of this site for residential development by the Council in the adopted Development Plan. On key issues of concern such as highway safety and impact on the highway network, the Council has no evidence to dispute the findings of the statutory consultee who considers that the proposal would be acceptable. The application must be determined taking account of the whole community and the proposal would benefit residents who have not responded to public consultation of the application, for example, in respect of the provision of new housing including affordable housing.
- 2.45 The proposal would be considered to accord with the adopted Development Plan and is therefore recommended for approval as set out below.

3 RECOMMENDATION

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

That outline planning permission be approved, subject to the Heads of Terms of a s106 legal agreement and conditions, as set out in the Development

Committee report dated 26 November 2020 and the associated addendum subject to the following:-

- An additional s106 Head of Term relating to payment of a financial contribution of £75,000 to Rochford District Council prior to first occupation to be used for the improvement of existing youth facilities within the locality.
- An additional s106 Head of Term relating to payment of a financial contribution of £75,000 to Rochford District Council to be used to facilitate new off-site tree planting.
- Detailed landscape improvement scheme to the frontage of Holt Farm Infant and Junior Schools to be agreed with ECC and the works carried out by the developer or a financial contribution (£50,000) be paid to ECC to facilitate such improvement works.
- Adjustment to the wording of the contamination condition as set out on the addendum to ensure that the further ground testing and mitigation as identified in the submitted contamination report is carried out prior to commencement of development at the site. The contamination condition shall read:

No development shall take place until further ground testing and mitigation as identified in the submitted contamination report has been carried out and the results submitted to and approved in writing by the LPA. Prior to the first occupation or first use of the development, any remediation of the site found necessary shall be carried out and a validation report to that effect submitted to the local planning authority for written approval and the development shall be carried out in accordance with that scheme only following agreement in writing by the LPA.

- In addition, the additional condition relating to reptile mitigation as stated on the addendum is not necessary as this matter is already subject to recommended condition 16 of the Committee report.



Marcus Hotten

Assistant Director, Place and Environment

Relevant Development Plan Policies and Proposals

As set out in the Development Committee Report for 20/00363/OUT, dated 26 November 2020.

Background Papers

Summary of legal opinion dated 2 February 2021.

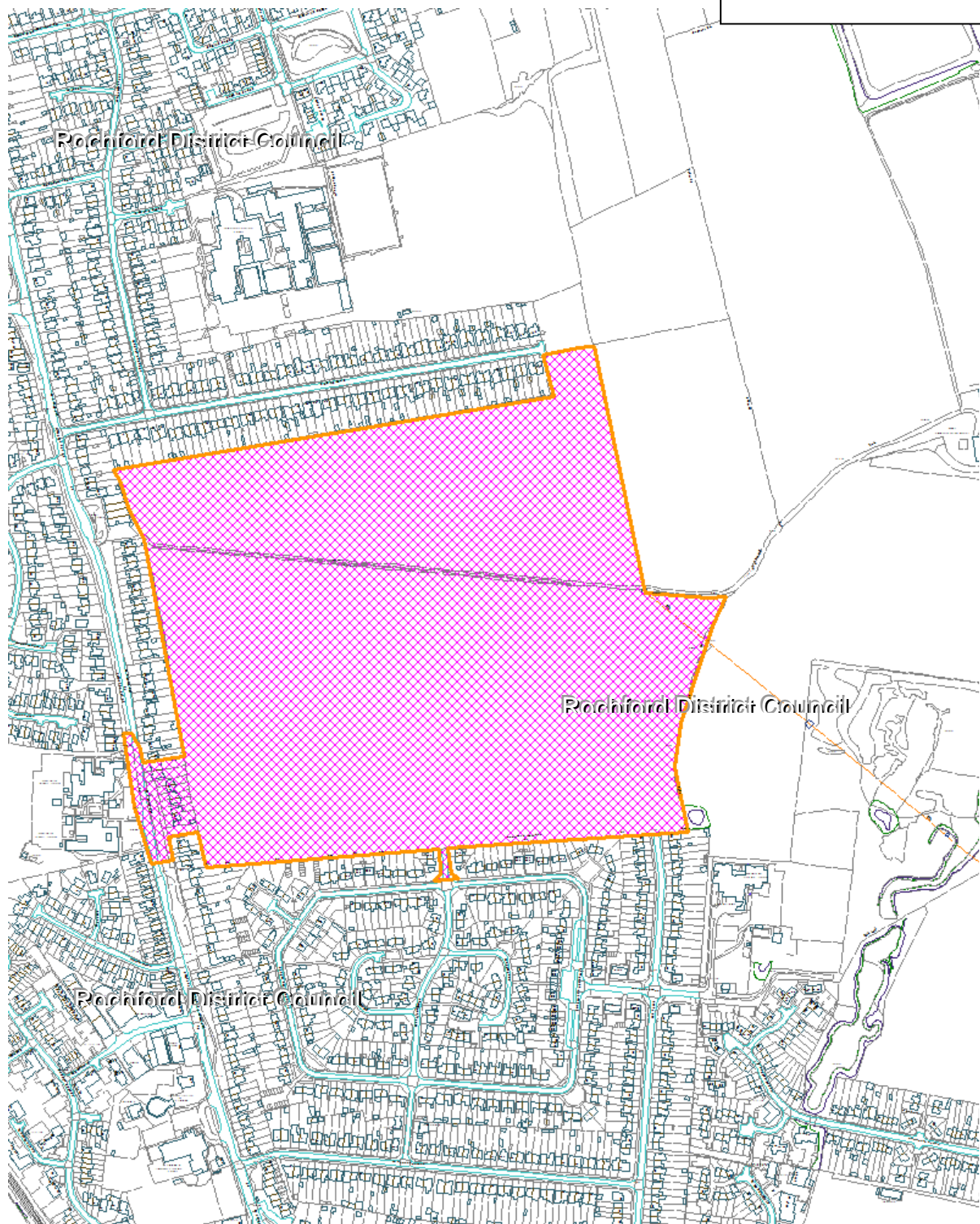
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20/00363/OUT

**LAND EAST OF ASHINGDON ROAD AND NORTH OF
ROCHFORD GARDEN WAY, ROCHFORD**

**OUTLINE APPLICATION FOR THE DEMOLITION OF NOS.
148 AND 150 ASHINGDON ROAD, REMOVAL OF HIGHWAY
TREE AND FORMATION OF ACCESS ONTO ASHINGDON
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PERCY COTTIS ROAD TO SERVE A RESIDENTIAL
DEVELOPMENT OF 662 DWELLINGS AND COMMUNITY
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DETAILS OF PHASE 1 OF 223 DWELLINGS TO CONSIDER
ACCESS, LAYOUT, APPEARANCE, SCALE AND
LANDSCAPING. DETAILS OF PHASES 2 AND 3 TO
CONSIDER ACCESS AND LAYOUT ONLY**

**APPLICANT: BLOOR HOMES, ABER LTD, A W SQUIRE
LTD AND D W SQUIRE LTD**

ZONING: SER8, MGB

PARISH: ROCHFORD PARISH COUNCIL

WARD: ROCHE NORTH AND RURAL

1 RECOMMENDATION

1.1 It is proposed that the Committee RESOLVES

That planning permission be approved, subject to the following Heads of Terms of a s106 legal agreement and conditions:

Heads of Terms

- (1) Affordable Housing at 35 per cent and 80/20 split.
- (2) Financial contribution of £125.58 per dwelling (i.e. total maximum contribution of £82,882.80 relating to maximum total of 662 dwellings) to Rochford District Council prior to occupation of the dwelling to which the payment would relate, to mitigate cumulative impact from increased

recreational activity on international sites of ecological importance along the district's coastline.

- (3) Allotment provision including provision of water supply infrastructure to the site, boundary treatment and vehicular access and timings for offer to transfer to the Parish Council. Financial contribution towards allotment provision on transfer.
- (4) Financial contributions towards education provision: Early Years and Childcare £896,930.82 plus indexation, Primary School £2,989,769.40 plus indexation and Secondary School £2,730,833.80 plus indexation (final figures to be calculated according to standard formula based on approved dwelling mix delivered and total net maximum dwelling number of 660 (662 minus 2 dwellings to be demolished).
- (5) Financial contribution of £67,560 to Rochford District Council (calculated based on the Capital Asset Value for Amenity Trees (CAVAT)) for compensatory tree planting in the district.
- (6) Community land to be offered to NHS (at nil or nominal cost) for healthcare use for a period of 2 years following commencement of the development and a financial contribution of £262,300 to be paid prior to first occupation. Land to be transferred with service infrastructure provided by the developer. In the event that the land is not transferred in relation to the construction of a healthcare, facility fallback provision to allow for use of this part of the site for use within Use Class E.
- (7) Delivery and maintenance in perpetuity of strategic open space and play space, Sustainable Urban Drainage (SUDs) features and Flood Alleviation Scheme (FAS) features on site, including details of management company and management plan to be provided. In respect of SUDs and FAS features the applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved maintenance plan (as agreed by condition). These must be available for inspection upon request by the Local Planning Authority.
- (8) Financial contribution of £75,630 for Waste Services Infrastructure payable to Essex County Council. Suitable clauses and review mechanisms to ensure contribution reflects the mix delivered on site.
- (9) Financial contribution of £201,308 to be paid to Essex County Council for provision or improvement of Library Services within the vicinity of the site.
- (10) Financial contributions to Essex County Council for the maintenance of trees within the highway at the site and in relation to off site mitigation tree planting within the highway. Trees in soft landscaping £350.37 (per

tree) and tree with grills, pit or watering system, generally in hard landscaping £536.01 (per tree).

- (11) Provision and implementation of a residential Travel Plan including payment of a Travel Plan Monitoring fee to Essex County Council of £2500 per annum (index linked) from first occupation until 1 year after full completion (to be capped).
- (12) Prior to first occupation at the site a financial contribution to Essex County Council towards bus service enhancements along the Ashingdon Road corridor to upgrade existing services/creation of new service routes or the provision of Bus Priority measures as deemed necessary and approved by Essex County Council.
- (13) Prior to first occupation at the site a financial contribution to Essex County Council towards cycling infrastructure upgrades from the site to connect with Rochford town centre and employment sites on Cherry Orchard Way, as identified in the Rochford Cycling Plan as Flagship routes 1 and 2.
- (14) A financial contribution to Essex County Council of £100,000 towards upgrades to the Southend Road/Sutton Road “Anne Boleyn” Roundabout.
- (15) Maintenance contribution to Essex County Council towards the upgraded toucan crossing on Ashingdon Road.
- (16) The delivery of off site highway works, to be included in a section 278 agreement and to include a timetable for implementation and completion (to be agreed by Essex County Council/Rochford District Council) for:
 - a. Improvements at the Ashingdon Road/Rectory Road roundabout to provide widening on the approaches of Rectory Road and Ashingdon Road south to provide two-lane entries and changes made to road markings on the Ashingdon Road north approach to provide a wider entry lane. The proposed improvement scheme is shown in principle on ACE drawing no. 185180-015A.
 - b. Improvements at Ashingdon Road/Dalys Road/Roche Avenue roundabout to provide widening at both Ashingdon Road approaches to provide two-lane entries and also modify road markings on Dalys Road to provide a two-lane entry. The proposed junction arrangement is shown in principle on ACE drawing no. 185180-016A.
 - c. Provision of improvement measures in the vicinity of Holt Farm Junior/Infant Schools to include upgraded signage/markings and

speed restrictions as part of School Zone measures.

- d. Improvement of 2 existing bus stops on Ashingdon Road immediately to the north and south of the approved main vehicular site access shall be upgraded to provide raised kerbs/shelter/timetableflagpole and real time passenger information as deemed necessary and as approved by Essex County Council.
- e. Improvements and localised widening to Percy Cottis Road.

Conditions

- (1) No development shall commence within any phase (except phase 1 as annotated on the approved phasing plan reference P18-2109_63C) until plans and particulars showing precise details of the scale, appearance and landscaping, (herein after called the "Reserved Matters"), within the phase have been submitted to and approved in writing by the Local Planning Authority. All development at the site shall be carried out in accordance with the Reserved Matters details approved.

REASON: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

- (2) In the case of the Reserved Matters, application for the first reserved matters application for approval shall be made no later than the expiration of two years beginning with the date of this permission. Application for the approval of the remaining "Reserved Matters" referred to in Condition 1 above shall be made to the Local Planning Authority before the expiration of five years from the date of this planning permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the first of the Reserved Matters to be approved.

REASON: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

- (3) The development to which this permission relates in respect of Phase 1 as shown on the approved phasing plan reference P18-2109_63C, shall be commenced before the expiration of three years from the date of this permission.

REASON: To comply with Section 91(1) of the Town and Country Planning Act 1990 (as amended).

- (4) The development hereby approved shall be constructed in complete accordance (save for any revised details as agreed in respect of the

discharge of any landscaping condition) with the following approved plans:

Play Space Concept Masterplan	P18-2009_56A
Phase 1 Layout	P18-2109-62K
Phase 1 Parking Strategy	P18-2109 62-01C
Phase 1 Garden Sizing Plan	P18-2109-62-02B
Phase 1 Materials Layout	P18-2109-62-03C
Phase 1 Storey Heights Plan	P18-2109-62-05B
Phase 1 Tenure Plan	P18-2109-62-06E
Phase 1 Refuse Strategy Plan	P18-2109-62-07B
Phase 1 Enclosures Layout	P18-2109-62-09D
Enclosure Details	P18-2109-67
Site Section over Southern Ditch	P18-2109-84
Phase 1 House Type Pack	P18-2109_70C
Entrance Avenue Landscape Proposals	P18-2109_54D
Phase 1 Concept On Plot Proposals	P18-2109_57D
Phase 1 Part M	P18-2109-62-04B
Phase 1 Street Scenes	P18-2109-65-01C
Phase 1 Bin Store	P18-2109_72-01
Phase 1 Bike Store	P18-2109_72-02
Proposed Access from Percy Cottis Way	185180-002A
Proposed Emergency Access	185180-021B
Proposed Pedestrian access to Ashingdon Road	185180-005
Proposed Access from Ashingdon Road	185180-004F
Proposed access from Oxford Road	185180-003A
Phasing Plan	P18-2109_63-02C
Landscape Masterplan	P18-2109_59D
Landscape Masterplan	P18-2109-83B-1
Landscape Masterplan	P18-2109-83B-2
Phases 2 and 3 Layout	P18-2109_63_03S
Parameter Plan Development Platforms	185180-036
Parameter Plan Land Use and Access	P18-2109_39D
Parameter Plan Trees Hedgerows/Buildings	P18-2109_53B
Parameter Plan Location Plan	PA604-210B

REASON: To ensure that the development is carried out in accordance with the provisions of the development plan.

- (5) External facing materials to be used in the construction of the dwellings within Phase 1 shall be those as detailed on pages 30, 34 and 38 of the Design Code unless alternatives are proposed in which case details shall have been submitted to and approved in writing prior to their use in construction on site.

REASON: To ensure the external appearance of the development is appropriate to the locality.

- (6) The development hereby approved in respect of Phases 2 and 3 shall be built in accordance with the dwelling mix as annotated on individual plots on the approved layout plan reference P18-2109_63_03S corresponding to these Phases unless an alternative dwelling mix is proposed in which case details of any revised dwelling mix shall have been submitted to and approved in writing prior to the submission of any Reserved Matters consent submission in relation to Phases 2 or 3.

REASON: To ensure dwelling mix across the site accords with policy H5 and to ensure appropriate on plot parking provision is provided in relation to dwelling size and policy DM30 and appropriate amenity space provided in respect of policies DM1 and SPD2.

- (7) Affordable housing shall be provided on site in accordance with the siting of affordable housing as shown on the approved plans reference P18_2109-62E and P18-2109_63_03S unless an alternative siting has been submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of securing affordable housing, having regard to policy H4 of the Core Strategy.

- (8) No development or preliminary ground works of any kind other than general site clearance and ecological mitigation shall take place until a programme of archaeological investigation has been secured and completed in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of protection of archaeological assets at the site and to accord with relevant national planning policy which seeks to protect the historic record.

- (9) Within twelve months of the completion of the agreed archaeological field work (unless an alternative time frame has been otherwise agreed in advance and in writing by the Local Planning Authority), a post excavation assessment shall have been submitted to and agreed in writing by the Local Planning Authority; this shall include post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum and submission of a publication report.

REASON: In the interests of protection of archaeological assets at the site and to accord with relevant national planning policy which seeks to protect the historic record.

- (10) Prior to commencement of development of any non-residential buildings at the site, details to demonstrate that the buildings would meet the BRE AAM very good rating as a minimum (unless it can be

demonstrated that this is not viable or practical (in which case details of viability/practicality shall also be submitted to and agreed in writing with the Local Planning Authority) shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, the building(s) shall be built in accordance with the agreed details to achieve the BREAM very good rating as a minimum or otherwise agreed and details submitted in writing to the Council to demonstrate that this rating has been achieved within 3 months of completion.

REASON: In the interests of environmental sustainability and to accord with policy ENV9.

- (11) No works including ground works within 20 metres of the badger setts on site or including the creation of trenches or culverts or the presence of pipes shall commence until a licence to interfere with a badger sett for the purpose of development has been obtained from Natural England and a copy of the licence provided to the Local Planning Authority. The existing badger setts on site to be retained shall be protected during construction in accordance with the licence or as otherwise agreed in writing by the Local Planning Authority. Prior to commencement of any development including ground works at the site, measures to protect badgers from being trapped in open excavations and/or pipe and culverts must be implemented in accordance with the details contained in the Ecological Impact Assessment (SES Southern Ecological Solutions, December 2019) and retained throughout the construction works. The measures shall include:

- the creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
- open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

REASON: In the interests of ensuring no harm to protected species.

- (12) An invasive non-native species protocol shall be submitted to and approved by the Local Planning Authority. This shall include details of the containment, control and removal of the Japanese knotweed *Fallopia japonica* present on site. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

REASON: To allow the Local Planning Authority to discharge its duties under the Wildlife & Countryside Act 1981 as amended and the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.

- (13) Existing hedgerows and trees indicated to remain on the Trees/Hedgerow and Building Parameter Plan (Reference P-18-2109_53B) shall remain and not be felled or removed. Those sections of existing hedgerow and trees indicated to be felled/removed on this same plan (subject to any change in terms of retention of more existing hedgerow/ trees as agreed in relation to any landscaping condition) shall only be felled/removed/managed outside of the bird nesting season (March to August inclusive) unless otherwise agreed in writing with the Local Planning Authority in which case details justifying works outside these times shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of protection of nesting birds.

- (14) Prior to the commencement of development with each phase a method statement and tree protection plan showing protection of trees to be retained during construction shall have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented throughout in accordance with the agreed protection measures.

REASON: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area.

- (15) Details including plans showing the location of proposed bat and bird boxes to be provided within each phase and a time frame for installation within the relevant phase shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development within each phase. Boxes could be integrated within new residential properties or attached externally to properties or existing trees. A minimum of 20 bat boxes shall be provided across the site and a proportion should be proposed close to the eastern boundary of the development and main POS. Bird boxes shall be proposed as follows (or similar) 2 x 1G Schwegler Generalist Bird Box and 30 x specialised Manthorpe swift bricks with bricks installed in numbers no less than two per household. A total of 30 bricks should be installed (as per details provided in the submitted ecology report). The boxes as agreed shall be installed during construction of the relevant dwelling or in accordance with the time frame for installation as agreed.

REASON: In the interests of enhancement for bats and nesting birds.

- (16) No development shall commence at the site (including any ground works or the removal of any vegetation or disturbance of topsoil) until a Reptile Mitigation Strategy has been submitted to and agreed in writing by the Local Planning Authority. Development shall thereafter be implemented in strict accordance with the agreed mitigation strategy.

REASON: To ensure that reptiles are not harmed during the construction of the approved development.

- (17) No works except demolition shall take place within each phase until a detailed surface water drainage scheme for each phase, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:
- Limiting combined discharge rates for all phases to 55.7l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change. All relevant permissions to discharge from the site into any outfall should be demonstrated.
 - Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
 - Demonstrate that all storage features can half empty within 24 hours for the 1:30 plus 40% climate change critical storm event.
 - Final modelling and calculations for all areas of the drainage system.
 - Detailed engineering drawings of each component of the drainage scheme.
 - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels and location and sizing of any drainage features.
 - A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme as agreed for each phase shall subsequently be implemented in accordance with the agreed details prior to first occupation within that phase (or in accordance with an alternative timetable as agreed by the Local Planning Authority).

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring

during rainfall events and may lead to increased flood risk and pollution hazard from the site.

- (18) No works shall take place until a scheme to minimise the risk of off site flooding caused by surface water run off and ground water during construction works and prevent pollution has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented as approved.

REASON: The National Planning Policy Framework paragraphs 163 and 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below ground water level, this will cause additional water to be discharged. Furthermore, the removal of top soils during construction may limit the ability of the site to intercept rainfall and may lead to increased run off rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and ground water which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

- (19) Prior to first occupation within each phase a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system within each phase and the maintenance activities/frequencies shall have been submitted to and agreed in writing by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

- (20) Details of the foul water pumping station including boundary treatment and landscaping shall be submitted to and agreed in writing by the Local Planning Authority prior to construction relating to the delivery of this. The pumping station shall be delivered in accordance with the agreed details.

REASON: In order to secure a satisfactory standard of development and in the interests of visual amenity.

- (21) No development except demolition shall take place until a detailed on site flood alleviation scheme proposal, based on an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:
- Provide sufficient storage to ensure a reduction in off site flooding as a result of existing surface water flows during all storm events up to and including the 1 in 100 year plus 40% climate change event.
 - Final modelling and calculations for all areas of the flood alleviation scheme.
 - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels and location and sizing of any flood alleviation features.
 - A written report summarising the final strategy, including total number of off site receptors benefitting and highlighting any minor changes to the previously approved flood alleviation strategy.
 - Construction tender documents including but not limited to drawings, specifications, health and safety information and cost estimates.
 - A project delivery and grant funding management plan.
 - Maintenance schedules and arrangements in a Maintenance Plan.

The scheme shall subsequently be implemented prior to first occupation and in accordance with the project delivery plan and grant funding management plan.

REASON: To reduce existing off site flood risk by ensuring the satisfactory storage/disposal of surface water from the site. To ensure the effective operation of the flood alleviation scheme over the lifetime of the development. To ensure the flood alleviation scheme can be delivered on time, to budget and in accordance with design, safety and environmental requirements. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk from the site.

- (22) The strategic open green spaces within Phase 1 (Phase 1 being identified in approved phasing plan reference P18-2109_63C) including the west-east green corridor, centrally positioned northern green space and the eastern parkland shall be implemented in accordance with

details as shown on the approved plans P18-2109_83B-1; P18-2109_83B-2; P18-2109-63_03 and planting schedules as detailed in the Design Code unless as revised by details agreed in relation to the submission of additional landscaping details which shall relate to the following as listed below, details of which shall have been submitted to and agreed by the Local Planning Authority prior to implementation of the strategic open green spaces:

- details of planting, method statements (to be as per pages 46 and 47 of the Design Code as appropriate) and after care plans;
- details of replacement hedgerows and shrub planting including to naturally buffer the badger setts on site and provide new connecting hedgerow planting to ensure connectivity along the eastern edge of the site to improve foraging;
- signage boards to explain the provision of suitable alternative natural green spaces (SANGS) and importance of this provision in the interests of mitigation to coastal recreational disturbance avoidance and mitigation strategy (RAMS);
- details of existing trees to be retained including reconsideration to retain a greater proportion of existing trees within the central tree belt along the east-west ditch;
- details of land levels and changes proposed to existing ground levels by site sections (to accord with the details approved in respect of the areas being part of the flood alleviation scheme at the site);
- details of use of naturalistic headwalls to SUDs features including detailed section drawings, details of headwalls/inlets and outlets;
- a long-term maintenance schedule and specifications including timetable for monitoring and maintenance;
- details of materials to be used in hard surfaced areas/paths/cycleways;
- including in relation to the open space adjacent to the northern boundary details of informal play features;
- means of enclosure and other boundary treatment including materials to be used and location of these shown on a plan;
- minor artefacts and structures (e.g. benches, bins, signs etc.);

- planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/densities, weed control protection and maintenance; and
- Implementation timetable for delivery of agreed hard and soft landscaping of the strategic open green spaces.

No existing trees within the central tree belt along the east-west ditch shall be removed prior to the above details being agreed. The hard and soft landscaping as agreed shall be planted/provided in accordance with the agreed implementation timetable.

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. The hard landscaping within the residentially developable areas as agreed shall be completed in accordance with a phased arrangement to be submitted and agreed in writing by the Local Planning Authority or prior to final occupation within the phase, whichever is earlier and retained in the approved form.

REASON: To enable the Local Planning Authority to retain adequate control over the landscaping of the site and ensure ecological value in the interests of amenity and to ensure that compensatory tree/hedge planting is provided to compensate for loss of existing as required by policy DM25.

- (23) The hard and soft landscaping forming part of the entrance avenue planting and landscaped square as shown on approved plan reference P18-2109_54D within Phase 1, shall be fully implemented in accordance with the agreed timetable for implementation (that shall have been submitted to and agreed in writing by the Local Planning Authority prior to any construction above damp proof course within phase 1 at the site) and in accordance with the approved details as shown on the aforementioned plan and including tree planting method as detailed at pages 46 and 47 of the Design Code.

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. The hard landscaping within the residentially developable areas as agreed shall be completed

in accordance with a phased arrangement to be submitted to and agreed in writing by the Local Planning Authority or prior to final occupation within the phase, whichever is earlier and retained in the approved form.

REASON: To enable the Local Planning Authority to retain adequate control over the landscaping of the site and ensure ecological value in the interests of amenity and to ensure that compensatory tree/hedge planting is provided to compensate for loss of existing as required by policy DM25.

- (24) Trees shown adjacent to the highway between car parking spaces and or areas of grass verge as shown on approved plan reference P18-2109_62K shall be planted in accordance with details of species, size and planting method (which shall be as per pages 46 and 47 of the Design Code) which shall have been submitted to and agreed in writing by the Local Planning Authority prior to first occupation at the site; these details shall include clear plans showing any tree planting proposed within the highway and confirmation from ECC Highways that this has been agreed with respect to trees being sited clear of all underground services and visibility splays and sympathetic to any street lighting scheme. Details should also include a time frame for delivery. All of the trees shown on the aforementioned approved layout plan shall be planted in accordance with the agreed details and time frame.

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. The hard landscaping within the residentially developable areas as agreed shall be completed in accordance with a phased arrangement to be submitted and agreed in writing by the Local Planning Authority or prior to final occupation within the phase, whichever is earlier and retained in the approved form.

REASON: To enable the Local Planning Authority to retain adequate control over the landscaping of the site and ensure ecological value in the interests of amenity and to ensure that compensatory tree/hedge planting is provided to compensate for loss of existing as required by policy DM25.

- (25) Prior to first occupation at the site, details of the tree planting, including species and size, planting method (which shall accord with details as per pages 46 and 47 of the Design Code) and time frame for implementation within the highway verge as indicatively shown on

approved plan reference P18-2109_62K shall be submitted to and approved by the Local Planning Authority. The trees shall all be planted in accordance with the agreed details and time frame.

Any replacement tree 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 mitigate the loss of the highway tree resulting from the provision of the proposed site access and to comply with policy DM25.

(26) Details of the hard and soft landscaping forming part of on plot amenity space/landscaping within Phase 1 including the living courtyards flatted blocks shall have been submitted to and agreed in writing by the Local Planning Authority prior to first occupation. Details shall include:

- in relation to the living courtyards to flatted blocks details in accordance with those shown in principle on pages 14 and 15 of the Design Code;
- details of planting method statement to include tree planting method as per pages 46 and 47 of the Design Code as appropriate and after care plan;
- a long-term maintenance schedule and specifications including timetable for monitoring and maintenance;
- details of materials to be used in hard surfaced areas/driveways/paths/cycleways;
- details of refuse stores and cycle stores;
- minor artefacts and structures (e.g. benches, signs etc.);
- planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities, weed control protection and maintenance.

The hard and soft landscaping as agreed shall be planted/provided prior to the first occupation of the flatted block served by the relevant landscaping at the site unless an alternative phased timetable has been submitted to and 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. The hard landscaping within the residentially developable areas as agreed shall be completed in accordance with a phased arrangement to be submitted to and agreed in writing by the Local Planning Authority or prior to final occupation within the phase, whichever is earlier and retained in the approved form.

REASON: To enable the Local Planning Authority to retain adequate control over the landscaping of the site and ensure ecological value in the interests of amenity and to ensure that compensatory tree/hedge planting is provided to compensate for loss of existing as required by policy DM25.

- (27) Details of the hard and soft landscaping of the amenity open green space at the corner of Street 5 and Avenue 01 within Phase 1 as shown on approved plan reference P18-2109_62K, shall have been submitted to and agreed in writing by the Local Planning Authority prior to first occupation. Details shall include:

- details of planting method statement and after care plan;
- a long-term maintenance schedule and specifications including timetable for monitoring and maintenance;
- details of materials to be used in hard surfaced areas/paths/cycleways;
- means of enclosure and other boundary treatment including materials to be used and location of these shown on a plan;
- minor artefacts and structures (e.g. benches, bins, signs etc.);
- planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities, weed control protection and maintenance.

The hard and soft landscaping as agreed shall be planted/provided prior to the first occupation at the site unless an alternative phased timetable has been submitted to and 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. The hard landscaping within the residentially developable areas as agreed shall be completed in accordance with a phased arrangement to be submitted to and agreed in writing by the Local Planning Authority or prior to final occupation within the phase, whichever is earlier and retained in the approved form.

REASON: To enable the Local Planning Authority to retain adequate control over the landscaping of the site and ensure ecological value in the interests of amenity and to ensure that compensatory tree/hedge planting is provided to compensate for loss of existing as required by policy DM25.

- (28) The play space within the eastern parkland as shown on approved plan P18-2109_59D shall be delivered in accordance with the details of surfacing materials and equipment as shown on approved plan reference P18-2109_56A unless alternative materials or equipment are proposed in which case details shall have been submitted to and agreed in writing by the Local Planning Authority. Details of an implementation timeframe for the provision of surfacing and installation of equipment shall have been submitted to and agreed in writing by the Local Planning Authority prior to first occupation at the site and works as agreed delivered in accordance with the agreed timeframe. The surfacing and equipment shall be maintained in perpetuity in the approved form.

REASON: To ensure delivery of play space to accord with policy SER8.

- (29) The bike trail within the eastern parkland as shown on approved plan P18-2109_59D shall be delivered in accordance with the details of surfacing materials, equipment and timeframe for implementation that shall have been submitted to and agreed in writing by the Local Planning Authority prior to first occupation at the site in accordance with those details shown in principle on plan reference P18-2109_56A. The surfacing and equipment shall be maintained in perpetuity in the approved form.

REASON: To ensure delivery of the youth facility to accord with policy SER8.

- (30) The informal play space within the open space to be provided adjacent to the northern boundary eastern parkland as shown on approved

plans reference P18-2109_59D and P18-2109_83B-2 shall be delivered in accordance with the details of surfacing materials, equipment and timeframe for implementation that shall have been submitted to and agreed in writing by the Local Planning Authority prior to first occupation at the site in accordance with those details shown in principle on plan reference P18-2109_56A. The surfacing and equipment shall be maintained in perpetuity in the approved form.

REASON: To ensure delivery of play space to accord with policy SER8.

- (31) Prior to the installation of any boundary treatment around the Allotment Land details shall be submitted to and agreed in writing by the Local Planning Authority. The approved boundary treatment (fencing/hedging) shall be installed in accordance with a timeframe that shall have been submitted to and agreed in writing by the Local Planning Authority prior to 50th occupation at the site.

REASON: In the interests of visual amenity.

- (32) Prior to the occupation of any dwelling within each phase details shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how at least 10 per cent of the energy from the development within the phase would be provided from a decentralised and renewable or low carbon source (taking into account a fabric first approach as set out in the submitted Sustainability Statement) unless this is not feasible or viable in which case a report demonstrating the case and the amount (decentralised/low carbon/renewable energy) that would be provided shall be submitted to and agreed in writing by the Local Planning Authority. The measures, as agreed, shall be implemented prior to the occupation of the dwellings to which the measures relate.

REASON: To achieve compliance with policy ENV8 of the Core Strategy.

- (33) Within Phase 1 at least 2 dwellings shall be built to full wheelchair accessibility standards (i.e. comply with optional building regulation requirement Part M4(3)) and at least 21 dwellings shall be built to wheelchair adaptable standards (i.e. comply with optional building regulation requirement Part M4(2)). Evidence of the relevant dwellings having met the required building regulations requirements as above shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the relevant dwellings.

REASON: To comply with policy H6 of the Core Strategy and policy SER8 of the Allocations Plan.

- (34) Within Phases 2 and 3 (taken as a whole) a minimum of 13 dwellings shall be built to full wheelchair accessibility standards (i.e. comply with optional building regulation requirement Part M4(3)) and 26 dwellings shall be built to wheelchair adaptable standards (i.e. comply with optional building regulation requirement Part M4(2) (unless a lesser number has been compensated for by an increase in this provision within phase 1) unless a minimum of 20 dwellings would meet the Part M4(3) standard within phase 2/3 in which case the requirement relating to Part M4(2) would fall away. Evidence of the relevant dwellings having met the required building regulations requirements as above shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the relevant dwellings.

REASON: To comply with policy H6 of the Core Strategy and policy SER8 of the Allocations Plan.

- (35) All dwellings shall meet the optional building regulations requirement relating to water efficiency (Part G) of 110 litres/person/day (unless this would not be viable in which case details to demonstrate this shall have been submitted to and agreed in writing by the Local Planning Authority prior to completion of the relevant dwelling where this standard would not be met) and evidence to confirm that this would be achieved shall have been submitted to and agreed in writing by the Local Planning Authority prior to completion of the relevant dwellings on site.

REASON: To comply with policy ENV9 of the Core Strategy.

- (36) Contamination (full detail of wording of conditions to be confirmed)
- (37) Prior to first occupation of the development, the main vehicular access to the site onto Ashingdon Road shall be provided as shown in principle on ACE DWG. 185180-004F. The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway with an appropriate dropped kerb vehicular crossing of the footway with clear to ground visibility splay. Such vehicular visibility splays of 2.4m x 43m in both directions shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times thereafter.

REASON: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management policies as adopted as County Council Supplementary Guidance in February 2011.

- (38) Prior to last occupation within Phase 1 hereby approved, the emergency vehicle access and associated pedestrian/cycleway onto Ashingdon Road shall be provided as shown in principle on DWG.

185180-021B; this shall include appropriate lighting to accord with a scheme that shall have been submitted to and agreed by the Local Planning Authority. Details of the retractable bollards and chicane gates to the emergency vehicle access shall also be submitted to and agreed in writing by the Local Planning Authority. The bollards and gates shall be installed as agreed prior to first occupation alongside the provision of the emergency access and retained in the approved form in perpetuity.

REASON: In the interests of ensuring connectivity for pedestrians and cyclists to and from the locality and the support of sustainable forms of transport.

- (39) Prior to 50th occupation at the development hereby approved (unless otherwise agreed in writing by the Local Planning Authority), the vehicle access and associated improvements onto and on Percy Cottis Road shall be provided as shown in principle on DWG. 185180-002A in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of ensuring connectivity for pedestrians and cyclists to and from the locality and the support of sustainable forms of transport.

- (40) Prior to formation of any hard surfaces within developable areas within each phase, details showing the means to prevent the discharge of surface water from the development within that phase onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The development with each phase shall be carried out in accordance with the agreed details which shall be retained at all times.

REASON: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1 of the Development Management policies as adopted as County Council Supplementary Guidance in February 2011.

- (41) No unbound material shall be used in the surface treatment of any vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management policies as adopted as County Council Supplementary Guidance in February 2011.

- (42) Prior to first occupation at the site details of provision of electric vehicle charging points (minimum 2 across the site) to serve visitor parking (or as otherwise agreed) including a timeframe for implementation, shall

have been submitted to and agreed in writing by the Local Planning Authority. The equipment shall be installed as agreed and maintained as agreed and remain operational in perpetuity.

REASON: In the interests of environmental sustainability and to accord with paragraph 110 of the National Planning Policy Framework.

- (43) Notwithstanding any part of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) vehicle parking including on driveways and within parking courts to serve the residential properties and all visitor parking across the site hereby approved shall be provided in accordance with the approved layout plans prior to first occupation of the residential property it would serve (or prior to first use of the highway immediately adjacent) and shall be used solely for the parking of vehicles and the vehicle parking shall be retained in perpetuity in the approved form.

REASON: To ensure adequate space for parking off the highway is provided in the interest of highway safety and amenity in accordance with policy D30 of the Development Management Plan.

- (44) Each dwelling hereby approved shall be provided with a Residential Travel Information Pack on first occupation which shall include six one day travel vouchers for bus travel (the pack having been approved by Essex County Council Highways Authority).

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management policies, adopted as County Council Supplementary Guidance in February 2011.

- (45) Prior to first occupation within phase 1, details of a segregated foot/cycle path within the eastern parkland at the site linking Oxford Road to The Drive with additional markings and signage along both Oxford Road and The Drive and timeframe for implementation, shall have been submitted to and agreed in writing by the Local Planning Authority. The footpath/cycleway shall be implemented in accordance with the agreed details and timeframe for implementation.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport to provide connectivity from the site to access to the King Edmund School, north of the site, and Waterman Primary School, to the south, and Rochford town centre beyond in accordance with policy T6 of the Core strategy and policy SER8 of the Allocations Plan.

- (46) Prior to first occupation at the site within Phase 1 and 3 (respectively), unless an alternative timeframe for implementation has been submitted to and agreed by the Local Planning Authority, 2m wide footpath connections to Ashingdon Road shall have been provided between nos. 168 and 170 Ashingdon Road and south of Sapwoods DIY shop, as shown in principle on ACE drawing nos. 185180-001C and 185180-005 respectively.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy T6 of the Core strategy and policy SER8 of the Allocations Plan.

- (47) Prior to the first occupation at the site, details of the lighting scheme for all lighting within the strategic open spaces including the west-east green corridor, central northern open space and the eastern parkland as shown within Phase 1 on the approved phasing plan P18-2109_63-02C, shall have been submitted to and approved in writing by the Local Planning Authority with this including a programme for implementation. The lighting as agreed shall be implemented in accordance with the agreed timeframe for implementation and shall remain operational in perpetuity. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

REASON: In the interests of the protection of habitat for bats and in order to provide a safe environment for pedestrians.

- (48) A lighting scheme for lighting along the pedestrian footpaths from the site connecting to Ashingdon Road as shown on approved layout plans P18-2109_62K and P18-2109_63S shall have been submitted to and approved in writing by the Local Planning Authority prior to delivery of the relevant footpath. Lighting shall be provided as agreed in conjunction with works to deliver the footpaths. The lighting as approved shall remain operational in perpetuity.

REASON: In order to provide a safe environment for pedestrians.

- (49) Dust Management during construction (detailed wording to be confirmed).

REASON: In the interests of residential amenity.

- (50) Prior to first occupation of the flatted blocks within Phase 1, cycle stores and refuse stores in accordance with the approved plans

Drawing Nos P18-2109_72 (sheet 02) and P18-2109_72 (sheet 01) shall have been provided and shall be maintained in the approved form in perpetuity.

REASON: In the interests of residential amenity for future residents and to accord with Policy T6 of the Core Strategy.

- (51) No windows at first floor level shall be installed in the western facing elevation of the flatted dwellings to plots 38 and 39 within Phase 1 hereby approved.

REASON: In the interests of clarity given the two different layouts provided for the dwelling type to these plots and in order to protect the residential amenity of nearby properties to accord with policy DM1 of the Development Management Plan.

- (52) Prior to the commencement of any development, pursuant to this outline permission, a site wide Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The site wide CEMP shall include:-

- a) Contractor's access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- b) Details of any haul routes within the relevant parts of the site;
- c) A plan specifying the area and siting of land to be provided for parking, turning, loading and unloading of all vehicles visiting the relevant parts of the site and siting of the contractor's compound during the construction period to be agreed on a phased basis;
- d) Dust management and wheel washing or other suitable mitigation measures such as lorry sheeting, including the consideration of construction/engineering related emissions to air, to include dust and particulate monitoring and review and the use of low emissions vehicles and plant/equipment;
- e) Noise and vibration (including piling) impact/prediction assessment, monitoring and recording protocols/statements and consideration of mitigation measures in accordance with the provisions of BS5228 (2009): Code of Practice for Noise and Vibration Control on Construction and Open Site - Parts 1 and 2 (or as superseded);

- f) Details of best practice measures to be applied to prevent contamination of the water environment during construction;
- g) Measures for soil handling and management including soil that is potentially contaminated;
- h) Details of concrete crusher if required or alternative procedure;
- i) Details of odour control systems including maintenance and manufacture specifications;
- j) Maximum noise mitigation levels for construction equipment, plant and vehicles;
- k) Site lighting for the relevant part of the site;
- l) Screening and hoarding details;
- m) Liaison, consultation and publicity arrangements, including dedicated points of contact;
- n) Complaints procedures, including complaints response procedures;
- o) Membership of the considerate contractors' scheme; and
- p) Archaeological protection and mitigation measures to be implemented during the construction process.

REASON: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers.

2 PLANNING APPLICATION DETAILS

Site and Context

- 2.1 The site is located to the north of Rochford town centre and to the east of Ashingdon Road, between Oxford Road to the north and Rochford Garden Way, Percy Cottis Road and The Drive to the south.
- 2.2 The application site is some 26 hectares in area and is currently largely in agricultural use. Two existing properties, No.148 and No. 150 Ashingdon Road are also contained within the red line of the application site, as are two narrow strips of land which run between the agricultural field forming the site and Ashingdon Road, one along the boundary of the dwelling No. 200 Ashingdon Road and one between No's 168 and 170 Ashingdon Road. The site also includes a wider strip of land between the field and Ashingdon Road

between No's 130 and 136 Ashingdon Road. Part of the highway along Ashingdon Road is also included within the red lined application site.

- 2.3 Situated opposite the site, to the west of Ashingdon Road, are Holt Farm Infant and Junior Schools. The boundaries of the site are predominantly defined by existing residential development along Oxford Road to the north, Ashingdon Road to the west and Rochford Garden Way, Percy Cottis Road and The Drive to the south. Part of the eastern site boundary is defined by tree and hedgerow planting, with arable agricultural farmland beyond whilst part of the eastern boundary would bisect an existing field and run along no existing demarcated boundary. A pylon crosses part of the site towards the eastern boundary. The site is relatively flat, sloping down gently from the high point in the north-west corner towards the south-eastern corner. The site is bisected by a hedgerow and ditch running approximately west to east through the site.
- 2.4 The application site largely falls within the residential site allocation identified as SER8 – South East Ashingdon in the Rochford District Council Local Development Framework Allocations Document. Whilst part of the proposed open green space to the eastern boundary would be provided within the site allocation a portion of this open space, including the allotments, would be provided on land designated as green belt.

Proposal

- 2.5 This application is for outline planning permission with all matters, namely access, appearance, scale, landscaping and layout to be considered at the outline stage in respect of Phase 1 and for only access and layout to be considered in respect of Phases 2 and 3; appearance, landscaping and scale are matters which would be reserved for future consideration in a reserved matters application in relation to Phases 2 and 3 if outline permission were granted.
- 2.6 The 'reserved matters' are defined in planning practice guidance which applies nationally as set out below;
- 'Access' – the 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.
 - 'Appearance' – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
 - 'Landscaping' – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earth works; (d) the laying out or provision of gardens,

courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features

- ‘Layout’ – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- ‘Scale’ – the height, width and length of each building proposed within the development in relation to its surroundings.

2.7 The scheme is for a mixed-use development that comprises the elements as set out below. The proposal also includes the demolition of two existing dwellings, No.148 and No. 150 Ashingdon Road.

2.8 In Phase 1 where all matters are to be considered the following is proposed:-

- 233 dwellings, with 84 being affordable housing;
- A primary vehicular access off Ashingdon Road;
- A secondary access point off Ashingdon Road for emergency vehicles, pedestrians and cycles;
- A third vehicular access off Percy Cottis Way;
- A pedestrian and cycle link access off Ashingdon Road;
- A central formal area of open space; and
- Strategic public open green space to also deliver a Flood Attenuation Scheme and incorporate Sustainable Urban Drainage features including a shallow ditch to gardens adjacent to part of the southern site boundary and attenuation basins; including provision of allotments, landscaping and play space and pedestrian and cycle link accesses including between The Drive and Oxford Road.

2.9 In Phases 2 and 3 where outline planning permission with only access and layout as reserved matters for consideration at this stage, the following is proposed:-

- 429 dwellings, with 148 being affordable housing;
- A community facility (D1) to include the potential for medical facilities, children’s nursery or other community building, together with parking available for school drop off;
- A pedestrian and cycle link access to Ashingdon Road; and

- Amenity green space.
- 2.10 In respect of Phase 1 full plans have been provided and are for consideration. Detailed plans of the proposed vehicular accesses have been provided. In respect of Phases 2 and 3 a detailed site layout plan has been provided and is for determination as layout and access are matters for determination at the outline application stage.
- 2.11 An Environmental Impact Assessment (EIA) Screening Request, to establish whether the proposed development required EIA, was submitted to the Council on 14 August 2019. The Council issued a Screening Opinion on 12 September 2019 confirming that the proposed development did not require an Environmental Impact Assessment.

Revised Plans/Supporting Documents

- 2.12 Revised plans and some updated supporting documents have been received following the original submission. Re-consultation with statutory consultees including additional neighbour notification has been carried out. In addition, a further revision to the proposed layout plan relating to Phase 3 has been submitted. The revision related only to a small part of the site in the far north-west corner which sought to address an identified under-provision of car parking to serve the flats in this area of the site. The changes proposed in the further revised plan are not significant and would involve one of the buildings being positioned further from the boundary of the site to the north with two parking spaces now proposed between the proposed building and the northern boundary. The revision also involved a change to the mix of 2 and 1-bed properties proposed in this area of the site to ensure appropriate parking provision to serve the units were proposed. It was not considered necessary based on the scale and nature of the proposed revision to re-consult on the further revised plan.

Infrastructure Provision

- 2.13 Policy H3 of the Core Strategy and Policy SER8 of the Allocations Plan prescribe the infrastructure requirements, which must be delivered in order to ensure that the new residential development is comprehensively planned; these are as follows:-
- Local highway capacity and infrastructure improvements, including contribution to the traffic management of Ashingdon Road;
 - Public transport infrastructure improvements and service enhancements;

- Link and enhancements to local pedestrian/cycling and bridleway network;
 - Sustainable drainage systems;
 - Public open space;
 - Play space; and
 - Youth facilities and community facilities.
- 2.14 The proposal would deliver all the identified infrastructure improvements and is discussed in further detail below.

3 MATERIAL PLANNING CONSIDERATIONS

Principle of Development

- 3.1 The proposal must be assessed against relevant planning policy and with regard to any other material planning considerations. In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 3.2 The adopted Development Plan comprises the Rochford District Core Strategy adopted in December 2011, the Allocations Plan adopted in February 2014 and the Development Management Plan adopted in December 2014.
- 3.3 The Allocations Plan was formally adopted following confirmation from the Planning Inspectorate conducting the examination that the Plan was sound and legally compliant. The Allocations Plan allocates specific sites and sets out detailed policies for a range of uses, including residential, employment, education and open spaces, and has been prepared in accordance with the general locations and policies set out in the adopted Rochford Core Strategy to accommodate the current housing and other development needs in the District.
- 3.4 A legal challenge to the adoption of the Allocations Plan was made to the High Court on 4 April 2014 under section 113 of the Planning and Compulsory Purchase Act 2004 on grounds that the document was not within the appropriate powers and/or a procedural requirement had not been complied with. Several hearing sessions took place and the claim was dismissed by the High Court in a decision issued in December 2014. The Allocations Plan therefore proceeds as adopted.
- 3.5 The application site is 'South East Ashingdon' referred to in policy H3 of the Core Strategy as one of the locations in the District where the residential

envelope of an existing settlement has been extended to provide land to deliver housing to contribute towards meeting the Local Planning Authority's five year housing land supply.

- 3.6 Whilst a number of objections have been received from members of the public which argue that this site is not the most suitable for residential development it is considered that no objection could reasonably be made to the principle of residential development of this site, particularly given the policy support for the site which has emerged as one of the preferred sites to contribute to the housing delivery following public consultation and rigorous scrutiny by an Inspector at the Examination In Public. The site is allocated for residential development in the Council's adopted Allocations Plan and the principle of the proposed residential development is therefore accepted.

Quantum of Development

- 3.7 This application seeks to increase the number of dwellings by 162 above the 500 dwellings that policy SER8 identifies for this allocation.
- 3.8 Whilst policy H3 of the Core Strategy identifies that the South East Ashingdon site allocation has capacity to deliver a minimum of 500 dwellings, policy SER8 sets out requirements to be achieved if more than the 500 dwellings were to be considered favourably and these relate to additional dwellings being required to maintain a five year housing land supply and the additional dwellings being required to compensate for a shortfall of dwellings that had been projected to be delivered within the location identified in the Core Strategy.
- 3.9 The Council has, however, accepted uplifted dwelling numbers at other site allocations (for example within allocation SER3 in Hockley and within SER1 in West Rayleigh) on the basis that this would make best and most efficient use of land. Providing an uplifted proposed number of dwellings would still achieve an appropriate density, all of the necessary infrastructure and other requirements such as parking, amenity space, landscaping and Sustainable Urban Drainage (SUDs) features and the layout of dwellings still achieve good design which would create attractive, high quality places to live, then in principle an increase in dwellings on allocated sites would make best use of land and could be accepted regardless of the current need for such additional housing based on maintaining a 5 year housing land supply.
- 3.10 The additional 162 dwellings could be accommodated alongside the necessary infrastructure provision and high quality design still be achieved at an appropriate density and consequently the proposed increase in dwellings is considered acceptable; how this would be achieved is discussed in further detail elsewhere in this report.
- 3.11 It is accepted that housing related policies H1, H2 and SER8 in so far as they relate to housing need are out of date as they relate to housing need figures which are approximately a decade old and which do not reflect the current

annual housing target for the district of 385 dwellings per annum set by the Government's standard methodology. These are relevant policies in determining the acceptability of the proposal in terms of the proposed increase in dwelling number. As a result of Rochford District Council falling short of delivering its housing requirement in the last two years (achieving 75 and 77 per cent in 2019 and 2020 Housing Delivery Tests respectively) the Council would currently be required to apply a 20 per cent buffer to its 5 year housing land supply requirement. Related to the 5 year housing land supply, the Council's 2019 Annual Monitoring Report confirms that on the basis of the requirement for 385 dwellings per annum and with the application of the 20 per cent buffer to land supply, the Council has a 4.9 year housing land supply. Based on this latest published AMR the Council therefore cannot demonstrate a 5 year housing land supply and the Council, in the determination of this application, would be required by the National Planning Policy Framework (NPPF) to grant planning permission unless it considers that any adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits; this is considered in more detail later in this report.

- 3.12 Key infrastructure requirements for the SER8 site allocation including strategic green space, play space, allotments, site for healthcare provision and sustainable urban drainage, would all continue to be provided, proportionately increased where applicable, to account for the uplift in dwelling numbers.
- 3.13 At the density proposed, the development parcels could still meet policy requirements relating to parking and amenity space provision and could achieve the required high standard of design to create good quality places for people to live.
- 3.14 It should, however, be noted that the Council is immediately due to publish a new up-to-date AMR which will likely confirm that the Council can now demonstrate a 5 year housing land supply based on a revised housing need of 360 dwellings per annum; this supply would, however, include the delivery of housing on this allocated site. There remains significant uncertainty over the Council's long-term housing supply position, including in relation to proposals by Government to reform the method through which housing need is calculated, potentially increasing Rochford's housing need to circa 590 dwellings per annum. Regardless of the current and future 5 year housing land position, the clear requirement in the NPPF is a presumption in favour of sustainable development and the requirement to make efficient use of land and the proposal would meet these aims.
- 3.15 In uplifting dwelling numbers and making most efficient use of this allocated site, this proposal would help to support the Council's 5 year housing land supply, both now and in future years, which would help to reduce both the likelihood of speculative development in future years and the pressure to release more green belt land within the district to meet longer-term housing needs. The proposed quantum of development, namely 662 dwellings, is considered acceptable in principle.

Housing Mix

- 3.14 The Core Strategy promotes a mix of housing types and tenures. Policy H5 of the Core Strategy sets out the district's housing mix and requires that any new development must contain a mix of dwelling types to ensure they cater for all people within the community, whatever their housing needs. The development of both affordable and market housing should have regard to local need.
- 3.15 The preamble for policy H5 of the Core Strategy reads alongside the evidence base that is the Strategic Housing Market Assessment for Thames Gateway South Essex. This identifies an unbalanced high number of larger dwellings dominating the character of the district. There is a noticeable trend for smaller household size due to social and demographic changes. However, there is also a noticeable high demand for three-bedroom dwellings for families and it should be noted that the demand for house types can change over relatively short periods of time. The Council is therefore encouraged to provide a mix of dwelling types to meet identified needs and demands.
- 3.16 The Council is also encouraged by the NPPF to deliver a wide choice of high quality homes and plan for a mix of housing based on current and future demographic trends, market trends and the needs of the communities and identifies that the type, tenure and range of housing should reflect local demand.
- 3.17 This outline application stage is the appropriate time to ensure the delivery of an appropriate mix of housing, imposing a condition if necessary, to ensure that the development is in accordance with policy requirements or expectations.
- 3.18 The dwelling mix proposed across the whole site is as set out in the table below.

Size	Number of Dwellings		
Open Market			
	Phase 1	Phase 2	Phase 3
2--Bed House	27	21	22
3-Bed House	65	61	45
4-Bed House	57	76	56
Total	430		
Affordable			
	Phase 1	Phase 2	Phase 3

1-Bed Flat	12	4	28
2-Bed Flat	40	7	28
2-Bed House	12	24	24
3-Bed House	18	16	15
4-Bed House	2	2	
Total	232		

- 3.19 With regard to affordable housing, policy H5 requires a proportion of the affordable housing provision within developments to be in the form of three-bedroom or larger dwellings. Whilst policy H5 of the Core Strategy forms part of the Development Plan and is currently in situ and requires three-bedroom plus dwellings as affordable housing evidence has been provided by the Council's Housing Department which shows how many applicants are on the Council's register and what type of housing is required. The Council's housing team requires affordable housing in the form of one, two and three-bedroom properties. The affordable housing contribution is discussed in more detail below.
- 3.20 The proposal would achieve a mix of flats and dwellings on site, with a higher proportion of three and four-bed dwellings. This provision would have the potential to provide a type of accommodation that caters for a balanced community and would help to meet the diverse needs of the residents of the district as required by policy H5 of the Core Strategy and the NPPF. It is considered that the mix of dwellings proposed for this scheme should enable a mix of potential occupiers and is therefore considered acceptable.

Density

- 3.21 The developable area of the site for residential use would be an area of some 20ha (excluding the land for community use/school drop off parking, main roads and amenity green spaces). It is necessary to consider whether this area could reasonably accommodate the 662 dwellings proposed at an appropriate density, in a way that would achieve the high standard of design and layout required of new residential developments in order to create a high quality place to live. Based on a total developable area of 20ha and accommodating 662 dwellings, the overall average site density would be 33.1 dwellings per hectare.
- 3.22 Policy DM2 of the Development Management Plan requires that residential development must make efficient use of the site, in a manner that is compatible with the use, intensity, scale and character of the surrounding area, including potential impact on areas of nature conservation importance, and the size of the site. The density across the site should be a minimum of

30 dwellings per hectare. The Allocations Plan goes on to state that the SER8 site is capable of providing a density of 30 dwellings per hectare.

- 3.23 The average density of some 33.1dph across the site as a whole would exceed the policy minimum and is considered to be acceptable, given the context of the site and the policy considerations.
- 3.24 It is concluded that a residentially developable area of 20ha could accommodate 662 dwellings at an appropriate density, in a way that would achieve the high standard of design and layout including the required sizes for amenity spaces and parking standards. It is therefore considered that the development proposal would comply with policy DM2 of the Development Management Plan and policy SER8 of the Allocations Plan.

Affordable Housing

- 3.25 Affordable housing would be delivered at the site in accordance with the Council's requirement for 35 per cent of the 662 dwellings proposed to be affordable. The split across the site would be expected to be in line with the requirement for 80 per cent rented and 20 per cent shared ownership and a mix of 1, 2, 3 and 4-bed properties to reflect most up to date need in the district would be delivered. The delivery of affordable housing would be secured by the s106 legal agreement.
- 3.26 The submitted layout plans indicate where affordable housing would be provided within all phases. In Phase 1, affordable housing would be provided towards the southern and western boundaries of the site and would comprise a mix of housing and several flatted blocks. Whilst these would not be spread evenly across the phase the proposed siting across the site would be acceptable with market and affordable properties interspersed in some areas. The affordable houses would not appear obviously distinct from similarly sized market housing on the site in terms of architecture and external facing materials, which would meet the requirement that housing at the site appear tenure blind.
- 3.27 In Phases 2 and 3 the position of affordable dwellings within the layout has also been provided. Again, clusters of affordable housing are proposed but these would be interspersed with market housing either between or adjacent on the other side of the street. Appearance is not for determination in Phases 2 and 3 and appropriate external facing materials and architecture and form would be considered at a later Reserved Matters stage to ensure properties across the site appear tenure blind.

Design and Impact on the Character of the Area

- 3.28 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning.

Recognised principles of good design seek to create a high quality built environment for all types of development. The importance is reflected in the NPPF which states at paragraph 124 that:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.” And goes on to state at paragraph 130 that *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account local design standards, style guides in plans or supplementary planning documents.”*

- 3.29 Policy CP1 of the Core Strategy also promotes good, high quality design consistent with the NPPF. Similarly, policy SER8 of the Allocations Plan confirms that development of this site *“should be sensitive to the character and setting of the surrounding area, and whilst it should not be of an overly uniform design, it should be of high quality. The principles of the Essex Design Guide should be taken into account.”* Policy DM1 of the Development Management Plan is also of relevance.
- 3.30 Several concerns in relation to the layout and appearance of the development were raised by officers during the application consideration which related to matters including: the layout (shape and dimensions) of gardens, insufficient landscaping between car parking spaces, surface treatment of parking courts and treatment of amenity spaces particularly to flatted blocks, the need for a greater number of pedestrian links across the east-west landscaped corridor and the need for changes to the layout to avoid ‘dead-end’ spaces along the northern boundary open green space. The applicant has addressed these concerns in the submission of the revised plans.
- 3.31 This application divides the site into four character areas, as defined in the Design Code for the site. Each character area is defined via a range of design components including building typology, density, height, enclosure, building detail, building materials and other key elements that shape the overall appearance of the identified character areas.

Phase 1

Scale

- 3.32 In respect of scale, information should be provided on the height, width and length of each building proposed in relation to its surroundings.
- 3.33 In this regard, the scale proposed would represent that of a traditional family housing environment, comprising detached, semi-detached and terraced homes of between two and two and a half storeys (where accommodation is

provided in the roof space) interspersed with single storey garages and would include a number of three storey flatted blocks. The height of buildings would range between approximately 8.5m and 12m high. The range of heights and roof designs would provide a degree of variety and legibility to the development. It is considered that the scale, height and massing of the new homes along with the design approach would contribute to a well-planned estate and a development that would successfully reference and relate to its immediate surroundings.

Layout

- 3.34 In respect of layout, information should be provided on the way in which buildings, routes and open spaces are provided within the development and their relationships to buildings and spaces outside of the development.
- 3.35 In this regard, Phase 1 has a main public access road into and around the site, with secondary roads leading away from the main access road, of which two of the secondary roads would have a shared surface. Essex County Council as Highway Authority has advised that the shared surface streets, which have been used throughout the development, are a fundamental part to the principles of the Essex Design Guide. The shared surface allows for natural traffic calming around the development by placing pedestrians at higher priority and encourages the social interaction of street spaces and its associated benefits. The roads would be built to adoptable standards and designed to accommodate larger vehicles for refuse collection and emergency services.
- 3.36 Pedestrian and cycle routes are proposed to the west and east of the site which would link the new development to the existing residential area of Oxford Road, Percy Cottis Road, The Drive and Ashingdon Road. In terms of refuse, the application proposes that the new homes would be served by wheelie bins located within the rear garden areas and will be brought out on collection days to be collected and emptied. The majority of the dwellings are two and three-bedroom houses with some four-bedroom houses spread across the site in a mix of detached and semi-detached houses. There are also a number of one and two-bedroom flats located in two flatted blocks. Off street parking has been well integrated into the development with garages, private driveways or parking courts provided throughout the scheme with some visitor parking bays located off the main access road and private drives.
- 3.37 Local Equipped Areas of Play (LEAPs), Neighbourhood Equipped Areas of Play (NEAPs) and Local Areas of Play (LAPs) are proposed in areas of the public open space. These LEAPs, NEAPs and LAPs have been incorporated into the landscaped areas to the north and east, which would provide opportunities for both formal and informal play.
- 3.38 Private amenity space is provided in the form of traditional rear gardens which generally exceed the 50 sq.m standard for two-bedroom properties and 100

sq.m for three-bedroom plus properties set out in the Council's SPD2 - Housing Design.

- 3.39 In terms of car parking, when assessed against the ECC/EPOA parking standards, a scheme of this size would give rise to a total requirement of 454 spaces for the houses and flats (1 space for each 1-bedroom and 2 spaces for each 2+ bedroom unit) plus 59 visitor spaces. The proposed scheme would provide 454 car parking spaces for the dwellings at one space per 1-bedroom unit and two spaces per 2+ bedroom unit, along with 63 formal visitor parking spaces and one secure cycle parking space per residential unit. The car parking would be located within the curtilage of the houses either to the front, side or within garages. 63 visitor spaces are shown with the majority located off the main access road and the private drive.

Appearance

- 3.40 In respect of appearance, information should be provided relating to the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 3.41 Traditional family housing with a mix of detached and semi-detached houses is proposed. Twenty house types are proposed to provide a balance between repetition and visual interest whilst maintaining character and a common language between the new homes. Some of the houses are shown with projecting two storey bay windows, some are shown with front facing flat-roofed dormer windows and some with feature porches with a mix of gabled and hipped pitched roofs with varying ridge heights. A mix of on and off street car parking is used to provide some variety and activity along the street, together with the use of garden brick walls and close boarded fencing. It is considered that the appearance of the dwellings would generally be well articulated with the front facing elevations designed to create visual interest across the phase whilst still providing an underlying architectural style and 'arts and crafts' character to their appearance. The elevations follow a traditional design approach of robust materials common to the locality using red, brown and buff brick and light coloured render (white or off-white) across the site and incorporate bay windows; canopies; soldier courses of brick work; barge boards, stone sills and surrounds to windows and red, brown and slate effect grey roof tiles. Two blocks of flats are proposed providing accommodation over three storeys. The flatted blocks follow a traditional form which have an 'arts and crafts' character to their appearance. The elevations comprise buff and brown brick, together with tile hanging and incorporates canopies; soldier courses of brick work; barge boards, stone sills and surrounds to windows and slate effect grey roof tiles. The proposed palette of materials is considered to work well.

Landscaping

- 3.42 In respect of landscaping, information should be provided on the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example through the planting of trees, hedges or screening by fences or walls.
- 3.43 In this regard, Phase 1 has been designed with large areas of soft landscaping divided into four 'landscape character areas' (The Avenue, Green Corridor, Northern Greenspace and Eastern Parklands).
- 3.44 The Avenue landscape character area runs along the Entrance Avenue and Avenue Loop. Formal landscaping would be placed in both the public and private domain. Tree planting would line the Entrance Avenue and Avenue Loop. A variety of tree species would be included within the street scape along the Entrance Avenue and Avenue Loop, within areas of public open space. Entrance Avenue would lead eastwards into the site, towards a focal landscaped square. Avenue Loop circulates through phase 1 and into phases 2 and 3. Along Entrance Avenue, Avenue Loop and the landscaped square, 46 trees are proposed to be planted in phase 1, and would be planted in tree pits as required by ECC Highway Authority, for adoption. The landscape proposals for the Entrance Avenue would feature a proposed hedgerow to create a formal, strong avenue with ornamental shrub planting and feature specimen shrubs. The landscaped square would feature a semi-mature London Plane focal tree, with ornamental shrub planting and planting beds. Low black metal railings would frame the landscaped square. Species have been considered in order to present a pleasing aesthetic to the key frontages and vista which are framed with avenue tree planting leading towards a focal tree. Verges would comprise amenity grass, with areas of bulb planting to provide seasonal interest with spring flowering species. The avenue trees and planting species would provide structure, seasonal interest and a highly desirable aesthetic with a variety of species.
- 3.45 The Green Corridor runs east/west beginning at the western pedestrian access point between phases 2 and 3 connecting to the Eastern Parklands landscape area and provides a strong avenue of trees and drifts of native shrub planting. The Green Corridor would continue to act as a drainage ditch which is proposed to be enhanced. The Green Corridor provides a key cycle route and pedestrian footpath along the corridor to enable access to the Eastern Parklands. Pedestrian and vehicle connections would also be provided across the corridor (north and south) to encourage legibility throughout the site. A pedestrian access point provides a connection to Ashingdon Road to the west, bollards shall prevent vehicular access along this route, and provide lighting to provide a safe link for users.
- 3.46 The Northern Greenspace in the shape of a 'hammerhead' provides a multi-functional space within the development. This area has been designed as a dual purpose green space to include drainage features which would form part of a site wide drainage strategy and meadow grassland which provides a setting for informal recreation. Formal tree planting around the edge of the

space would link the greenspace to the avenue and feature trees define key views. Crossing points through the greenspace would enable access and connect the greenspace with the site's wider pedestrian network. Verdant in character, the greenspace is bordered by built form which offers natural surveillance over the greenspace. The space also offers informal play opportunities such as play boulders provide climbing, balancing and seating opportunities.

- 3.47 The Eastern Parkland would border the site to the east and comprise a large area of open green space. The greenspace would offer pedestrian and cycle routes linking Oxford Road and The Drive; these routes would also connect to the pedestrian and cycle network throughout the development site. Existing vegetation would be enhanced along the eastern boundary, as well as the planting of a mix of scrub and shrubs and trees proposed to take place to enhance and create a pleasing environment. Both informal and formal areas of play would be created within this landscaped area and mountain bike track would be laid out.
- 3.48 The majority of new planting would be native species which would respect the existing species mix on the site and integrate into the wider landscape setting. The improved tree coverage would enhance the diversity of the tree species which would make a positive contribution to climate resilience and biodiversity, together with a long-term amenity value to the built environment. ECC Place Services considers that there is a positive approach to landscaping within the development, with a significant landscape treatment on the eastern edge of the site and a high quality entrance avenue, which helps to reinforce the garden suburb ethos and sense of place. The ditch line has also been enhanced to provide additional green infrastructure functions with appropriate tree planting, pedestrian crossings and swale planting and recommends a series of planning conditions.
- 3.49 In terms of hard landscaping, a palette of robust materials has been proposed. The roads and pavements would be tarmac with concrete paving slabs used on plots to delineate paths to the front doors. Either permeable block paving or macadam surface treatment would be introduced to serve the parking courts of the flatted blocks and private drives, including driveways leading to on plot car parking spaces. Boundary treatments would comprise a mix of garden brick walls (1.8 metre high) and 1.8 metre high close boarded timber fencing.

Phases 2 and 3 and Community Centre

- 3.50 Layout and access are the matters for determination in respect of Phases 2 and 3. A detailed site layout plan has been provided and is for determination. Consideration of layout requires assessment of whether the proposed position of buildings, parking space and amenity spaces, as well as public spaces, would achieve the high standard of design sought by national and local policy.

- 3.51 Scale, appearance and landscaping are, however, a matter reserved for consideration at a later reserved matters application stage in respect of Phases 2 and 3. Consequently, although the proposed dwellings are shown on the submitted site layout plan, the precise width and depth of buildings would be for determination at a later date. If the submitted site layout plan were approved in this current application, a later reserved matters application would have to accord with the outline consent and the approved site layout plan; although some minor changes in terms of building depth and width would be possible the position of proposed buildings would have been set by the site layout plan.

Layout

- 3.52 In respect of layout, information should be provided on the way in which buildings, routes and open spaces are provided within the development and their relationships to buildings and spaces outside of the development.
- 3.53 In this regard, Phases 2 and 3 comprise part of the primary access loop road around the site, with secondary roads leading away from this access road, of which a number of the secondary roads would have areas of shared surface.
- 3.54 Pedestrian and cycle routes are proposed to the west of phases 2 and 3 which would link the new development to the existing residential area of Ashingdon Road. In terms of refuse, the application proposes that dwellings would be served by wheelie bins located within the rear garden areas which would be brought out on collection days to be collected and emptied. The majority of the dwellings are two and three-bedroom houses with some four-bedroom houses spread across the site in a mix of detached, semi-detached and terraced houses. There are also a number of one and two-bedroom flats located in nine flatted blocks. Off street parking has been well integrated into the development with garages, private driveways or parking courts provided throughout the scheme with some visitor parking bays located off the main access and secondary roads.
- 3.55 Private amenity space is provided in the form of traditional rear gardens which generally exceed the 50 sq.m standard for two-bedroom properties and 100 sq.m for three-bedroom plus properties set out in the Council's SPD2 - Housing Design. Private amenity for flats is provided in the form of living courtyards, which provides a minimum area of 25 m² per flat set out in the Council's SPD2 - Housing Design.
- 3.56 It is considered that the layout for phases 2 and 3 is a cohesive form of development that follows on from phase 1.

Community Facility

- 3.57 Land to provide a community facility is proposed to be located within the south-western area of the site, adjacent to the proposed primary vehicular

access and school drop-off area. An indicative layout plan of this land shows how the site could accommodate a building with a rectangular footprint which would be limited to two storeys in height. The community facility would be served by landscaping surrounding the building and car parking to the south.

Refuse and Recycling

- 3.58 Policy DM1 of the Development Management Plan requires major development to give consideration to the Council's Waste Management and Recycling Scheme. Appendix 1 of the Development Management Plan provides advice on the design of waste and recyclables storage and collection requirements. The Council's Waste Management and Recycling Scheme currently provides one black 240 litre wheeled bin for recycling, one green 140 litre wheeled bin for kitchen and garden waste and one black (purple lidded) 180 litre wheeled bin for non-recyclable waste per dwelling. For flats, communal bin stores should be provided capable of accommodating either 1100-litre capacity euro bins or wheelie bins for recycling and non-recycling.
- 3.59 The Design Code includes a section on the 'Refuse and Waste Strategy'. It is confirmed rear accesses would be provided to dwellings, allowing residents to store waste bins away from dwelling frontages and within the dwelling curtilage. A refuse storage plan P18-2109_72 shows refuse storage proposed per flatted block in phase 1. Flats would be provided with communal bin stores to accord with policy DM1 and Appendix 1 of the Development Management Plan.
- 3.60 Planning conditions on future reserved matters consents would ensure refuse and recycling provision is located within the development and provided in perpetuity particularly to the proposed flatted development.

Impact on Residential Amenity

- 3.61 The development proposed within Phase 1 would border the rear gardens of existing nearby residential properties. In most cases the layout proposes that existing rear gardens would border rear gardens to proposed dwellings or amenity space to proposed flatted blocks. In most cases the rear elevation of proposed dwellings would face the rear elevation of existing properties, however there are a few instances where proposed side elevations would face existing rear elevations.
- 3.62 To the southern boundary of the site, the dwellings proposed within Phase 1 would either have rear elevations facing rear elevations of existing properties where the degree of separation would achieve the minimum 25 metres. The side elevations of two flatted blocks and an end of terrace dwelling would also face the southern boundary but no first floor windows are proposed within these elevations.
- 3.63 To the western boundary of the site with Ashingdon Road, the layout of Phase 1 again proposes rear elevations facing existing rear elevations but a

separation of 25 metres would be achieved between dwellings. Where the rear elevation of flats would face the western boundary the separation distance would be greater and exceed the minimum 35 metres. Where side elevations would face the rear of existing dwellings no windows would be installed at first floor level. A condition to ensure this were achieved in relation to the flatted blocks to plots 38 and 39 is recommended.

- 3.64 Whilst the proposed development would lead to some increased potential for overlooking of properties and their associated gardens to the south and west of the site the level of overlooking would not be unacceptable and lead to unreasonable harm to residential amenity.
- 3.65 Appropriate separation would also be achieved to guard against unreasonable overshadowing and loss of amenity to any existing nearby dwellings in this regard. The proposed dwelling to plot 220 would be sited close to the rear garden boundary of No. 176 Ashington Road and the side elevation would extend across the full width of the rear garden of this nearby dwelling. However, a separation of some 17 metres between the rear elevation of No. 176 and the proposed dwelling would be achieved and it is considered that the siting of the dwelling to plot 220 would not have an unreasonable impact on residential amenity by way of overshadowing or being overbearing.
- 3.66 Along part of the western boundary within phase 1, an area of drop off parking is proposed adjacent to the rear gardens of existing properties on Ashington Road. The degree of separation and nature of the proposed uses would be such that no unreasonable and harmful impacts on residential amenity would result.
- 3.67 In relation to Phase 2 layout is for determination. The layout proposes one detached dwelling to plot 255 which would feature a window at first floor in the side elevation which would face west; this would serve a bathroom and a condition to require obscure, non-opening glazing would therefore be required on any Reserved Matters consent if windows here were proposed in a reserved matters application. A building containing two flats is proposed to plots 239-240, the rear elevation of which would face the rear garden of nearby properties on Ashington Road; again, a condition would be required on any reserved matters application to restrict the installation of first floor clear glazed windows here.
- 3.68 In relation to Phase 3, dwellings are proposed which would have rear elevations facing the western boundary adjacent to the commercial premises with flats at first floor. Sufficient separation would, however, be achieved to guard against unreasonable overlooking towards these existing dwellings. A flatted block is proposed to the north-west corner of the site which would have two windows facing west; these would serve a bathroom and a bedroom according to the elevations for the dwelling type indicated for this plot (453-456). The proposed layout would provide sufficient separation which would

then be acceptable if these windows were to be proposed when appearance of the development in Phase 3 were submitted for Reserved Matters approval.

- 3.69 The layout for Phase 3 also proposes dwellings which would border the northern boundary; the layout proposes that in most instances rear elevations would face existing rear elevations but in some instances side elevations of flatted blocks would face north. Again, it would be for a later Reserved Matters application to consider the appearance, including positioning of windows to dwellings in Phase 3 and conditions could be imposed on any reserved matters consent as required. The degree of separation between proposed and nearby dwellings to the north and west would ensure that the proposed development, to the scale parameters proposed, would not impact unreasonably by way of being overbearing or causing excessive overshadowing.
- 3.70 Within Phases 2 and 3 community land to provide a community building which could be used as a health care facility at the site is also proposed. A layout plan has been provided which shows a community building sited close to the western boundary adjacent to the rear gardens of several nearby properties on Ashington Road. In principle a building in the position proposed by the layout would be acceptable but detailed elevation plans would be for a Reserved Matters application to consider the appearance and scale of any building here and at this stage conditions could be imposed as necessary to require obscure glazed windows.
- 3.71 Full details of the proposed development within Phase 1 are for consideration. The dwellings would all be positioned well in relation to one another. No unreasonable potential for overlooking and loss of privacy would result between dwellings and no excessive overshadowing of one property on another would result.

Amenity Space

- 3.72 Supplementary Planning Document 2 relating to housing design requires that all dwellings achieve a minimum private amenity space of 100 square metres unless dwellings are 1 or 2-bed and the second bedroom not capable of subdivision in which case the minimum requirement is 50 square metres. Where amenity space to serve flats would be provided by way of communal space rather than private balconies or terraces, as is the case in this proposal, the requirement is that a minimum communal space equating to 25 square metres per flat is provided.
- 3.73 The layout proposed in Phase 1 would achieve at least the required minimum amenity spaces to serve all the dwellings proposed, including the proposed flats.
- 3.74 The layout proposed in Phases 2 and 3 would achieve at least the required minimum amenity spaces to serve all the dwellings proposed, including the proposed flats.

Car Parking

- 3.75 The adopted parking standard requires that a minimum of 2 car parking spaces per dwelling be provided, save for 1-bed dwellings where the requirement is for 1 car parking space per dwelling. In addition, unallocated visitor parking at a minimum of 0.25 spaces per dwelling is required. Where over 200 parking bays are proposed, 4 no. disabled bays and 1 cycle space per 8 dwellings for visitors are required.

Phase 1

- 3.76 In Phase 1, all the proposed houses would be provided with two on plot parking spaces. In addition, some properties would also be served by an additional on plot garage space. The flatted blocks in Phase 1 would all also be provided with the minimum on plot requirement in terms of parking bays according to the mix of 1 and 2-bed flats proposed. A scheme of this size would give rise to a total requirement of 454 spaces for the houses and flats (1 space for each 1-bedroom and 2 spaces for each 2+ bedroom unit). The proposed residential parking spaces accord with the adopted parking standards.
- 3.77 In Phase 1, 233 dwellings are proposed in total which would result in a requirement for 59 unallocated visitor parking spaces. 63 unallocated visitor parking spaces are proposed, 5 of which are disabled bays. Included within Phase 1 is an area to the west of the site, designated for school drop off and a community use comprising 18 spaces; these, however, will be unallocated. The proposed unallocated visitor parking spaces accord with the adopted parking standards.

Phases 2 and 3

- 3.78 In Phases 2 and 3, all the proposed houses would be provided with two on plot parking spaces. In addition, some properties would also be served by an additional on plot garage space. The flatted blocks in Phase 3 would all also be provided with the minimum on plot requirement in terms of parking bays according to the mix of 1 and 2-bed flats proposed.
- 3.79 Scale is not for determination in relation to Phases 2 and 3; however, details of the proposed number of bedrooms to the property on each plot have been provided and the amenity space provided appropriate to these dwelling sizes. A condition is therefore recommended to require that the dwelling mix shown on the submitted layout plans be delivered to ensure that appropriate amenity space is achieved for the size of dwelling proposed to each plot.
- 3.80 In Phase 2, 212 dwellings are proposed in total which would result in a requirement for 53 unallocated visitor parking spaces. 61 visitor bays would be provided parallel to shared streets or elsewhere within the developed land parcels, with 4 bays provided on the main carriageway.

- 3.81 In Phase 3, 217 dwellings are proposed in total which would result in a requirement for 55 unallocated visitor parking spaces. 51 visitor bays would be provided parallel to shared streets or elsewhere within the developed land parcels, with 4 bays provided on the main carriageway.
- 3.82 Parking bays should meet the preferred bay size of 2.9 metres by 5.5 metres and it is confirmed that all bays within Phases 1, 2 and 3 would meet this requirement. Garages are required to have internal dimensions of a minimum of 3 metres by 7 metres to qualify as a parking space, the greater dimension to allow for some ancillary storage alongside a parked car. The garages would not meet this minimum size, falling short of the depth requirement, but they would still be of ample space to park a vehicle. In any case the garages proposed are additional to the minimum parking provision that would be achieved on plot on driveways.

Highways – Access and Infrastructure Improvements

- 3.83 Policy T1 of the Council's Core Strategy requires that development be located and designed in such a way as to reduce reliance on the private car but accepts that some impact on the highway network is inevitable and identifies that the Council will work with developers and the Highway Authority to ensure that appropriate improvements are carried out. Policy T2 of the Core Strategy identifies the Council's intention to work with Essex County Council (ECC) Highways Authority to ensure that highway improvements are implemented, including to Ashingdon Road specifically in respect of improving traffic flows and reducing congestion.
- 3.84 The Council allocated the application site for residential development in adoption of the Allocations Plan in February 2014 and in relation to this site allocation, policy SER8 identifies that development here would require new highway accesses onto the site. In addition, policy SER8 identifies that development here would need to deliver local highway capacity and infrastructure improvements and improvements to public transport infrastructure and link enhancements to local pedestrian and cycle networks.

Pedestrian and Cycle Links

- 3.85 Four new pedestrian links would be provided from the application site to Ashingdon Road, one alongside the proposed vehicular access to the site and one along the emergency vehicle access to the site. The other two would be pedestrian only, 2-metre-wide footpaths, one between Nos. 168 and 170 Ashingdon Road and the other south of the car park to Sapwoods DIY shop. Pedestrian access alongside the proposed vehicular access to the south onto Percy Cottis Road would also be delivered. There would also be a 3-metre-wide pedestrian/cycle access along the eastern edge of the site connecting to Oxford Road and The Drive. Appropriate lighting would be needed to the pedestrian/cycle only links where highway street lighting would be absent, to create safe environments to encourage use. Planning conditions are recommended to ensure the timely delivery of the pedestrian/cycle links. The

site would be well connected to encourage and enable residents to make local journeys on foot, including to local facilities. There are three primary schools within walking distance of the site (between 800m and some 1000m) and one (Rochford Primary & Nursery School) slightly further afield but still within 1.5km. A secondary school is within walking/cycling distance to the north of the site and pedestrian access to this would be gained by the proposed pedestrian link from the site to Oxford Road. The site is within walking distance (within 1.5km) of local shops along Ashingdon Road and slightly further afield although still within an approximate 25-minute (2km) walk are the range of facilities and services in Rochford town centre and Rochford railway station. The site is also within walking distance of the bus routes along Ashingdon Road. The location of the site allocation is such that not all journeys to and from the site would therefore rely on use of a private car.

- 3.86 The location of the site has clear benefit in terms of potential for use of sustainable transport; however, it is clear that the development would also lead to increased traffic associated with the use of private cars from the 662 homes proposed. The submitted Transport Assessment (TA) has assessed the impact of traffic from the proposed development on the local highway network.

Impact on the Local Highway Network

- 3.87 To assess the impact of traffic from the proposed development on the local highway network, the TA compares traffic modelled to result from the proposed development (developed case) with a baseline scenario. The TA assesses impacts in both the morning (AM) peak time and the afternoon/evening (PM) peak time. The baseline traffic data was derived from a traffic count survey conducted in March 2019. Both the baseline and developed case consider traffic resulting in the year 2029, i.e. accounting for general growth in background traffic in the next 9 years and the year that development at the site would be anticipated to be complete.
- 3.88 The TA presents the results of modelling of the predicted change in traffic flows through four junctions on the local highway network taking account of likely distribution of vehicle movements on the local network. The likely distribution of vehicle movements on the local highway network was established based on journey type (work, school, leisure, shopping and other) using distribution survey data from the Department for Transport and analysis of the location of these journey destinations in proximity to the site. The junctions assessed were: -
- Ashingdon Road/Rectory Road
 - Ashingdon Road/Dalys Road/Roche Avenue
 - Ashingdon Road/Hall Road/West Street
 - Southend Road/Sutton Road

3.89 The results show a predicted impact of a greater than 5 per cent increase in traffic in the AM peak at all junctions except in relation to the Southend Road/Sutton Road junction with the greatest increase in traffic predicted at the Ashingdon Road/Dalys Road/Roche Avenue junction of just under 10 per cent. In the PM peak the greatest increase in traffic is also predicted at the Ashingdon Road/Dalys Road/Roche Avenue junction. The TA identifies that in terms of actual vehicles, the increases predicted would be above 30 vehicles and the TA has therefore assessed the impact of the predicted increase in traffic on the operation of all of the junctions.

3.90 The TA contains the results of the junction capacity analysis undertaken using industry-standard modelling.

Ashingdon Road/Rectory Road

3.91 The junction capacity analysis of this junction shows that in the PM peak two arms would operate at or just above practical capacity and in one case above theoretical capacity in the 2029 baseline scenario and that the developed case scenario would further increase the impact. The TA identifies that junction improvements here would ensure that this junction would operate within theoretical capacity. The junction improvements would involve widening the approaches on the Rectory Road and Ashingdon Road South arms to provide two-lane entries, and changes to road markings on the Ashingdon Road North approach to provide a wider entry lane.

Ashingdon Road/Dalys Road/Roche Avenue

3.92 The junction capacity analysis here shows that in the 2029 baseline scenario (i.e. without traffic from the proposed development), the Ashingdon Road South arm of this junction would exceed theoretical capacity and that this would be made worse in the 2029 developed case scenario (i.e. with traffic from the proposed development). The TA identifies that junction improvements here would markedly improve the operation of the Ashingdon Road South arm and bring it within practical capacity and reduce predicted queuing. The junction improvements here would involve widening both Ashingdon Road approaches to provide two-lane lane entries and also modifying road markings on Dalys Road to provide a two-lane entry.

Southend Road/Sutton Road

3.93 The junction capacity analysis here shows that the Southend Road North arm would operate above theoretical capacity and practical capacity in the 2029 baseline scenario in the AM peak and PM peak respectively and that the developed case (i.e. with traffic from the proposed development) would worsen this (i.e. the delay and queuing would be worsened). The TA has identified that a financial contribution towards junction improvements here would be delivered by the proposed development.

Ashingdon Road/West Street/Hall Road

- 3.94 The junction capacity analysis here shows that all of the arms of this junction (save for the Hall Road arm in the AM peak) would operate above practical capacity and in most cases above theoretical capacity in both the AM and PM peaks in the 2029 baseline scenario (i.e. without consideration of the traffic from the proposed development). In the developed scenario the operation of the junction would extend further beyond capacity. The addition of the traffic from the proposed development would add to delay and queuing at this junction; however, the TA identifies that the level of queuing and delay stated must be treated with caution as modelling does not accurately predict delay and queuing once a junction operates beyond theoretical capacity. The TA identifies that no junction improvements are possible here, given constraints. The proposed development would therefore result in an impact here on the local highway network that could not be directly mitigated and this is considered further below.

Consideration of Impact on Local Highway Network

- 3.95 The National Planning Policy Framework contains the most up-to-date policy relating to highway impacts against which the Council must assess the acceptability of the impact of the proposal on the local highway network. The NPPF is clear that planning permission should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe.
- 3.96 In referencing 'residual' it is necessary to take into account any mitigation proposed which would reduce impact on the local highway network. The TA predicts that junction improvements to the Ashingdon Road/Rectory Road junction and to the Ashingdon Road/Dalys Road/Roche Avenue junction would effectively mitigate the impact of traffic arising from the proposed development. It is also considered that a financial contribution towards junction improvements at the Southend Road/Sutton Road junction would appropriately mitigate impacts here.
- 3.97 Only at the Ashingdon Road/Hall Road/West Street junction could no junction improvements be delivered because of constraints on the ground. The TA identifies that this junction would operate over theoretical capacity in the baseline 2029 scenario and that this would be exacerbated in the 2029 developed case (i.e. with the addition of traffic from the proposed development) increasing delay and queuing. This would be a residual impact on the local highway network resulting from the proposed development. The TA junction capacity analysis has not taken into consideration potential for reduction in traffic resulting from the proposed development as a result of drivers re-timing their journeys to avoid peak times or taking alternative routes which may occur, in order that a worst case scenario has been presented and impacts of traffic robustly considered; however, these behavioural changes may have an effect in the future in reducing traffic and congestion at this junction. Indirect mitigation by way of financial contribution to public transport improvements may also have a similar effect. It is necessary to consider

whether the residual impact at this junction would have a severe impact on the local highway network as this is the test that the NPPF requires. The ECC highways team considered the submitted TA and required further modelling work which has been presented in the TA addendum.

Transport Assessment Addendum

- 3.98 The addendum to the original TA was produced in response to a request from ECC Highways to remodel the junction capacity analysis using a different profile of vehicle movements through the junctions. Whereas the original TA had used a 'flat profile' with a uniform distribution of vehicles through the peak hour, the addendum assessed a 'direct profile', with distribution of vehicles through the junctions reflective of that observed during survey, fluctuating at 15 minute intervals. In addition, since the original TA was prepared, traffic growth projections (required to be applied to take account of predicted traffic growth of background traffic to 2029) had changed and the new growth projections were therefore applied in the addendum.
- 3.99 At all four junctions the junction capacity analysis shows a similar, although slightly worse impact, compared to the original TA.
- 3.100 At the Ashingdon Road/Rectory Road junction the northern arm is now predicted to exceed theoretical capacity in the PM peak although this would be the case in the 2029 baseline scenario (i.e. even if the proposed development were not to occur); but made worse by traffic from the proposed development. The proposed junction improvement here would improve capacity although this arm of the junction would still be predicted to operate above theoretical capacity. A residual impact on the local highway network would therefore also result here from the proposed development. ECC Highways has advised that the impact here would not, however, be significant and certainly the increase in queuing and delay as a result of the proposed development traffic would not therefore be considered severe.
- 3.101 At the Ashingdon Road/Dalys Road/Roche Avenue junction the junction analysis in the addendum predicts similar impacts; the southern arm of Ashingdon Road would operate above practical and theoretical capacity in the AM and PM peaks respectively; this would be the case in the 2029 baseline scenario made worse by the traffic from the proposed development. When junction improvements are considered here this arm is brought within theoretical capacity and so the impact of traffic from the proposed development here would be appropriately mitigated.
- 3.102 At the Southend Road/Sutton Road junction much the same impact is predicted as per the original junction analysis in the TA, that the Southend Road North arm would operate above theoretical and practical capacity in the AM and PM peaks respectively in the 2029 baseline scenario, made worse, in terms of increased delay and queuing by the traffic from the proposed development. Again, however, the proposed financial contribution towards junction improvements here would be considered appropriate mitigation.

- 3.103 The junction capacity analysis in the addendum of the Ashingdon Road/Hall Road/West Street junction shows similar, although slightly worse results to that in the original TA. Several arms of this junction are again predicted to operate above practical and or theoretical capacity and it is identified that the traffic from the development would add to this, increasing queueing and delay. This is therefore again identified as a residual impact of the proposed development on the local highway network as no junction improvements are possible here.
- 3.104 The junction capacity analysis in the addendum to the TA therefore identifies residential impacts on the local highway network at the Ashingdon Road/Hall Road/West Street junction and at the Ashingdon Road/Rectory Road junctions.

Highway Conclusion

- 3.105 ECC Highways team is satisfied that the highway impacts of the proposed development have been appropriately considered in the original TA and addendum. Whilst the proposed development would generate additional traffic flows in an area already subject to congestion at times, mitigation in the form of highway improvement works/contributions to such would effectively mitigate impacts at two of the junctions assessed; at one betterment would be achieved. A residual impact on the local highway network would remain, related to the Ashingdon Road/Hall Road/West Street junction which the TA modelling predicts would in any case operate above capacity in 2029 regardless of whether proposed development went ahead. The Highways Authority is satisfied that the other residual impact at the Ashingdon Road/Rectory Road junction would not be significant. Financial contribution towards public transport improvement and the requirement for travel packs including free initial bus travel for residents would seek to support the use of sustainable forms of travel and would be delivered. The development would also deliver pedestrian and cycle links and be located such that forms of travel other than reliance on the private car would be available to future residents. Taking all of the proposed mitigation into account, it is considered that the residual cumulative impact on the local highway network would not be severe. ECC Highways raises no objection to the proposed development, subject to the recommended conditions and legal agreement requirements.
- 3.106 Whilst policy SER8 references a requirement for at least two vehicular access/egress points onto Ashingdon Road from the site the proposal is for one main vehicular access and one emergency access.
- 3.107 A priority 'T' junction with a ghost right hand lane is proposed into the site off Ashingdon Road. The access road would measure a minimum of 10m in width, with a minimum of 2m footways. The access road would then narrow down to a minimum of 6m, within the site.

- 3.108 The emergency vehicle access would extend from one end of the service road parallel to Ashingdon Road to the site and would consist of a 3.7m wide path with retractable bollards at either end to restrict its use by general traffic. Chicane gates would also be provided to slow cycle movement on approach to Ashingdon Road along this access.
- 3.109 A secondary vehicular access to the development is also proposed to the south of the site onto Percy Cottis Way and this would link to the other site access onto Ashingdon Road; however, the route traffic would have to take would be convoluted to such an extent that a rat run would not likely result.
- 3.110 ECC has considered the details of the proposed site accesses and is satisfied that the junctions would meet necessary highway standards. Several planning conditions including relating to delivery of the accesses have been recommended by ECC Highway Authority.

Highway Changes to Facilitate Main Site Access

- 3.111 The ghost right hand turn to the proposed priority 'T' junction to the site off Ashingdon Road is an essential element of the design as this would enable vehicles turning right into the site access to queue clear of northbound through traffic on Ashingdon Road, ensuring no delay to traffic already on this route. To deliver the ghost right hand turn, however, some changes to the layout of a section of Ashingdon Road, including changes to the carriageway and footway, would be required. Firstly, a section of the northbound carriageway outside the Holt Farm schools would need to be widened, extending it closer to the schools. This would result in the narrowing of a section of the pedestrian footway/cycleway outside the schools and a section of the footway being a shared pedestrian/cycle space. The width of the shared surface would still, however, meet the minimum highway standard requirements. The works would also require the removal of a highway tree (this matter is considered in more detail later in this report). The existing toucan crossing sited just south of the proposed vehicular access to the site would also be required to be upgraded to include a central refuge island and the signal operation of this modified to ensure efficient and safe timings. The bus layby adjacent to the proposed main vehicular access on Ashingdon Road and outside the Holt Farm schools site would also have to be replaced with an in line bus stop cage, meaning buses would stop within the carriageway rather than adjacent to it; the bus stop here would also be required to be re-located accordingly.
- 3.112 ECC Highways is satisfied that the provision of the ghost right hand turn lane and the resulting consequent works to the highway as described above would all meet the necessary highway standards and that this form of vehicular access to the site would accommodate the proposed level of right turn movements without impeding the flow of vehicles on Ashingdon Road. The Highway Authority raises no objection to the application. With the modifications to the pedestrian toucan crossing including extension/

replacement of the pedestrian guardrail, safe access would be maintained for pedestrians crossing Ashington Road. In addition, the developer would be required to upgrade the bus stop which is to be re-positioned and provide a financial contribution towards bus service enhancements along the Ashington Road corridor to upgrade existing services/create new service routes. The developer would also be required to make improvements and localised widening to Percy Cottis Road. All these requirements would be delivered by way of planning condition or through the s106 legal agreement.

Community Facility

- 3.113 Policy CLT6 of the Core Strategy acknowledges that the Council will promote the provision of new community facilities in new residential areas where a need is shown. Additionally, policy SER8 of the Allocations Plan requires that this site accommodates community facilities. Paragraph 3.237 of policy SER8 states *“Community facilities should be located towards the central/western section of the site, so that they are accessible to the surrounding development, including new and existing communities. The exact siting and type of facilities provided should be determined in consultation with the local community at the planning application stage”*.
- 3.114 The proposed community facility falls outside of Phase 1 and therefore only access and layout are to be considered in relation to this part of the site at this outline stage. The details of the community facility, in terms of the scale of building, landscaping and appearance would be brought forward at a reserved matters stage. The proposed layout shows a building with a footprint which if considered over two stories would allow for some 750 square metres of floor space.
- 3.115 The proposed community facility would accord with the principles set out in policy SER8 and would allow for a use falling within class D1 which would include clinics, health centres, crèches and/or a day nursery/day centre. In the first instance this land would be required to be marketed for two years to seek to deliver a health care facility at the site. In the event that the site were not required for a health care facility the site would be authorised for other use within Use Class D1. However, recent changes to the Use Classes Order (September 2020) created Use Class E (Commercial, business and service) which covers a wide range of uses including retail (the old Use Class A1), office (the old Use Class B1) professional/financial services (the old Use Class A2) but also including cafés and restaurants (the old Use Class A3) as well as non-residential institutions and indoor sport the old Use Class D2(e) and Class D1(a-b). If approved for use within Use Class D1, the land could be used without needing further planning permission for any use within Use Class E.
- 3.116 The nearest residential properties to this area outside the site are to the west on Ashington Road and the layout proposes to site the non-residential building close to the rear garden boundary of nearby dwellings. Any of the

proposed uses that now fall within Use Class E are, however, considered uses which would not ordinarily give rise to harm to residential amenity and any necessary conditions to guard against harm to residential amenity could be imposed on a Reserved Matters consent when for instance positioning of windows is known.

- 3.117 It is anticipated that the proposed non-residential development parcel could accommodate a building of some 750 square metres in gross internal area (GIA), subject to detailed design. Appropriate landscaping would also be expected to be delivered. Any retail store here would therefore be relatively small scale and would not conflict with adopted planning policy requiring larger retail to be preferentially located in main town centres.
- 3.118 The non-residential site is shown to accommodate 20 parking spaces to serve the non-residential use. In addition, use of the drop off spaces to serve any non-residential use at times would also be possible; an additional 18 spaces would be available here. All the uses that would fall within Use Class E have maximum parking standards associated with them and it is considered that appropriate parking would be provided to serve potential uses within this use class, particularly given that the site would be accessible by means other than the private car to occupants of the site and beyond in the neighbouring built up residential areas.
- 3.119 There is a policy requirement for all non-residential buildings to meet the BREAAAM very good rating and a planning condition is recommended to require that this be achieved.

Health

- 3.120 Policy CLT4 of the Core Strategy states that “*The Council will take the following actions to ensure that health care needs are met: Require new residential developments over 50 dwellings and non-residential developments over 1000 square metres to be accompanied by a Health Impact Assessment and an assessment of their impact on health care facilities. Where significant impacts are identified, developers will be required to address negative effects prior to the implementation of development*”.
- 3.121 There are three main surgeries operating within a 2km radius of the application site. A submitted Health Impact Assessment produced by Hodkinson Consultancy dated December 2019 recognises that these GP practices do not have capacity for the additional patient growth generated by the development.
- 3.122 The Mid and South Essex Strategic Estates Plan prepared by Castle Point and Rochford Clinical Commissioning Group (CCG) in partnership with South Essex Sustainability and Transformation Partnership acknowledges that the three GP practices within 2km of the application site will not be able to cope with the additional capacity pressures generated from population growth, an

ageing population and in particular the additional anticipated housing in Ashingdon unless additional facilities are provided.

- 3.123 The consultation response from the NHS advises that a developer contribution is required to mitigate the increased health care needs arising from the development. The NHS applies a 'Capital Cost Calculation' for the provision of additional health care services and this is based on the existing size of the three surgeries in terms of the net internal floor area in square metres, their capacity and the predicted population growth which then identifies the additional floor space increase requirements to meet this growth.
- 3.124 A contribution to health care provision will be secured through the S106 agreement and, in addition, the non-residential land would be required to be marketed for use as a health care facility for 2 years. No objection is raised to the application on this ground.

Green Infrastructure

- 3.125 The Council's adopted Allocations Plan policy SER8 requires at least 3.6 hectares of natural/semi-natural greenspace provision, 0.2 hectares of allotments and 0.06 hectares of play space for 500 dwellings. The site should also accommodate appropriate youth facilities; policy identifies that this could take the form of indoor and/or outdoor facilities but in any case, a minimum of 0.02 hectares for outdoor youth facilities should be provided. The above requirements should increase proportionately as a greater number of dwellings are proposed than the 500 dwellings the above requirements were based on.
- 3.126 Areas of open green space would be distributed throughout the development including the eastern parkland along the eastern boundary, the green corridor running east to west and an area of open green space adjacent to the northern boundary. There would also be pockets of open green amenity space within the developable areas. Due to the proposed uplift of 162 dwellings, an area of 4.77 hectares of natural/semi-natural greenspace would be required and this would be met as 4.85 hectares of natural/semi-natural greenspace is proposed.
- 3.127 Play space is required to take the form of a combination of local areas for play (LAP), local equipped areas for play (LEAP) and/or neighbourhood equipped areas for play (NEAP) and would be provided within the eastern parkland. An area of 0.08 hectares would be required as a result of the proposed uplift in dwellings.
- 3.128 A mountain bike track is proposed in the eastern parkland which would deliver the outdoor youth facilities as required by policy SER8 and this must have a minimum area of 0.03 hectares as a result of the proposed uplift in dwellings.

- 3.129 An area of 0.26 hectares of the site in the north-eastern corner has been identified to provide allotments in line with the recommendation in policy SER8. A requirement that this land be offered for transfer to Rochford Parish Council with a commuted sum for laying out would form part of a s106 legal agreement. It would then be for Rochford Parish Council to consider whether it wished to have the land transferred to it for use as allotments. If Rochford Parish Council declined the land transfer the allotments could be provided by a management company.
- 3.130 An area of 3.88 hectares of green infrastructure is required by policy SER8 for 500 dwellings. The proposed uplift of 162 dwellings would increase this requirement of open green space, play space, youth facilities and allotments proportionately to 5.14 hectares. The Landscape Masterplan demonstrates that through the provision of open green space, play space, youth facilities and allotments, an area of 5.46 hectares is proposed which would accord with policy SER8.
- 3.131 The proposed swathe of open green space and allotments to the east would be in part situated outside of the allocated residential area within the Green Belt. Paragraph 145 of the NPPF allows for outdoor recreation and allotments in the Green Belt and therefore the positioning of proposed open green space and the allotments is considered acceptable.

Trees

- 3.132 The application proposes the loss of some existing trees both on the development site and off site. The trees that are proposed to be removed on site are not of significant amenity value and there is no objection to their removal particularly given the significant new tree planting that would be delivered by way of street trees in the highway and trees within open green spaces across the site. However, one of the recommended planning conditions would require reconsideration of proposed tree removal around the east-west ditch towards the eastern end as a greater proportion of existing trees here could likely be retained to the benefit of amenity and habitat retention.
- 3.133 To facilitate the proposed main vehicular access to the site off Ashingdon Road, the proposal would require the removal of a highway tree positioned within the footway to the western side of Ashingdon Road and to the front of Holt Farm schools which is of significant amenity value.
- 3.134 There is both national and local planning policy which is relevant to the consideration of the impact of development on trees.
- 3.135 Paragraph 170 of the NPPF requires that decisions on planning applications recognise the wider benefit from natural capital including trees. Paragraph 175 of the NPPF advises that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient

or veteran trees) should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. Ancient and veteran trees are defined in the NPPF as a tree which because of its age, size and condition is of exceptional biodiversity, cultural or heritage value. The highway tree would not fall within the definition of an ancient or veteran tree and the clear national planning policy which offers such trees added protection would not apply here.

- 3.136 Policy DM25 of the Council's Development Management Plan states that development should seek to conserve and enhance existing trees and that development which would adversely affect existing trees will only be permitted if it can be proven that the reasons for the development outweigh the need to retain the feature and that mitigating measures can be provided for, which would reinstate the nature conservation value of the features. Policy DM25 goes on to advise that where development would result in the unavoidable loss or deterioration of existing trees, then appropriate mitigation measures should be implemented to offset any detrimental impact through the replacement of equivalent value and/or area as appropriate.
- 3.137 The mitigation proposed in relation to the proposed removal of the highway tree includes a financial contribution to the Council of £67,560.00. Whilst the tree is clearly of visual amenity value which cannot be fully compensated for by a financial contribution, this contribution would be used to secure tree planting across the district and the monetary value has been calculated according to a standard formula for assessing the value of trees. The financial contribution would therefore be provided at an appropriate level taking account of the characteristics of the tree. Compensatory tree planting is also proposed within highway land to the western side of Ashingdon Road further north and this would be secured by condition/legal agreement. Whilst new tree planting would clearly not compensate for the loss on a like-for-like basis, over time this mitigation would take effect. Even with the proposed mitigation some adverse impact would still result from the loss of this tree of significant amenity value; however, it is considered that the loss would not outweigh the benefits from the proposed development, particularly taking account of the proposed mitigation.

Flood Risk and Sustainable Urban Drainage

- 3.138 Paragraph 155 of the NPPF seeks to direct development to the lower risk flood zones. The Environment Agency mapping confirms that the application site is in Flood Zone 1, the zone with the lowest risk of river or sea flooding and where national planning policy and guidance advises that the proposed development would be acceptable in principle.
- 3.139 Parts of the site are, however, subject to a higher risk of surface water flooding, the area of risk extending from a central point on the northern

boundary across the site to the south-eastern corner. This corresponds to the topography of the site which generally falls from NW to SE.

- 3.140 The flood risk assessment details that a flood alleviation scheme would be delivered by the development which would address the on site surface water flood risk. This scheme is also predicted to provide some off site benefit particularly to properties to the south of the site. The flood alleviation scheme would include intercepting the overland surface flood water and directing this to 3 flood storage areas within the site. These areas would attenuate the water and then release it back to the local water course when levels decrease back to normal levels and eventually to the surface water sewer. The scheme would include a new ditch adjacent to part of the northern site boundary linking to the first flood storage area immediately south of this with another ditch alongside; this would outfall to the existing ditch which runs west to east across the site. At a point in the proposed eastern open space water would outfall to two other flood storage areas within the open space. A filter drain which would comprise of a shallow ditch, would be provided in the rear gardens of properties along the southern site boundary and capture any minor flows coming off site south of the site; flows from this ditch would outfall to one of the flood storage areas within the open space to the east. Land levels across parts of the site within the residentially developable areas would be raised to locate the proposed development above flood levels in extreme rainfall events where the capacity of the drainage system would be exceeded.
- 3.141 The flood alleviation scheme which would be delivered would ensure that the existing surface water flood risk would be mitigated to ensure that all of the proposed residential (and commercial) properties would not be subject to unacceptable risk from surface water flooding.
- 3.142 The proposed flood alleviation scheme would also provide some benefit in terms of lower surface water flood risk to some nearby properties off site, particularly those to the south east of the site.
- 3.143 The drainage strategy for surface water flows from the development has been developed which would avoid the existing ditch to allow such flows to be separated from the flood alleviation scheme. Surface water from the proposed development parcels would therefore be dealt with via an adoptable surface water sewer network which would convey surface water to a pair of basins to the south-east corner of the site before final discharge to the existing surface water sewer. Discharge would be at a controlled green field run off rate for all rainfall/storm events including the 1 in 100 year plus allowance for climate change. Water would be appropriately treated through the basins and permeable paving where necessary to ensure quality before discharge from the site. The drainage strategy that has been provided would be required to be provided in detail and in accordance with the recommended planning conditions. Subject to the recommended conditions, ECC as Lead Local Flood Authority raises no objection to the proposal. The Environment Agency has also been consulted but due to the fact that the development is located in a

Flood Zone 1, it has raised no comments with regard to the proposed development.

- 3.144 Foul water would be dealt with via a foul pumping station in the south eastern corner of the site and connect to an existing foul water sewer which Anglian Water would have a responsibility to ensure appropriate capacity for flows. This would ultimately discharge to the foul sewers via an existing manhole.
- 3.145 The proposal would comply with relevant planning policy relating to flood risk. The site is in the lowest flood risk zone and the surface water flood risk would be appropriately mitigated by the proposed on site flood alleviation scheme. The proposed surface water drainage scheme to deal with flows from the development parcels would be separate from this and would discharge at a controlled greenfield rate. The proposed dwellings would not be subject to unacceptable risk of flooding from any source; the proposal would not increase flood risk elsewhere and in addition the proposal would deliver betterment in terms of a reduced risk of surface water flooding to some properties off site. It is therefore considered that the development would not pose threat in terms of flooding to the future occupiers of the site or result in increased risk of flooding elsewhere.

Archaeology

- 3.146 This application is accompanied by an Archaeological Desk Based Assessment of the site and a Geophysical Survey Report. The assessment includes the results of a desk based evaluation of the archaeological record and historic landscape in the vicinity of the site and geophysical survey of the site. On site surveys were carried out in August 2020.
- 3.147 The proposed development lies in a sensitive area of potentially important archaeological deposits. This is supported by the submitted Desk Based Assessment which identifies that there is the potential for archaeological remains in this area, particularly of Roman and modern date. The Essex Historic Environment Records identify the finds of Roman pottery from a ditch within the site. Two early Roman coins were found immediately adjacent to the site. Large scale excavation to the north at Brays Lane revealed an extensive Roman landscape comprising a range of domestic activity including agricultural fields, animal management, a waterhole, and a small cremation cemetery, although no buildings.
- 3.148 The geophysical survey shows that there are unlikely to be highly significant archaeological deposits on the site, although the evidence still indicates that there is the potential for archaeological deposits of local importance being present.
- 3.149 Essex County Council Historic Environment team has been consulted on the proposed development and recommends mitigation which can be controlled by planning condition. This approach to mitigating the impact of the proposed

development on the archaeological heritage asset at the site is consistent with the asset's significance and both national and local planning policy.

Air Quality

- 3.150 Paragraph 181 of the NPPF states that *“planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.”*
- 3.151 The NPPF is supported by Planning Practice Guidance (PPG). The PPG relating to air quality states that *“Defra carries out an annual national assessment of air quality using modelling and monitoring to determine compliance with EU Limit Values”* and *“it is important that the potential impact of new development on air quality is taken into account ... where the national assessment indicates that relevant limits have been exceeded or are near the limit”*.
- 3.152 The PPG states that *“whether or not air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to generate air quality impact in an area where air quality is known to be poor. They could also arise where the development is likely to adversely impact upon the implementation of air quality strategies and action plans and/or, in particular, lead to a breach of EU legislation (including that applicable to wildlife)”*.
- 3.153 Impact on air quality from development is also identified as a consideration within the Council's adopted Development Plan. Policy SER8 requires the submission of a Transport Assessment, including an assessment of air quality. Policy ENV5 of the Core Strategy restricts new residential development in Air Quality Management Areas to reduce public exposure to poor air quality. Local planning policy identifies that in areas where poor air quality threatens to undermine public health and quality of life, the Council will seek to reduce the impact of poor air quality on receptors in that area and to address the cause of the poor air quality and identifies that proposed development will be required to include measures to ensure it does not have an adverse impact on air quality. Additionally, policy DM29 of the Development Management Plan requires that major developments will be required to submit an air quality assessment with their planning application to determine the potential cumulative impact of additional transport movements

on potentially significant road junctions. Local policy also identified that planning permissions may be conditioned to contribute proportionately to offset the impact of the development on local air quality (either through mitigation or supporting future air quality monitoring) and that this should be determined in consultation with the Council's Environmental Health team.

- 3.154 The application site is situated off Ashingdon Road which does not lie within or close to a designated Air Quality Management Area (AQMA) (the only AQMA currently around Rayleigh town centre). However, in accordance with policies contained within the adopted Development Plan an Air Quality Assessment (AQA) dated December 2019 and a subsequent AQA Addendum dated October 2020 produced by Ardent Consulting Engineers accompanies this application.
- 3.155 Rochford District Council monitors air quality in the district and the latest report produced is the 2020 Air Quality Annual Status Report (ASR). This report provides an overview of air quality in the district of Rochford during 2019.
- 3.156 The ASR sets out a number of measures to improve air quality around the district and these measures include upgraded traffic light systems, changes to pedestrian crossing points, reduced waiting times at bus stops in an AQMA, new and improved pedestrian and cycle routes and prioritising uptake of low emissions vehicles etc predominantly in the Rayleigh area. No new AQMAs have been declared since Rayleigh Town Centre in January 2015. The Council has not declared Ashingdon or any areas close to the application site to have unacceptable levels of air pollution.
- 3.157 It is necessary, however, to consider whether the proposed development would result in a significant adverse impact on existing air quality such as could tip an area into such poor air quality so as to fall below acceptable pollution threshold levels and this should take account of cumulative development in the locality.
- 3.158 The submitted AQA and its addendum considers the local highway network. A full impact assessment has been undertaken for receptors along local highway links, these being Ashingdon Road, West Street, Hall Road and Southend Road. The concentrations of nitrogen dioxide (NO₂), PM₁₀ and PM_{2.5} have been considered in ten locations. The assessment scenario is based on traffic data derived from information on existing flows, projected background growth, and predicted development trip generation and distribution/assignment, set out in the Transport Assessment (TA). The AQA has mapped background pollution. Background pollutant concentrations are modelled from the base year of 2017 and based on ambient monitoring, meteorological data from 2017 and then projected for future years. Projected pollutant concentrations for the existing (2019) and future development year (2029) plus proposed development have been considered.

- 3.159 The proposed development and cumulative traffic assessment have demonstrated that the impacts from vehicle emissions that would result from the development would be considered to be negligible and it is predicted that the air quality pollutant concentrations would remain well below their respective air quality objectives/targets. Based upon this no mitigation measures have been proposed.
- 3.160 Impacts on air quality can also, however, arise from construction activities associated with proposed development, notably relating to dust generation. The AQA sets out a Construction Impact Assessment and a range of mitigation measures are proposed to be utilised during the demolition and construction phases.
- 3.161 The Council's Environmental Health team has commented in response to consultation that no mitigation is required in respect of road vehicle emissions and recommends that a dust management plan is required by condition; this has been recommended. The consultation response also confirms that the proposed development would not have an unacceptable impact in terms of air quality exposure of any pedestrians in and around the site.
- 3.162 It is considered that the proposed development would satisfy policy SER8 of the Allocations Plan and policy EVN5 of the Core Strategy. There is no evidence that this application would have a demonstrable impact on the existing AQMA at Rayleigh town centre or result in significant adverse impact on existing air quality as a result of emissions from vehicle movements associated with the site.

Noise

- 3.163 Paragraph 180 of the NPPF refers to environmental noise and seeks to *“ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*
- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
 - b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
 - c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”*
- 3.164 A Noise Assessment dated December 2019 produced by Ardent has been submitted. A noise survey identifies that the construction phase of the development would be the noisiest part of the development with an increase in

noise on site and through traffic delivering to the site. Appropriate mitigation to address this impact would be achieved through the Construction Environmental Management Plan required by condition.

- 3.165 The Council's Environmental Health team response to consultation confirms acceptance of the submitted Noise Assessment and the conclusions and recommendations within it.

Ecology

- 3.166 The application site does not fall within but is situated near a Local Wildlife Site (LoWS) identified as Doggetts Pond in Rochford District Council's Development Plan. Paragraph 170 of the NPPF states that: *Planning policies and decisions should contribute to and enhance the natural and local environment by: (amongst other things) minimising impacts on and providing net gains for biodiversity*.
- 3.167 Similarly, policy ENV1 of the Core Strategy promotes maintenance, restoration, and enhancements of natural landscape and habitats and policy DM27 of the Development Management Plan requires consideration of the impact of development on the natural landscape, including protected habitat and species.
- 3.168 An Ecological Impact Assessment published by Southern Ecological Solutions Ltd dated December 2019 accompanies the application. The report identifies the existing habitats at the site and beyond, including arable farmland with hedgerows on the north, east, south and west boundaries and a ditch traversing the site and identifies that the site therefore offers the potential for habitat that supports protected species. The submitted ecology report includes the results of a Phase 1 Habitat Survey and surveys for badgers, bats and great crested newts.

Badgers

- 3.169 There are badger setts throughout the site that are frequently used and the development would have the potential to result in significant impacts on badgers, both from direct and indirect impacts on badger setts.
- 3.170 To minimise the impact of the development on the badger population, badgers would be excluded from two active subsidiary setts, an active outlier sett and a disused outlier sett. These setts would be permanently closed as they would be directly impacted by construction activities and it is also considered that these setts would likely be impacted once the site were occupied, if retained. To exclude badgers from setts, a licence would be required from Natural England for the proposed sett closures.
- 3.171 A main sett and two subsidiary setts would be closed on a temporary basis to undertake necessary drainage works and would then be re-opened. Again, a licence would be required from Natural England for the proposed temporary

sett closures. A minimum 20m buffer zone would be demarcated by signage and fencing around the three remaining badger setts throughout the construction phase.

- 3.172 All sett closures would be phased and temporary sett closures would be kept to a minimum. An appropriate mitigation strategy would be adopted throughout the construction phase. However, it would be for Natural England to determine the specific detail of mitigation required which would take place through the licensing process. In addition to the detailed mitigation, general precautionary measures would be put in place throughout construction, to ensure that in the event of a badger coming onto the site, the risk of injuring and killing is minimised. This would include:
- Covering any trenches at night or leaving a plank of wood leant against the side to ensure they can escape if they were to accidentally fall in;
 - Storing chemicals in a sealed compound (following COSHH guidance);
 - Toolbox talks to contractors to ensure ability to identify and flag up any possible badger setts during construction; and
 - Regular clearance of litter from the site.
- 3.173 To reduce the likelihood of recreational disturbance to badgers occupying retained setts post-construction, scrub and shrub planting would be utilised to naturally buffer the setts, together with new connecting hedgerow planting to ensure connectivity along the eastern edge of the site to improve foraging.
- 3.174 By minimising the extent and length of works in the vicinity of the main sett, phasing sett closures and utilising standard precautionary methods, it is considered that construction phase impacts on the local badger population would be appropriately mitigated. Also, through retention and buffering of the main sett and two subsidiary setts and new tree and hedgerow planting within the eastern public open space, it is considered that occupation phase and residual effects on badgers would be acceptable.
- 3.175 The survey recommends an updated badger survey to be undertaken prior to the commencement of construction; however, a planning condition to require a licence from Natural England prior to commencement of works close to the badger setts on site is recommended and this would include an updated survey, if required by Natural England in order to issue a licence.

Bats

- 3.176 Two trees along the eastern boundary have been identified as being potentially suitable for roosting bats; these are to be retained and buffered under the proposed development. These trees are indicated to remain within

the proposed public open green space along the eastern boundary. Evidence of bats using the site for foraging and commuting was also recorded. The report recommends that all tree and shrub planting at the site should comprise native species of UK origin. In addition, any grassland created should use grassland seed mixes in the interests of preservation and enhancement of habitat for foraging bats. The recommended soft landscaping condition incorporates these requirements and a requirement that lighting installed take account of impacts on bats and subject to this it is considered that in respect of bats the proposed development would comply with local and national policy which seeks to conserve and enhance biodiversity and would not likely result in harm to this protected species. The report recommends the provision of bat boxes as a measure of ecological enhancement and this has been incorporated into the landscaping condition.

Birds

- 3.177 Twenty two species of bird were confirmed as breeding in the survey work undertaken at the site and in the wider survey area; these include skylark, linnet and starling. A section of existing hedgerow and some trees are to be removed to facilitate the proposed development. A condition is therefore recommended to require all felling and removal of hedgerows to be undertaken outside of the bird nesting season. The submitted report recommends the provision of bird boxes as a measure of ecological enhancement and these would be secured by condition.

Great Crested Newts

- 3.178 A total of thirteen ponds were identified in the vicinity of the study area. The nearest pond was located on the eastern boundary of the site. The results found one pond outside the site boundary but close to it, Doggetts Pond LoWS, supports a great crested newt population. As newts can travel up to 500m from a pond to forage, the site could support great crested newts although the submitted ecological report identifies that the site would be of very low importance to great crested newt populations in the locality. The submitted report nevertheless identifies that, given the protection afforded to this species, mitigation would be provided, dealt together with the reptile mitigation and the necessary licence obtained from Natural England, should newts be encountered on site.

Reptiles

- 3.179 The site is identified to support reptiles and consequently a mitigation strategy would be required involving the creation of an appropriate area of habitat to which reptiles on site would be translocated. A condition requiring approval and delivery of a reptile mitigation strategy is recommended.

Off Site Ecological Impacts

- 3.180 The closest European designated sites are found along the District's coast, which consist of the Crouch and Roach Estuaries (Mid-Essex Coast Phase 3 (SPA) (Ramsar) (SSSI) and the Essex Estuaries (SAC).
- 3.181 The Conservation of Habitat and Species Regulations 2017 (Habitat Regulations) requires the Local Planning Authority (LPA) as a 'competent authority' in the exercising of its planning function to undertake a formal assessment of the implications of development proposals before granting consent for any development which is likely to have a significant effect on a European site (either alone or in combination with other development). The formal assessment is known as a 'Habitat Regulations Assessment (HRA)' An appropriate assessment has been carried out for the proposed development.
- 3.182 The proposal has been considered in respect of the Habitat Regulations (HRA), taking account of advice from Natural England, the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) developed by Essex County Council which seeks to address impacts (including cumulative impacts) arising from increased recreational activity and the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) which was adopted by Rochford District Council on 20 October 2020.
- 3.183 The conclusion of the HRA is that, subject to securing appropriate mitigation, the proposed development would not likely result in significant adverse effects on the integrity of the European site along the Essex coastline. Mitigation would be on site in the form of alternative open green space for recreational use and a financial contribution towards off site mitigation. Link from the proposed public open space to the eastern part of the site to existing Public Right of Way footpaths to the east would be provided via The Drive, which would enable future occupants of the site to access footpaths in the wider locality to the east. This would provide an alternative for recreational users, particularly dog walkers, to the coastal paths close to European designated sites. Signage within the proposed open space on site to explain the importance of these European designated sites, especially throughout the winter months and that dogs should be kept on a leash during the winter would be installed. The Essex Coastal RAMS includes a requirement for a standard financial contribution towards RAMS of £125.58 per net additional dwelling and this requirement would be included in the s106 legal agreement.

Environmental Sustainability

- 3.184 The Ministerial Statement of 25 March 2015 announced changes to the Government's policy relating to technical housing standards. The changes sought to rationalise the many differing existing standards into a simpler, streamlined system and introduce new additional optional Building Regulations on water and access and a new national space standard. Rochford District Council has existing policies relating to access (policy H6 of the Core Strategy), and water efficiency (policy ENV9 of the Core Strategy)

and can therefore require compliance with the new national technical standards, as advised by the Ministerial Statement (March 2015).

Wheelchair Adaptable/Accessible Properties

- 3.185 Policy H6 of the Core Strategy would require that 3 per cent of all dwellings on this site be built to full wheelchair accessible standards and this is reiterated in policy SER8 of the Allocations Plan which requires that a minimum of 15 dwellings should be built to full wheelchair accessibility standards (equating to 3 per cent of 500 dwellings). The Ministerial Statement of 2015 introduced a new optional building regulation requirement Part M4(3) which requires a dwelling to be fully wheelchair accessible and this can be required of 3 per cent of the dwellings proposed, given the existence of the Council's policies H6 and SER8.
- 3.186 The submitted Design Report for Phase 1 identifies that 2 dwellings in Phase 1 would be built to full wheelchair accessible standards (Part M4(3)). In addition, however, 21 dwellings in Phase 1 would be built to wheelchair adaptable standards (Part M4(2)).
- 3.187 The applicant has indicated that the proposed dwelling mix in Phases 2/3 would deliver 3 dwellings built to full wheelchair accessible standards (Part M4(3)) and 26 dwellings built to wheelchair adaptable standards (Part M4(2)).
- 3.188 The provision of 5 dwellings that would meet the full wheelchair accessible (Part M4(3) standard as proposed would fall short of the requirement in policy H6 that 3 per cent of the total dwellings meet this standard which would equate to 20 dwellings overall. A condition is therefore recommended which would require a minimum of 13 dwellings within phases 2/3 to be built to full wheelchair accessible standards, i.e. comply with optional building regulation requirement Part M4(3). This would bring the total to 15 wheelchair accessible dwellings being delivered. Whilst this would still fall short of the policy requirement, a significant number of dwellings would be built to the optional wheelchair adaptable building regulations requirement (Part M4(2)) and, taken together, the provision of dwellings to meet the needs of people who use a wheelchair is therefore considered acceptable.

Water Efficiency

- 3.189 Policy ENV9 refers to the Council's aim for dwellings to be built which meet a certain higher level of sustainability, as set out in the Code for Sustainable Homes. The requirement that a certain 'Code' level be met can no longer be applied in light of more recent national government advice (Ministerial Statement 2015). However, given the existence of policy ENV9, this policy can now be applied in light of the Ministerial Statement (2015) which introduced a new technical housing standard relating to water efficiency (i.e. optional building regulation requirement of 110 litres/person/day) and this

requirement can therefore be applied to the proposed development (subject to viability); a condition is recommended to deliver this.

- 3.190 In light of the Ministerial Statement, which advises that planning permissions should not be granted subject to any technical housing standards other than those relating to internal space, water efficiency and access, the requirement in policy ENV9 that a specific Code for Sustainable Homes level be achieved and the requirement in policy H6 that the Lifetime Homes standard be met can now no longer be sought.

Renewable or Low Carbon Energy

- 3.191 Policy SER8 of the Allocations Plan requires a minimum of 10% of the energy should be generated by on site renewable and low carbon sources, unless demonstrated as part of a planning application that this would be unviable. Similarly, policy ENV8 of the Core Strategy requires developments of 5 or more dwellings to secure at least 10 per cent of their energy from decentralised and renewable or low carbon sources unless this is not feasible or viable.
- 3.192 The applicant has identified Solar Photovoltaic (PV) or flue gas heat recovery systems for water heating as the most suitable renewable energy technologies for the proposed development complying with the requirements of policy ENV8 of the Core Strategy. A planning condition is recommended to require compliance with the above policy unless it is demonstrated that this would not be viable or unless provision of such would be at the expense of provision of a higher specification energy efficient building fabric (to meet code level 4 with regard to energy efficiency) in which case a report demonstrating the case shall be submitted to and agreed in writing by the Local Planning Authority.
- 3.193 National planning policy at paragraph 110 of the NPPF requires that developments should be designed to enable charging of plug in and other low emission vehicles in safe, accessible and convenient locations. ECC Highways has recommended a condition to require the provision of some electric vehicle charging points to serve visitor parking at the site and a condition to require a scheme to deliver this is recommended.

National Space Standard

- 3.194 The houses and flats proposed within Phase 1 would all comply with the nationally described space standard which ensures minimum unit sizes.

Presumption in Favour of Sustainable Development

- 3.195 Section 38(6) of the 2004 Act requires that planning applications must be determined in accordance with the relevant policies of the development plan unless material considerations indicate otherwise. Section 11 of the NPPF

also sets out a clear presumption in favour of sustainable development which in the context of determining a planning application means:

- 11c) approving development proposals that accord with an up-to-date development plan without delay; or
- 11d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

3.196 The application would generally accord with the Development Plan, including policy SER8 of the Allocations Plan which relates specifically to this site allocation. However, the proposal does seek more dwellings than specifically referred to in policy SER8. Policy SER8 does allow for consideration of an uplift above the 500 dwellings referenced for this site in certain circumstances, namely if a 5-year housing land supply cannot be demonstrated and an under provision has been identified in this locality. As has already been set out in this report, the Council can at present demonstrate a 4.9 year housing land supply which would mean that part of the requirement in policy SER8 for an uplift in numbers would be met, but there has not been specific under provision of dwellings in the locality. The proposal could therefore be considered not to fulfil the requirement of this part of policy SER8.

3.197 However, as set out above, national planning policy requires that applications that relate to out of date policies are determined according to criteria detailed in paragraphs 11(d) of the NPPF. The NPPF advises that where applications relate to housing provision policies which are out of date are defined as being those where the LPA cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. As has already been set out above, the Council would not at present fulfil these requirements and paragraph 11(d) would require consideration.

3.198 Part (i) of paragraph 11(d) of the NPPF would not apply to this development proposal; the site is not within most of the protected areas such as the Green Belt and whilst the site is within some such as an area subject to surface water flood risk, it is not within any of the areas where effects of the development could not be appropriately mitigated; an appropriate surface water drainage strategy would, for example, be delivered.

- 3.199 It then falls to consider part (ii) of paragraph 11 of the NPPF which requires that the Council grants planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 3.200 The adverse impacts that would result from the proposed development once mitigation has been considered would relate to the loss of the highway tree positioned on the western side of Ashingdon Road and the residual impact in terms of congestion on the local highway network. The benefits of the proposal would, however, be significant. The proposal would deliver housing including affordable housing and support the Council's 5-year housing land supply in future years thereby lessening pressure on the Green Belt. The proposal would deliver benefit to some off site dwellings in terms of lower flood risk and the proposal would deliver open space, play space and allotments on site.
- 3.201 The loss of the highway tree would be compensated for by a financial contribution and in addition compensatory tree planting would be delivered, but it is acknowledged that some harm would still result from the loss of the tree which is of significant amenity value. Nevertheless, it is considered that this adverse impact would not significantly and demonstrably outweigh the benefits of the scheme, as outlined above.
- 3.202 Mitigation including involving highway improvements would appropriately mitigate some of the impact of additional traffic arising from the proposed development on the local highway network; however, a residual impact in terms of congestion on the local highway network would remain. The highways section of this report has already set out that this residual impact would not be considered severe. It is also considered that this residual impact could not be considered to significantly and demonstrably outweigh the benefits of the scheme.
- 3.203 Even considered together, the adverse impacts of the proposed scheme would not significantly and demonstrably outweigh the benefits of the scheme, which is the test that national planning policy requires. Given this conclusion, national policy as set out in paragraph 11 (d) requires the grant of planning permission.

4 CONSULTATIONS AND REPRESENTATIONS (summarised)

Rochford Parish Council

- 4.1 Rochford Parish Council acknowledges that this application is broadly in line with the requirements of the Local Plan but considers that there are several areas which Councillors would like you to consider.
- 4.2 Whilst the number of units and density are within guidelines it is noted that both the unit numbers and density is higher than the Local Plan. Unit numbers are being increased by over 60% and although density is only increased

slightly it is much higher than the existing properties which are at 25 units per hectare.

- 4.3 The Council is very concerned about the effect of the development on the Ashingdon Road traffic, which is acknowledged to be over capacity. It is difficult to see how the suggestion for traffic flow to be staggered could be achieved within a residential and educational environment.
- 4.4 Percy Cottis Road is very narrow to be used as a secondary vehicular access and it already has parking/passing issues, which may be increased by this use.
- 4.5 To consider if 10 school parking places is sufficient, or for usage to be monitored once open.
- 4.6 Request the Parish Council be consulted regarding the access from Brays Lane via Doggetts Close to a tight corner on Stambridge Road and any impact this may have on the Doggetts Wildlife Area in respect of noise, dust, mud and whether the current surfaces are suitable for the type of vehicle.
- 4.7 The Parish Council acknowledges the replacement of trees/shrubs etc; however, is concerned at the length of time it will require for habitats to be re-established.
- 4.8 The Parish Council requests involvement in discussions relating to allotments, play space, open space, community building, etc. We can provide information on allotment requirements and give an overview on local facilities.
- 4.9 We would recommend a condition be placed on the development working hours to reduce disturbance to existing residents. i.e. Monday to Friday, 7am to 4pm, Saturday and Sunday, 8am to 3pm.

Canewdon Parish Council

- 4.10 Whilst the Parish Council understands this is one of the allocated sites in the formally adopted Allocations Plan 2014, Members struggle to understand how this site can be accepted in terms of the houses proposed, car parking provision and the traffic impact. Canewdon Parish Council therefore very strongly objects to the proposal for reasons of unacceptable traffic impact on the existing road network, significant conflict at the main vehicular entrance to the site and the limited availability of junction improvements to bring about a significant positive improvement to the existing road network.

Hawkwell Parish Council

- 4.11 The Parish Council objects to the size of this development. When the site was evaluated, 500 properties were proposed with a possible 5% extra for contingencies. At the public examination, the Inspector removed the 5% allowance and said each site would be determined on its merits. We believe an extra 165 dwellings is unreasonable.
- 4.12 Although the traffic impact study reveals that Ashingdon Road and other roads will be over capacity, it is suggested that this could be overcome by employers and employees staggering working hours, which is unrealistic. The development of this site, added to the earlier sites in the Core Strategy, amounts to an additional 1,500 properties which is a substantial increase in a small area.
- 4.13 Percy Cottis Road is an unsuitable entrance. The Rochford Garden Way estate is a well-designed, attractive development built in 1950. To open up Percy Cottis Road, which crosses the centre of the estate, will substantially increase the level of traffic. The only way to exit the circle is through Somerset Avenue or The Drive. This has become difficult to navigate because of excessive on street parking.
- 4.14 Construction traffic would presumably route from Brays Lane, eastwards, through Doggetts Chase and out through Doggetts Close and Stillwells. This would take heavy loads and traffic through a public footpath next to Doggetts Wildlife Area and fishing lakes, bringing the traffic out to the Stambridge Road on a bend. This is unsuitable and dangerous.
- 4.15 Affordable housing/social housing flats would overlook many bungalows in Oxford Road which are predominantly occupied by elderly people.
- 4.16 The rear of properties from Nos. 200-166 Ashingdon Road all face the proposed site which has been open fields/farmland for a considerable length of time.
- 4.17 Affordable housing/social housing by its very nature will accommodate more children. There would therefore be more noise disturbance for existing residents.
- 4.18 The community centre is proposed to be sited in front of properties on the Ashingdon Road. This will be detrimental to the existing residents who will experience increased noise and general disturbance generated from such buildings.
- 4.19 The Tree Assessment Report proposes to remove all the trees on the site with only trees within residents' gardens to be retained.
- 4.20 All trees and shrubs will also be removed along the ditch line. This will result in a mass of wildlife displacement and although new trees and shrubs are

proposed to be planted elsewhere on the site, these by their nature will take a long time to become established and for wildlife to occupy the habitat.

Ashingdon Parish Council

- 4.21 We accept that new homes are needed and we have agreed all previous developments, but all of these were much smaller and have fitted in well with little impact on local communities. We feel that this site is an over-development. This site was set for 500 homes that has now increased to 662.
- 4.22 There is a lack of open space on this site.
- 4.23 One community square located at the rear of the site. The location will be susceptible to anti-social behaviour.
- 4.24 Impact on local highway network.
- 4.25 Loss of mature trees with Tree Preservation Orders. It is accepted that trees are great for capturing the pollution and no amount of sapling planting will make up for the loss of one mature tree in the short term. Local air pollution will increase in close vicinity to a primary school.
- 4.26 Loss of *ad hoc* drop off and pick up fronting properties opposite the school approximately 30 spaces. The 10 spaces offered within the community centre parking are insufficient. Parents will park on the estate roads or, worse, stop along the Ashingdon Road causing more problems, not only for car drivers but for children entering or exiting school. This will only be alleviated with a permanent police presence or enforcing the Urban Clearway, which is in place along the Ashingdon Road.
- 4.27 It appears that no account has been made for the pressure on the infrastructure this development will cause. There will be considerably more pressures imposed on highways, schools, services, local hospitals and health centres. The NHS services are now overloaded caused by the increase of demand from the Hall Road development and other recent developments in the area. Schools in the area will not be able to accommodate the intake of new pupils.
- 4.28 The development site is reported to be located on an area of land which has experienced flooding. Close by, alongside the site are a number of flooded ponds which demonstrate the high water table level for that area. Where is the increased water run off to go; it is highly likely that the areas near to the development will suffer flooding that have never experienced it before.
- 4.29 It is Green Belt area and must be preserved as agricultural land.

- 4.30 The proposed buildings display no architectural merit. This is unacceptable urbanisation of the area. This whole proposed development is highly detrimental to, or incongruous to, the established character of the area.
- 4.31 Many of the houses on the site will overlook existing houses and lead to a loss of privacy.

RDC Arboriculture

- 4.32 The site consists of arable land with occasional garden tree features beyond the north, east and western boundary with more native species on the eastern boundary providing increased wildlife and landscape value. All boundary tree features appear to be retained and protected using suitable tree protection measures; there is concern that at present the tree protection plan has not been set against the layout plan. It is therefore difficult to determine the impact upon the retained trees.
- 4.33 There is a tree line internal to the site consisting of sporadic hedgerow trees that have been part grubbed out at some stage and occasional additions of non-natives (2 horse chestnuts); the hedgerow species improve toward the eastern section near to the overhead service pylons. This tree belt is shown to be removed on the tree protection plan. Generally, it is agreed that this tree belt is low value, although it does improve toward the eastern aspect and connects well with the better, native species found around the pond and those situated on the eastern boundary. Provided on the various landscaping plans and layout plans this area is shown as open space; it is therefore possible that the better specimens/habitat along this belt could be retained.
- 4.34 Off site there is 1 oak (subject to TPO) outside Holt Farm schools that is recommended for removal to facilitate realignment of the highway. Mitigation is supplied by way of replacement planting with 3 trees within the street environment. The tree has been categorised using the method in BS 5837 as B1; in this instance I feel the categorisation is incorrect and would have classified the trees as A1/3 as it has few defects, good vitality, good life expectancy and provides good landscape value due to its prominence along Ashingdon Road. With this in mind any mitigation supplied should be balanced against a CAVAT value of the tree, although retention of the tree is the most suitable option.
- 4.35 I would object to the proposal in relation to the loss of a preserved tree outside Holt Farm schools and the loss of the central tree belt/habitat, particularly toward the eastern aspect that connects with the pond and the native species on the eastern boundary.

RDC Housing

- 4.36 We fully support this application and have had discussions regarding the layout and affordable housing provision on this site. This site will provide much needed affordable housing in the District.

RDC Environmental Health

- 4.37 The conclusions and recommendations are accepted and these should be secured by condition. In particular, a detailed construction noise and vibration plan should be required by condition, which should be agreed in advance of commencement of ground work and implemented throughout the duration of the construction phase.
- 4.38 The addendum is accepted and no mitigation is required in respect of road vehicle emissions. However, it should be noted that any future junction upgrade to Anne Boleyn roundabout should be carefully considered so, at the very least, as not to create a local air quality management area.
- 4.39 I recommend that a dust management plan is required by condition, the details of which are agreed before site works commence and implemented throughout the construction period.
- 4.40 Roadside or pavement exposure has a threshold of 200 micrograms per metre cubed as a shorter term daily objective, but this is not relevant for anywhere in Rochford District. A level this high is normally indicated when average levels are at 60 or more on an annual basis. The air quality report accompanying this application does discuss this and I am satisfied that there is no meaningful change to pedestrian exposure to nitrogen dioxide as a result of this proposal.

RDC Strategic Planning

- 4.41 With regard to the uplift in numbers, our view is always that an uplift should be considered favourably provided it does not compromise on design, space standards, etc. Whilst we are there or thereabouts on five year supply, we know that we don't have sufficient sites to meet our longer term housing needs within the urban area, so the more homes that can be accommodated on existing sites the better in terms of minimising future Green Belt release.

RDC Waste and Street Scene

- 4.42 Bins should be available for collection at the kerbside but some of the collection points appear to be a considerable distance from the kerb. The guidance provides a maximum distance but that should not be taken as the norm, but the absolute exception. Our recycling scheme states that bins should be presented at the kerb.

RDC Conservation

- 4.43 I have reviewed this application, relating to the housing development to the east of Ashingdon Road. The site appears to consist generally of arable fields with occasional hedgerows, field margins with few mature trees.
- 4.44 The application is accompanied by an ecological report dated December 2019 and a badger survey report dated December 2019. The report highlights the presence of 7 badger setts on the site and the presence of reptiles – common lizard, grass snake and slow worm, with a moderately significant population of slow worms.
- 4.45 The badger survey is adequate. It identifies there are 7 Setts present and evidence of foraging. It concludes that a site wide mitigation plan would be needed to ensure the protection of badgers during construction and this should be made a condition, if planning consent is granted.

Reptile Mitigation

- 4.46 Regarding proposals relating to the reptile populations known to be present, as covered by Section 3.91 of the report, the suitability of a receptor site for animals translocated from elsewhere than within the application boundary should be carefully considered, as any populations already present there may be adversely affected by a sudden increase in density. Consideration should be given to creating some suitable grassland habitat on site in advance of construction to act as a receptor site when site clearance commences, off site translocation should be a last resort. A detailed reptile mitigation plan should be agreed with Rochford District Council before any construction activity commences.

Recommended Conditions

- 4.47 No development (including the removal of any vegetation or disturbance of topsoil) shall take place until a scheme has been submitted to remove animals and/or plants protected by the Wildlife and Countryside Act 1981 (as amended) and, if necessary, elements of the supporting habitat. The work shall be undertaken in accordance with details that shall have been approved in advance in writing by the LPA, Rochford District Council, unless otherwise agreed in writing by the LPA, Rochford District Council.
- 4.48 No [construction/demolition/excavation works] or/and [removal of trees/hedgerows] shall be carried out on site between 1 March and 31 August inclusive in any year, unless otherwise approved in writing by the LPA, Rochford District Council.
- 4.49 Should the development hereby approved not have been commenced within [one] year of the date of this planning permission, a further wildlife survey of the site shall be carried out to update the information previously submitted with the application [reference original survey dated December 2019, together with an amended mitigation and/or compensation strategy to mitigate/compensate the impact of the development upon the identified rare or

protected species. The new wildlife survey and mitigation/compensation strategy shall be submitted to and be approved in writing by the LPA prior to the commencement of development hereby permitted and thereafter the development shall be implemented in accordance with the approved wildlife survey and mitigation/compensation strategy.

NHS

- 4.50 A developer contribution will be required to mitigate the impacts of this proposal and the setting aside of land for a health facility with a 2-year marketing period after which time the land could be released for development. The CCG calculates the financial level of contribution required, in this instance to be £262,300. Payment should be made before the development commences and land availability should be within Phase 1 of the development.

Anglian Water

- 4.51 Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developer's cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- 4.52 The foul drainage from this development is in the catchment of Rochford Water Recycling Centre that will have available capacity for these flows via the Used Water Network: The sewerage system at present has available capacity for these flows. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable. We request that the agreed strategy is reflected in the planning approval. **CONDITION:** No hardstanding areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority. **REASON:** To prevent environmental and amenity problems arising from flooding.

Cadent Gas

- 4.53 Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

Essex County Council (Growth and Development Team)

- 4.54 A number of comments and recommendations are made. Main concern relates to the proposed location of the main access/egress into the site outside Holt Farm schools from the south through the development of a dedicated right turn lane on Ashingdon Road. We appreciate that the applicant has undertaken pre-application engagement with ECC as the Highway Authority for Rochford District. However, we are not convinced that the proposals external to the development site (but within the application boundary) align effectively with the National Planning Policy Framework (NPPF) 2019 requirement to deliver healthy and safe environments, through “high quality public space[s], which encourage the active and continual use of public areas”.
- 4.55 It is proposed that the main highways access from Ashingdon Road requires a dedicated right turn lane to access the site from the south. This additional lane on the highway would necessitate a reduction in the width of the segregated footpath and cycle lane outside Holt Farm schools, from c.6m down to the minimum technical standard of c.3m. Whilst this would meet the minimum technical width, it is likely that this would fundamentally reduce the space whereby parents, carers and children can assemble outside to wait for pupils. There is an imperative need to ensure that there is no conflict between all users in this location and this is a cause of concern from both an education and public health perspective. We recommend that consideration is given to further engagement with the schools, as appropriate, to understand possible mitigation measures which should be delivered by the applicant as part of this development. The applicant proposes that at this point outside the schools, the segregated cycle lane also becomes a shared space before continuing again to the north and south of the schools, either segregated or shared. We are concerned about the impact these proposed amendments to the active travel network in this location would have on perceptions of safe, active travel in the vicinity for cyclists, pedestrians, and other users (including residents), and amenity for parents, carers and children utilising this space to drop off and pick up pupils.
- 4.56 Concern is in relation to noise levels that the schools may experience, both during the construction and operational phases of the development. Whilst noise and air quality are a matter for RDC as the local planning authority, we would like to emphasise the need to be confident that the proposals would not have a detrimental impact on the vicinity of the Holt Farm schools, and in particular those pupils using the local footpath and cycle lane network to access the schools. Should this application proceed as currently proposed, we would look to see air and noise monitoring addressed within the Section 106 framework, to monitor this over the lifetime of the build and address any mitigation measures as needed and be a requirement of the permission.
- 4.57 As the determining authority, we recommend that RDC seeks an amendment which addresses the concerns of this Council, in relation to the public health and education implications on the Holt Farm schools and all users in this location and considers whether potential mitigation measures have been

satisfactorily explored. We would recommend further engagement with ECC as the Education Authority and the Holt Farm schools in this regard to ensure that any mitigation measures are agreed and to all parties' satisfaction.

- 4.58 We would recommend that all new homes within the proposed development are built in accordance with the requirements of Part M(2) of the Building Regulations. Additionally, wherever possible we would encourage the applicant to clearly commit to at least 3% of new homes built within this scheme being built to Part M(3) wheelchair accessibility standards, as per Core Strategy policy H6, to ensure those with immediate home accessibility requirements have their needs met. The technical housing standards are clear that wheelchair accessible homes require more circulation space than the nationally described space standards.
- 4.59 The Essex Developers' Guide to Infrastructure Contributions (2016) sets out ECC's position in relation to libraries. A contribution is considered necessary to improve, enhance and extend the facilities and services statutorily provided to account for the expected increase in people from a development of this scale (662 homes) using these facilities. The closest library in proximity to this development site is Rochford.
- 4.60 All new developments should include provision of future proofed internet access, ideally Fibre to the Premises. Developers are expected to proactively contact a telecommunications network operator of their choice to plan for internet connectivity installation as part of the build process. Developers are expected to provide details of their plans to install internet connectivity as part of their planning applications.
- 4.61 A contribution is sought towards provision of municipal waste facilities.

ECC Highways

- 4.62 ECC as Highway Authority comprehensively assessed all the relevant submitted material supporting the aforementioned planning application for 662 residential units from Bloor Homes, Aber Ltd., A. W. Squier Ltd. and D. W. Squier Ltd. for the development of land south of Oxford Road, east of Ashingdon Road and north of The Drive and Rochford Garden Way as allocated (SER8) in the RDC Local plan.
- 4.63 Ardent Consulting Engineers (ACE) were appointed to carry out a transport assessment on behalf of the applicant and following numerous pre-application and scoping meetings with ECC the format of the TA was agreed. This includes the proposed growth from other development in the Rochford area. A Transport Assessment addendum was further produced by ACE and agreed by ECC on junction modelling.
- 4.64 The robust TA focused assessment on the network in the vicinity of the site including a number of junctions along the Ashingdon Road corridor and further afield at the Anne Boleyn/Sutton Road roundabout. The analysis

concluded that the junction operations would meet the tests set out in NPPF. The means of access to the development shall be from a new Priority 'T' junction with Ghost Right Turn Lane facility on Ashingdon Road. A secondary point of access is also proposed from an upgraded Percy Cottis Road.

- 4.65 As per requirement of the Highway Authority, the following junctions were agreed for assessment:
- Site access
 - Rectory Road/Ashingdon Road roundabout
 - Ashingdon Road/Dalys Road/Roche Avenue roundabout
 - Ashingdon Road/Hall Road/West Road roundabout
 - Anne Boleyn (Southend Road/Sutton Road) roundabout
- 4.66 It was agreed with the developer to identify a series of measures that could mitigate the impact of the proposed development in line with the tests set out in the NPPF along the Ashingdon Road Corridor and further afield. These include:
- Provision of ghost right hand turn lane access into the proposed development site;
 - Improvements and localised widening to Percy Cottis Road;
 - Upgrade to Toucan Crossing facility on Ashingdon Road;
 - Implementation of improvement scheme in the vicinity of the schools with improved signage and pedestrian/cycle access from the development site;
 - Cycling infrastructure upgrades within the vicinity of the site;
 - Passenger transport upgrades to both adjacent infrastructure and adjacent services;
 - Travel planning and marketing campaign for residential units;
 - Improvements to Ashingdon Road/Rectory Road roundabout junctions to improve operational performance;
 - Improvements to Ashingdon Road/Dalys Road/Roche Avenue roundabout junctions to improve operational performance; and
 - Contribution towards improvement at the Anne Boleyn/Sutton Road roundabout.
- 4.67 The junction modelling has shown the traffic generated by the development will impact on the junction assessed but with the proposed mitigation in place in partnership with sustainable travel measures the impact will be reduced to provide for nil detriment or in some cases improvement.

- 4.68 In order to reduce the number of trips made by car from the development and in line with Sustainable Transport policy a residential travel plan would assist the encouragement of walking, cycling and public transport, given the site's proximity to local services and bus network.
- 4.69 The site layout for Phase 1 has been designed with consideration given to the adopted Essex Design Guide standards and guidance in the Manual for Streets, with emphasis on reducing car dominance through the provision of shared surfaces, keeping traffic speeds within the target of 20mph on all internal roads, and prioritising pedestrian and cycle movement.
- 4.70 The wider site layout is highly permeable for pedestrians/cyclists and integrates with the existing network of routes, establishing several new connections. This includes a strategic foot/cycle link between Oxford Road and The Drive, facilitating direct access to the King Edmund School and Waterman Primary School, and Rochford town centre.
- 4.71 The traffic impact and internal layout has been assessed and mitigation proposed in accordance with the scale of development and ECC DM Policy requirements therefore;
- 4.72 *From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following mitigation and conditions:*
1. Prior to commencement of the development, the access shall be provided as shown in principle on ACE DWG. 185180-004F. The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway with an appropriate dropped kerb vehicular crossing of the footway with clear to ground visibility splay. Such vehicular visibility splays of 2.4m x 43m in both directions, shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times thereafter.
 2. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.
 3. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
 4. No unbound material shall be used in the surface treatment of any vehicular access within 6 metres of the highway boundary.
 5. The development shall accord, including any ground works or demolition, with the approved CEMP. The approved Statement shall be adhered to throughout the construction period. The Statement shall

provide for: i. the parking of vehicles of site operatives and visitors; ii. loading and unloading of plant and materials; iii. storage of plant and materials used in constructing the development; iv. wheel and underbody washing facilities; v. Routing of vehicles

6. Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.
7. Vehicle parking shall accord with the requirement of the EPOA parking standards and as such each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres. All single garages should have a minimum internal measurement of 7m x 3m, All double garages should have a minimum internal measurement of 7m x 5.5m to be considered in the parking numbers. Visitor Parking shall be provided throughout the development with electric parking charging facilities integrated into the design of communal parking areas.
8. Prior to occupation of the proposed residential development, the Developer shall provide and implement a residential Travel Plan including payment of a Travel Plan Monitoring fee to ECC. The plan is to be monitored annually, with all measures reviewed to ensure targets are met. The Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for every household for sustainable transport, to include six one day travel vouchers for bus travel approved by Essex County Council.
9. Prior to occupation of the proposed residential development the existing bus stops on Ashingdon Road immediately to the north and south of the site access shall be upgraded to provide raised kerbs / shelter / timetable / flagpole and real time passenger information as deemed necessary and approved by Essex County Council.
10. Prior to occupation of the proposed residential development a financial contribution towards bus service enhancements along the Ashingdon Road corridor to upgrade existing services / creation of new service routes or the provision of Bus Priority measures as deemed necessary and approved by Essex County Council.
11. Prior to occupation of the proposed residential development the provision of a segregated foot / cycle path (min 5 wide) to be provided from the Oxford Road to The Drive with additional markings and signage along both Oxford Road and The Drive.
12. Prior to occupation of the proposed development, 2m wide footpaths connections to Ashingdon Road shall be provided between nos. 168 and 170 Ashingdon Road and south of Sapwoods DIY shop, as shown in principle on ACE drawing nos. 185180-001C and 185180- 005 respectively.
13. Prior to occupation of the proposed development a financial contribution towards cycling infrastructure upgrades from the site to connect with Rochford Town Centre and employment sites on Cherry

Orchard Way as identified in the Rochford Cycling Plan as Flagship routes 1 & 2.

14. Prior to first occupation, Highway works along the Ashingdon Road Corridor shall have been provided entirely at the Developer's expense. This includes; i) Improvement at the Ashingdon Road/Rectory Road roundabout to provide widening on the approaches of Rectory Road and Ashingdon Road south to provide two-lane entries, and changes made to road markings on the Ashingdon Road north approach to provide a wider entry lane. The proposed improvement scheme is shown in principle on ACE drawing no. 185180-15; ii) Improvement at Ashingdon Road/Dalys Road/Roche Avenue roundabout to provide widening at both Ashingdon Road approaches to provide two-lane lane entries, and also modify road markings on Dalys Road to provide a two-lane entry. The proposed junction arrangement is shown in principle on ACE drawing no. 185180-16. iii) Provision of improvement measures in the vicinity of Holt Farm Junior / Infant school to include upgraded signage / markings and speed restrictions as part of School Zone measures. iv) A financial contribution towards upgrades to the Southend road / Sutton Road "Anne Boleyn" Roundabout.

ECC Education

- 4.73 Additional provisions will be needed for EY&C, Primary school and Secondary school places and that this development will only add to that needed. Therefore, contributions for additional EY&C, Primary school & Secondary school places will be necessary. Based on a need created by this development for 18.09 additional EY&C places, the sum sought would be £300,222 (index linked to April 2020 costs). Based on a need created by this development for 60.30 additional Primary school places, the sum sought would be £1,041,260 (index linked to April 2020 costs). Based on a need created by this development for 40.20 additional Secondary school places, the sum sought would be £955,755 (index linked to April 2020 costs).

Second Response

- 4.74 The full unit mix the contributions for Education will be EY&C £896,930.82 Plus indexation, Primary School £2,989,769.40 Plus indexation, Secondary School £2730,833.80 Plus indexation.

ECC Lead Local Flood Authority

- 4.75 Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following conditions:
 1. No works except demolition shall takes place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological

context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Limiting combined discharge rates for all phases to 55.7l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1:30 plus 40% climate change critical storm event.
- Final modelling and calculations for all areas of the drainage system.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

2. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.
3. Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.
4. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Further response

- 4.76 Suggested condition wording for the FAS aspect of the proposed Ashingdon Rd development. This is based on the standard SuDS condition 1 which is prior to any works taking place, but we would also recommend another ‘prior to occupation’ condition similar to the maintenance plan (Condition 3) that requires submission and approval of ‘As built Drawings and Construction Health and Safety File ‘ which is for the purpose of ensuring the scheme has been built to specification and all the relevant safety information is available in accordance to CDM requirements.

1. No works shall take place until a detailed off-site flood alleviation scheme proposal, based on an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Provide sufficient storage to ensure a reduction in off-site flooding as a result of existing surface water flows during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Final modelling and calculations for all areas of the flood alleviation scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any flood alleviation features.
- A written report summarising the final strategy, including total number of off-site receptors benefitting and highlighting any minor changes to the previously approved flood alleviation strategy.
- Construction tender documents including, but not limited to drawings, specifications, health and safety information and cost estimates.
- A project delivery and grant funding management plan.

The scheme shall subsequently be implemented prior to occupation and in accordance to the project delivery plan.

ECC Minerals and Waste

- 4.77 The site is located within a Mineral Safeguarding Area (MSA) for sand & gravel and an MSA for brickearth. Although it meets the mineral safeguarding thresholds at which Policy S8 of the Essex Minerals Local Plan 2014 (MLP) is engaged, as set out in Policy S8 of the MLP through its reference to Appendix 5 of the same document, ‘Applications for development on land which is already allocated in adopted local development plan documents’ are classified as ‘excluded’ development for the purposes of applying Policy S8 of the MLP.

ECC Archaeology

- 4.78 The proposed development lies in a sensitive area of potentially important archaeological deposits. There is the potential for archaeological remains in this area, particularly of Roman and modern date. The applicants have now commissioned a geophysical survey which show that there are unlikely to be highly significant archaeological deposits on the site, although the evidence

still indicates that there is the potential for archaeological deposits of local importance being present. Therefore, the following recommendations would ensure that these are appropriately recorded in advance of development commencing on the site if given approval.

1. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the local planning authority.
2. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above.
3. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

The above work would comprise a programme of initial trial trenching over the development area followed by open area excavation of archaeological deposits identified.

ECC Low Carbon Energy/Environment Team

- 4.79 National Planning Policy Guidance keeps green infrastructure (GI) front and centre in its approach to delivering net gains for the environment. Adequate provision, protection and improvements of high-quality GI will need to comply with the objectives of relevant planning policy. The development will need to demonstrate how it will protect and improve existing hedgerow and other GI features that contribute and connect to the landscape scale GI network within the boundary of the development and the wider area.
- 4.80 Any construction plans or Construction Environmental Management Plan will be required to set out how retained hedgerows and other vegetation will be protected, enhanced and schedule of a phase delivery of planting new GI during construction of the development to mitigate the impacts and to ensure essential green infrastructure, (i.e. trees, hedgerows and other planting) can become established, mature and resilient before the full development is completed.
- 4.81 The Energy and Sustainability Statement (ESS) mentions that a Landscape Ecological Management Plan (LEMP) will be prepared to ensure that both retained and new habitats are appropriately managed in the long-term and that their ecological value for wildlife is maintained. The LEMP will need to clearly define an agreement on the long-term management and maintenance arrangements that states the function and benefits of all green infrastructure

components and their maintenance regimes, including mechanisms for funding. The ESS also proposes that the non-residential buildings will be certified to BREEAM 'Very Good'. It is stated in the planning application that 'overall, it is considered that the proposed development contributes to the environmental objective of sustainable development', however the development could aim higher in achieving sustainability by reducing the carbon footprint of the development to align with ECC and the national target of net zero and the environmental objective of moving to a low carbon economy. We welcome the fabric first approach, and the hierarchy of reducing energy demand first, however we would recommend the further consideration of renewable energy generation onsite.

- 4.82 There should also be provisions for electric vehicles and electric vehicle charging points on the development. The NPPF paragraph 110 states that "applications for development should... be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations." The Essex Design Guide also states: 3.203 For housing developments with garages and/or dedicated off-street parking, each new dwelling should be fitted with a standard (3-7kW) chargepoint. 3.204 For housing developments with no off-street parking, 10% of the unallocated parking bays should have an active (i.e. wired and ready to use) chargepoint. A further 10% should have the necessary underlying infrastructure (i.e. cabling and ducting) to enable quick, simple installation at a later date when there is sufficient demand.

ECC Urban Design

- 4.83 This response outlines my consideration of the submitted scheme, and identifies where the proposal is strong, and where it is considered that tweaks or alterations are required to the design to make it acceptable.
- 4.84 Overall, the design approach has evolved positively as a result of number pre-application meetings. The general approach to key elements such as connectivity of the site to the wider built environment, wayfinding internally and the defined street hierarchy all work well. The development has taken the principle of garden suburbs into this scheme, which is a contextual reference to the properties immediately to the south which are of the garden community style. This is a positive contextual link to an area which has a mixed existing vernacular and typology with no defined overriding architectural influence, and this has been well reflected in the style and detailing of the proposed buildings.

Phase 1

- 4.85 There has been a positive approach to landscaping within the development, and I welcome the front-loading of significant landscape treatment on the eastern edge of the site as part of Phase 1 which will allow the proposals to mature and sit well within the development as Phase 2 and 3 come forwards

and offer a ready to go amenity area for all residents. I also welcome the use of a landscaped formal square and the treatment to the Entrance Avenue which includes semi-mature tree planting and a good amount of soft landscaping within verges and frontages which help to reinforce the garden suburb ethos and sense of place.

- 4.86 A good level of thought has been put into the treatment of heights within the development, focusing taller elements at key junctions, public spaces and aiding with vistas and terminating views. This has helped to ensure that there is interest in the roofline and formation of townscape, and I also feel that the three storey apartment block elements of the scheme are appropriately placed to as to limit any intrusion into views towards the site from the surrounding area.
- 4.87 The density of the proposal, which averages out at around 33dph is acceptable, and it is recognised that this will vary across the site, with higher density pockets and reduced density in areas such as the green fringes where detached dwelling set within their own land proliferate.
- 4.88 I also welcome the approach to the three-character areas (4 including the community facilities) which has evolved through design discussions. It is my view that they offer an appropriate level of difference between them and I believe from reviewing streetscape plans and visualisations provided as part of this submission that the architecture will be of a good quality.
- 4.89 Concerns were raised with regards to shapes of some of the gardens, further landscaping between runs of parking to prevent a car dominant environment to dwellings and flatted blocks, alterations to the orientation of some dwellings to address vistas within the site. Also, alterations to the layout of some car parking spaces, robust improvements to landscaping and alterations made to the parking surrounding the landscaped square. The addition of further landscape along some of the street frontages, a reduction in number of dwellings served by alleyways and improvement to the courtyard parking in terms of shape, improvements to landscaping and location of bin stores.
- 4.90 The level of affordable housing is welcomed however concerns were raised with regard to the siting of these units as it was felt they were not evenly distributed throughout the Phase 1.
- 4.91 The housing type pack does not show coloured elevations, this level of detail will give a better understanding of the aesthetics of the buildings and was sought. Some further clarification has been sought with regards to materials being used on certain house types and flatted blocks.

Phases 2 & 3

- 4.92 A number of concerns were raised in relation to the layout and have been summarised as following: - Feature buildings and scale of buildings to be

considered along the public open spaces. Additional pedestrian crossing should be included across the east-west ditch. Confirmation that the cluster of terraces are not solely affordable along the northern edge. Material treatment for the highway to crossings over the ditch. Clarity the width of the east-west ditch has not been reduced. Introduction of a pedestrian crossing over the primary street in Phase 3. Large extent of hardstanding is shown where landscaping should be proposed along the northern and southern side of the ditch. Redesign to all parking courts to flattened blocks to achieve a landscaped courtyard. Prolonged alleys should only serve a maximum of 2 properties. A shared private drive for units 433-445 requires closing up. A route along the southern edge behind properties 433-445 is unnecessary as it could become an issue for antisocial behaviour and fly tipping. The northern 'hammerhead' shaped green strips remain a concern for antisocial behaviour and fly-tipping due to its secluded nature. The courtyard car parking for the formal landscaped square are shown at the rear, it was suggested that this area of car parking is gated. Oxford Road should be shown on the layout as this is an important pedestrian link. Treatment for the alleyway to the west connecting to Ashingdon Road needs to be shown. Would like to see the large area of public open space to the east should be brought forward in Phase 1. More on-street landscaping as some of the streets

ECC Landscaping

- 4.93 A comprehensive landscape strategy has been provided. The scheme provides an increase in tree numbers and species diversity, as well as pocket green spaces, play space, avenue trees, allotments and green buffers. Nevertheless, we have some recommendations that should be taken into consideration if minded for approval.
- 4.94 Appropriate tree and shrub planting should be incorporated along the ditch line where (G72 – T83) are proposed for removal to ensure the scheme aligns with Policy SER8 and Policy DM26. We also ask that an informal made footpath is also included along this alignment to provide off road access to the POS to the east of the site in line with the Regulating Plan presented in the Design Code report.
- 4.95 The planting of three new 6m high street trees to the north of the *Quercus robur* (TPO 01/2019) should be conditioned as part of this application.
- 4.96 Plot 202-203 is reconfigured to provide sufficient private garden space in line with policy.
- 4.97 Planting enhancements to the green corridor on the eastern boundary of the site should be proposed to aid visual screening and to enhance the wildlife corridor and overall green infrastructure network.
- 4.98 Where possible, tree and shrub planting within the POS to the east of the site should be undertaken in advance of future phases of development. This will

ensure that planting can establish and provide some maturity to the scheme prior to dwellings being occupied. If conditioned, this could read as follows: We welcome the open space provision for apartments across the site. However, we recommend that enhanced courtyards are explored. For instance, the spaces should be more than just amenity grass and tree planting. We would expect to see sitting areas and a mixed planting palette and surface treatments to ensure the spaces are active and provide purpose.

- 4.99 Careful consideration should be given to the inlet and outlet design for SuDS features to maximise the amenity value. A standard approach of precast concrete and galvanised handrail for inlets/outlets should be avoided and other soft-engineered approaches explored.
- 4.100 There are concerns that not all Phase 2 & 3 plot garden sizes are policy compliant.
- 4.101 There are many rows of parking bays that do not account for soft landscape features.
- 4.102 The Regulating Plan states that a pedestrian link to Ashingdon Road will be provided in the north eastern corner, connecting to the green corridor/ditch line. This does not seem to have been replicated on the Illustrative Landscape Plan or the Phase 2 & 3 Layout. This link is important as it is the most desired and direct route to the retail units and bus stop and therefore should be integrated into the scheme layout.
- 4.103 The Phase 2 & 3 layout indicates that there will be a narrow landscape corridor running along the entire length of the northern boundary. There are concerns that this is unmaintainable and potentially prone to fly tipping from neighbouring dwellings. For these reasons, we would advise that the corridor is built into the curtilage of the proposed plots.

Further comments

- 4.104 We welcome the amendments that have been made to the proposal since we were last consulted. Generally, there is a positive approach to landscaping within the development, with a significant landscape treatment on the eastern edge of the site and a high-quality entrance avenue, which helps to reinforce the garden suburb ethos and sense of place. The ditch line has also been enhanced to provide additional green infrastructure functions with appropriate tree planting, pedestrian crossings and swale planting. If minded for approval, we would recommend the following observations and conditions are considered:
- Careful consideration should be given to the inlet and outlet design for SuDS features to maximise the amenity value. A standard approach of precast concrete and galvanised handrail for inlets/outlets should be avoided and

other soft-engineered approaches should be proposed as shown on Drawing P18-2109_83.

- Additional understorey shrub and herbaceous planting along the ditch line should be considered as part of any detailed landscape proposal.
- Boundaries to Plots 173-181 parking courtyard should be proposed as 1.8m brick walls rather than close board fences to provide a greater sense of security and improve the quality of the space.
- We welcome on-plot landscaping and planting between parking spaces. When planting details (specification and schedule) are submitted, we will expect to see a varied planting palette offering scent, colour, texture and height, that differs across character areas.

Proposed conditions include:

1. No development shall commence within a development area or phase, until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping, in accordance with the illustrative master plan drawings P18-2109_57 and P18-2109_59, drawn to a scale of not less than 1:200. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities, weed control protection and maintenance and any tree works to be undertaken during the course of the development. Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.
2. No development shall commence within a development area or phase, until full details of a hard landscaping scheme for that area/phase has been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials and minor artefacts and structures (for example furniture, play areas and equipment, refuse and/or other storage units, signs, lighting and similar features).
3. No development shall take place within a development area or phase until there has been submitted to and approved, in writing, by the Local Planning Authority full details of all proposed tree planting systems. Submitted details must include planting and maintenance specifications, construction details and any other protective measures. Confirmation of location, species and sizes, nursery stock type, supplier and defect period will be needed. All tree planting shall be carried out in accordance with those details and at those

times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

4. Details of the onsite children's play space provision contained within the proposed play spaces, shall be submitted to and approved in writing by the Local Planning Authority prior to any landscaping works commencing.

The details shall include the:

- location, layout, design of the play space;
- Materials, street furniture and surfacing specification; and equipment/features specification.

The play space and equipment/features shall be laid out and installed prior to the first occupation of the development.

5. No development shall commence within a development area or phase until there has been submitted and approved in writing by the Local Planning Authority all SuDS details. This should include; detailed section drawings, details of headwalls/inlets and outlets, a timetable for their implementation and a management and maintenance plan.
6. Before any works commence of any above ground works, details of advance structural planting to the eastern edge public open space shall be submitted and approved by the Local Planning Authority. Implementation will need to be carried out prior to above ground construction work, and in accordance with an implementation timetable agreed in writing with the Local Planning Authority.
7. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior occupation of the development. The content of the LEMP shall include the following:
- Description and evaluation of features to be managed.
 - Ecological trends and constraints on site that might influence management.
 - Aims and objectives of management.
 - Appropriate management options for achieving aims and objectives. e) Prescriptions for management actions.
 - Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - Details of the body or organization responsible for implementation of the plan.
 - Ongoing monitoring and remedial measures.

ECC Ecology

- 4.105 No objection subject to a) securing a contribution to the Essex Coast RAMS (Recreational Avoidance Mitigation Strategy) and b) biodiversity mitigation and enhancement measures.
- 4.106 The development proposal includes 4.85ha of natural/semi-natural open space provision within which required SANGs features (Natural England, 2008) will be incorporated into this residential development which will provide sufficient for the daily recreational needs of the new residents. This should be secured by a condition of any consent for all phases.
- 4.107 The LPA is advised that a financial contribution should be sought towards visitor management measures at the relevant Habitats sites in line with the Essex coast RAMS, for impacts from residential development within the ZOI specified in combination with other plans and projects.
- 4.108 We are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on designated sites, protected and priority species and habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
- 4.109 The mitigation measures identified in the Ecological Impact Assessment (SES Southern Ecological Solutions, December 2019) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and priority species.
- 4.110 We support the proposed reasonable biodiversity enhancements specified in the Ecological Impact Assessment (SES Southern Ecological Solutions, December 2019) which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. The reasonable biodiversity enhancement measures should be detailed within a Biodiversity Enhancement Layout and should also be secured by a condition of any consent for each phase of this development.
- 4.111 This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006. Impacts will be minimised such that the proposal is acceptable subject to the conditions below. Submission for approval and implementation of the details below should be a condition of any planning consent.
1. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (SES Southern Ecological Solutions, December 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological

- clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.
2. No works which include the creation of trenches or culverts or the presence of pipes shall commence until a licence to interfere with a badger sett for the purpose of development has been obtained from Natural England and a copy of the licence provided to the LPA. Measures to protect badgers from being trapped in open excavations and/or pipe and culverts must be carried out in accordance with the details contained in the Ecological Impact Assessment (SES Southern Ecological Solutions, December 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. The measures may include: a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and b) open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.
 3. A Farmland Bird Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of off-site compensation measures to be secured by legal agreement or a condition of any consent, in nearby agricultural land, prior to commencement. The content of the Farmland Bird Mitigation Strategy shall include the following: a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark nest plots; b) detailed methodology for the compensation measures e.g. Skylark nest plots must follow Agri-Environment Scheme option: 'AB4 Skylark Plots'; locations of the compensation measures by appropriate maps and/or plans; persons responsible for implementing the compensation measure. The Farmland Bird Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.
 4. An invasive non-native species protocol shall be submitted to and approved by the local planning authority. This shall include details of the containment, control and removal of the Japanese knotweed *Fallopia japonica* present on site. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.
 5. A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Impact Assessment (SES Southern Ecological Solutions, December 2019) shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.
 6. A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and

that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

7. If the demolition of Nos. 148 and 150 Ashingdon Road, removal of highway tree and formation of access onto Ashingdon Road and secondary access onto Percy Cottis Road to serve residential development of 662 dwellings and community building with associated infrastructure hereby approved does not commence within 18 months from the date of the bat survey results in the Ecological Impact Assessment (SES Southern Ecological Solutions, December 2019), the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to: i. establish if there have been any changes in the presence and/or abundance of bats and ii. identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the demolition of Nos. 148 and 150 Ashingdon Road, removal of highway tree and formation of access onto Ashingdon Road and secondary access onto Percy Cottis Road to serve residential development of 662 dwellings and community building with associated infrastructure. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Natural England

- 4.112 Based on the plans and Habitat Regulations Assessment submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites.
- 4.113 No objection, subject to appropriate mitigation. It has been highlighted that the application site falls within the 'Zone of Influence'. A Habitat Regulation Assessment is required before the grant of any planning permission.
- 4.114 An assessment as required has been carried out. Mitigation would be secured through conditions and a legal agreement.

Essex Badger Group

- 4.115 The Essex Badger Protection Group would like to object to this application on the basis that we have records of active badger setts at various locations on the site. The entire area is also used by badgers for foraging. We are against anything which causes disturbance to badger setts and their territory as it puts considerable stresses on the badger population and can cause them to be dispersed into the surrounding areas. As we have found with previous developments in the district that have encroached on badger populations, the disturbance and removal of badger habitat invariably leads to the badgers moving into nearby residential areas thereby causing damage to properties and problems for property owners as well as public areas such as parks.
- 4.116 The welfare of badgers therefore needs to be taken into consideration when assessing this planning application and any mitigation measures that are proposed. Until a full badger habitat survey has been undertaken and an acceptable mitigation proposal produced which ensures the safety of the badgers, we would urge planners to refuse or, at the very least, defer any planning permission.

London Southend Airport

- 4.117 No part of the proposed development should be taller than 56.46m AOD. The development should comply with EASA/CAP168 regulations regarding lighting, landscaping, etc.

Environment Agency

- 4.118 The Environment Agency has screened the site, we have no comments to make.

Essex Police

- 4.119 Rochford Core Strategy states, "new development will be implemented having regard to the need to design out crime to keep Rochford safe". In the submitted Design and Access statement, the applicant has cited creating safe, inclusive and secure homes as referenced in the NPPF, sec12 para 127(f) as well as Local plans and design guidance which requires new developments to be design-led and community focused, to secure the delivery of well designed high-quality and sustainable development. The applicant has also submitted a Design Code document which on p15 states consideration should be given to the design principles contained within Secured by Design: Homes (March 2019) and Essex Design Guide (adopted by RDC in 2005), however in this outline planning submission there is insufficient detail to allow an informed comment as to whether this site meets this aim. There has been no pre-application consultation between Essex Police and the applicant. The NPPF promotes pre-planning consultation in order that security and lighting considerations for the benefit of the intended residents and those neighbouring the development are met prior to a full planning application.

Essex Police are available to consult with the applicant to discuss the integration of crime prevention through environmental design into this site by means of the nationally acknowledged Secured By Design accreditation process. Essex Police, provide at no cost, an impartial advice service to applicants who request this service.

Neighbours (summarised)

4.120 Responses to public consultation have been received from Councillor Webb which are a formal objection to the proposal, and which raise the following key concerns as outlined below.

- Reduction of footpath in the vicinity of the school.
- Proposed road junction directly opposite the school.
- TA seriously underestimates likely traffic impacts from the proposed development.
- Loss of popular Oak tree subject to TPO.
- No. of on-site parking spaces suggests a much greater increase in vehicles from the development than the number the TA has used derived from census data.
- TA overly reliant on unproven modal shift predictions.
- Overdevelopment – 665 dwellings is some 30 percent increase over the 500 allocated.
- No clearly defined s106 to guarantee payments to RDC/ECC – details should be presented to the Development Committee.
- Proposed community use not defined/already catered for in the area.
- Additional healthcare facility is needed.

4.121 Two letters have been received from the Rt Hon Mark Francois MP objecting to the proposed development which raise the following key concerns as outlined below.

- Significant adverse impact on the Local Highway Network.
- The TA seriously underestimates the likely increase in traffic the development will cause.
- Proposed new main vehicular access directly outside school.
- Loss of a popular local landmark oak tree, which is currently protected by a Tree Preservation Order.
- Adverse impact by way of loss of existing layby used for school drop-off. Proposed drop off point would be wholly insufficient and indeed would lead to congestion in its own right, as large numbers of parents attempted to enter and exit the site in order to get to the drop off point within.
- No. of on-site parking spaces suggests a much greater increase in vehicles from the development than the number the TA has used derived from census data.

- The Transport Assessment proposes adjustments to four key junctions, in the vicinity of the site, including widening access at some of them to two more clearly defined lanes but, these relatively minor improvements are likely to add only very incrementally to their capacity to take additional traffic in peak periods, and are therefore unlikely to materially reduce the congestion along the Ashingdon Road. However, the most the most severe “pinch point” as it were, is the mini roundabout on the junction of Ashingdon Road/Dalys Road/Roche Avenue, towards the southern end of the Ashingdon Road itself.
- The Transport Assessment uses an “assessment year” of 2029 for its calculations – in effect attempting to work out the traffic impact once the development is fully built out and occupied, which in itself is not unreasonable. Nevertheless, the estimate is that, while at present 1,708 vehicles transit that junction between 8:00am to 9:00am, this would increase to 1,874 vehicles transiting the junction by 2029 – an increase of 166 vehicles (the assessment miscalculates this at 167) or, very conveniently, just over 9.7%.
- The Developers make much of attempting to encourage future residents to undertake “modal shift” i.e. to take other forms of transport, particularly to and from work, via means other than their own private car. However, the 2001 Census data (the latest which we have available) which is cited in the Transport Assessment shows that some 67% of journeys in the local area in the morning peak are undertaken by car. This would imply around 1,000 car journeys in the morning rush hour, the bulk of which would be likely to be heading south to Rochford/Southend or the A127 and the A13.
- Unproven modal shift relied on in TA particularly given very strong car ownership culture in this area.
- In simple terms, it almost beggars belief that a new estate of 665 dwellings, with up to 1,500 vehicles on it (or more), of whom at least two thirds are likely to travel to and from work by car, will only lead to 166 additional vehicle movements across the most congested junction at Ashingdon Road/Dalys Road/Roche Avenue, between 8:00am and 9:00am in the height of the morning rush hour, almost a decade from today. Even the most cursory knowledge of the area and of modern driving habits shows that this assumption is patently ludicrous. One does not have to be a cynic to conclude that the entire calculation has been specifically designed in order to try and stay below the magic 10% threshold.
- Overdevelopment – 665 dwellings is some 30 percent increase over the 500 allocated.
- No clearly defined s106 to guarantee payments to RDC/ECC – details should be presented to the Development Committee.
- Proposed community use not defined/already catered for in the area.
- Additional healthcare facility is needed.
- There is no guarantee of any additional educational facilities despite the large number of children, of both primary and secondary school

age, that would be likely to live on the site. This is, for instance, in marked contrast to the recent Countryside development at Rawreth Lane in Rayleigh, in which Countryside offered to build a new primary school and indeed allocated several acres on the site, which are still assigned for this purpose.

- It appears that Essex County Council (ECC) Highways has now also questioned the traffic assessment. Bloor Homes has responded with a revised traffic assessment (RTA) which, unsurprisingly, seeks to downplay the traffic impact even further. The RTA does not appear to have been based on any new traffic survey but based on the Developer's traffic consultants recalculating the traffic flows, mainly in July 2020, using a new set of assumptions, which were more in their favour. Even so, the revised calculations still show that both the practical and theoretical capacity of some key junctions on the Ashingdon Road or just off it will be exceeded by 2029. The Developer recommends some mitigating design changes, but it is not clear that these would be adequate in practice.

4.122 1063 responses have been received from the occupants of the following addresses;

Aaron Lewis Close; 9. Adams Glade; 8. Albert Road; 7, 8, 14A, 15, 16, 19A, 31, 32A, 37, 60, 64. Alderbury Lea (Bicknacre); 20. Alexandra Road; 9, 16, 19, 25, 28, 35, 42, 49, 54, 66, 102, 173. Allerton Close; 7, 23, 30, 37. Althorne Way; 8b, 18. Anchor Lane; 10, 11, Charnwood, The Mulberry. Appleyard Avenue; 7. The Approach; 68. Arnolds Way; 3, 11. Arundel Road; Whiteacre Cottage. Ash Green; 11. Ashcombe; 5, 7, 16, 40, 49, 67, 83. Ashingdon Heights; 15, 43, 63, 71. Ashingdon Road; 7, 17, 32, 36B, 36C, 43, 59, 60, 62, 63, 79, 82, 88, 104, 124, 126, 128, 130, 140, 146, 152, 158, 160, 162, 164, 166, 166A, 168, 174, 178, 184, 188, 192, 194, 196, 200, 202A, 203, 209, 210A, 211, 213, 217, 218, 220, 222, 223, 225, 227, 229, 234, 238, 247, 251, 253, 255, 263, 265, 269, 274, 278, 300, 301, 308b, 324, 336, 338, 343, 347C, 347D, 351, 363, 364, 401, 405, 416, 445, 475, 477, 493A, 506, 509A, 529, Flat 7 Aspen Green, 543, 577, 617, 621, Holt Farm Infant School, Holt Farm Junior School, New Gables. Ashtree Court; 37. Ashworths; 10, 19, 21. Assandune Close; 11. Athlestan Crescent; 1. Avon Close; 22, 25. Bailey Road; 13. Banyard Way; 3, 14, 20, 29, 40, 47, 65. Becket Close; 3, 5. Belchamps way; 25b. Bobbing Close; 2, 7. Boston Avenue; 2 Springfield Court. Boswell Avenue; 9. The Bramleys; 22, 26, 29, 37, 48, 62, 63. Branksome Avenue; 5. Braxted Close; 5. Brays Lane; 27, Reliance. Brayers Mews; 11, 15. Brocksford Avenue; 35. Broad Walk; 25. Brook Close; 5. Buckingham Road; 15, 25. Bull Lane; 179. Bunters Avenue (Shoebury); 15. Butts Paddock; 3, 24. Byford Close; 2. Cagefield Road; 30, 38, 46. Cambridge Gardens; 9. Canewdon Hall Close; 5, 6. Canewdon View Road; 11, 37, 43, 45, 74. Canute Close; 20a, 27, 30. Cedar Walk; 7 10B. Central Avenue; 17, 22, 22a. Chaplin Road East Berholt (Colchester); 71. The Chase; Brotherhood Cottage. Chestnut Close; 17. Chestnut Path; 8, 9, 10, 21. Church Street; 95. Clayswell Court; Flat 10. Clements Hall Way; 3. Clifton Road; 19, 24, 26, 36,

61, 71, 74, 75, 76, 78, 83, 87, 95, 96, 97. Colemans Avenue (Westcliffe); 65. Coombes Grove; 5, 17, 19, 24. Copelands; 12, 18. Cornwall Gardens; 5, 19, 27. Crane Court; Autumn Cottage. Craven Close; 1, 15. Creeksea Ferry Road; 4, Takeley. Cromwell Road; 4. Crowborough Road (Southend); 73. Dalys Road; 12, 1 Chelsea Court. Derbydale; 14, 17, 18, 27. Devon Gardens; 3, 40. Doggets Close; 2, 13, 41, 55. Doulton Way; 16, 23, 36, 44. Doric Avenue; 1, 10, 17, 23. Dorset Gardens; 11, 16, 18, 22, 37, 38. The Drive; 1, 19, 21, 38, 45, 54, 56, 62, 66, 77, 80, 86, 90, 91, 98, 99, 102. Ducketts Mead; 1, 10, 18. Durham Way; 5. East Street; Flat 1, 3 Gordons Yard, Flat 11 12 Glenmore House, 15. Eastbury Avenue; 9, 14, 17, 28, 35, 38, 39. Edward Close; 1. Elizabeth Gardens; 112, 128, 132. Ellesmere Road; Conway. Englefield Close; Wisteria Cottage. Ethelbert Road; Franela, Nealma. Fambridge Road; Plemont. Ferry Road; 12. Foundry Lane (Burnham on Crouch) Burnham Yacht Harbour. Four Sisters Way; 29. Gelding Close; 14, 20. Glebe Close; 35. Golden Cross Road; 32, 38, 39, 42A, 70a, 71, 93, 95, 97, 99, 107. Greenlands; 10. Greensward Lane; 37, 115, 219, 250. Hainult Avenue; 10. Hall Road; Longbridge, Talgarth. Hampton Court; 1, 9. Harewood Avenue; 1, 6, 11, 14A, 48, 60, 67, 68, 72, 79. Harrogate Road; 36. Hazelwood Grove (Leigh on Sea); 21. High Road; 59. High Street; The Chequers, Danelagh. Highams Road; 41, 52. Highcliff Crescent; 10. Hill Lane; 8. Hillcrest Road; 19A. Holt Farm Way; 1, 11, 25, 27, 28, 40, 42, 43, 50, 57, 59, 79. Hogarth Way; 10, 20. Hornby Avenue (Westcliffe); 111. Hyde Wood Lane; 1 Greenacre Cottages, Woodside. Ilfracombe Avenue; 20. James Drive; 12, 26, 34. Keswick Avenue; 29. King Henry Drive; 10. Lambourne Hall Road; 1 Lambourne Mead Cottages, 2 Lambourne Hall Cottages, Chadwell, Holly House, The Orchard. Lascelles Garden; 9, 11A, 18, 34, 42A. Larkfield Close; 1, 3. Larkhill Road; Amberley, Hillcrest Farm, Hillside, Fairlawn, Mill Hatch, Tye-Hoppett. The Laxtons; 3, 5, 7. Leamington Road; 41. Leecon Way; 40, 46. Leslie Drive; 43. Lesney Gardens; 4, 9, 14, 16, 72, 119. Lever Lane; 3. Lingfield Drive; 6, 32. Little Stambbridge Hall Lane; Amhurst, Amberley. Louis Drive West; 112. Lower Road; 108, 171, 38 Hockley Park, Hylton. Magnolia Road; 12. Malting Villas Road; 30, 32, 52, 70. Malvern Road; 3, 42. Mansted Gardens; 25, 47, 51, 65. Marshalls; 3, 8. Marshalls Close; 5. Meesons Mead; 12, 25, 31, 35. Merryfields Avenue; 26, 29. Middle Mead; 23. Midsummer Meadow; 50. Mill Lane; 10. Millview Meadows; 6, 35, 38, 52. Minton Heights; 10, 16. Mornington Avenue; 33, 36, 56. Moorcroft; 27, 32. Moons Close; 9. Mount Crescent; 20. Mustang Close; 3. Nansen Avenue; 2, 11. Nelson Road; 14, 18, 24, 27, 29, 31, 33, 35, 41. Newhall; 2, 3, 7, 12, 14. Newton Hall Gardens; 16, 19, 28, 34, 36, 40, 41, 43. North Street; 16. Norwich House; 4, 7. Nursery Drive; 6, 15. Nutcombe Crescent; 3, 9, 34, 64, 70. Oak Walk; 36. Oaklands Mews; 12. Orchard Avenue; 23. Ormonde Avenue; 7, 12, 15, 35. Oxford Road; 2, 8, 10, 12, 15, 30, 40, 42, 43, 44, 45, 46, 46A, 48A, 50, 52, 56, 64, 65, 66, 68, 70, 71, 73, 77, 79, 80, 81, 84, 85, 88, 93, 96, 98, 100, 103. Paddocks Close; 1, 6, 7, 11, 22. Parklands; 27, 42, 50, 56, 63, 68, 81, 83, 88, 90, 192. Pemberton Field; 19. Percy Cottis Road; 6, 19, Greenways. Plumberow Avenue; 187. Pollards Close; 20, 28, 31, Gatehouse 2. Pollards Court; 5. Prentice Close; 2, 7, 9. Princess Gardens; 9, 26, 28, 32, 54, 62, 68, 85, 99, 105, 106. Priory Avenue (southend); 19. Pudsey Hall Lane; 9, 14,

Mayfield, White Elm. Queen Elizabeth Chase; 9. Radnor Road; Streamside. Ravenswood Chase; 9, 17. Riverview Gardens; 2. Rectory Avenue; 11, 34, 35, 44, 48, 50, 66, 109, 133, 145, 165, 183, 233. Rectory Road; 27, 34, 65, 101, 112, 243. Reynolds Gardens; 2, 27. Roche Avenue; 1, 2. Roche Close; Flat 127 Boleyn House, 17 and 19 Rocheforte House. Rocheway; 6, 8, Flat 7 Norman House, 28. Rochford Garden Way; 10, 18, 28, 32, 33, 34, 35, 36, 44, 51, 58, 59, 60, 61, 70, 76, 79, 85, 86, 96, 105, 108, 109, 121, 126, 134, 140, 142, 146, 147, 157, 158, 165, 173, 177, 179, 185, 211, 213, 219, 237. Rochford Hall Close; 22. Rosslyn Close; 19, 40. Rowan Way; 4a, 30, 31. Royer Close; 1. Rutland Gardens; 19, 33. Sandon Close; 15, 67. Scotts Hall Road; 10 Scotts Hall Cottages. Seaview Drive; 39. Shetland Crescent; 20, 28. Shop Row; 1, 5. Silverthorn Close; 9, 14, 15, 32. Smithers Chase (Southend); 2. Somerset Avenue; 3, 6, 8, 11, 12, 17, 27, 29, 31, 43. Southend Road; 4, 6, 14, 17, 53, 61, 80, 89, 135, 155. Southview Road; 50. Sovereign Heights; 7. Spa Road; 11 Spa Court, 39a. Spencer Gardens; 23, 27, 36, 40, 59, 60, 72. Spindle Beans; 7, 17, 18, 19. Springwater Road (Leigh on Sea); 4. The Spur; 23. Stambridge Road; 1 Coombes Farm Cottages, 10 Cagefield Cottages, 9, 10, 15, 24, 27, 59, 62, 114, 129, 131, 152. Stanley Road; 10a, 15, 30a, 31, 35a, 38, 55, 59. Steeple Close; 29, 35. St Andrews Road; 12. St Clare Meadow; 95. St Johns Road; 25. St Marks Field; 8, 12. St Thomas Road; 28. Stilwells; 10. Crowstone Road (Westcliffe); 12a Sunningdale Court. Sunny Road; 2. Sutton Court Drive; 27, 42, 46, 54, 95. Sutton Road; 4 Sutton Ford Ctg, 8, 54. Sycamore Way; 2. Temple Way; 6. Third Avenue (Wickford); 35. Tower Court (Westcliffe); 91. Townfield Road; 2. Trinity Wood Road; Woodlands. The Trunnions; 5. Tudor Way; 19. Tylney Avenue; 3, 7, 18, 25, 27, 35, 43, 59. Uplands Road; 6. Uplands Road Crouch End (London); 33. Vaughan Close; 2, 10. Victor Gardens; 15. Victoria Gardens; 7. Victory Lane; 11, 35, 55, 61, 65. Village Green; 6, 16, 21. Wallis Avenue; 11. Warwick Drive; 4, 5, 12, 15C, 17C, 36A. Waterside Lane; Riverside. Wedgwood Way; 11, 17, 32, 34, 35, 36, 59. Weir Pond Road; 17, 31, 45A. West Street; 39, 58, 88. Westbourne Close; 5. Westbury; 14, 37, 40, 59. The Westerings; 15. Westminster Drive; 24. Wheatfields; 11. Wheatley Close; 2. Whitehouse Road (Leigh on sea); 84. Willow Walk; 1, 9, 10, 15. Windsor Gardens; 6, 9. Woodfield Road (Benfleet); 6A. Woodville Close; 3, 6. York Road; 2b, 10a, 25A, 28a, 40, 44a, 55. York Road (Southend); 232.

4.123 Below is a summary of the comments received;

Residential Amenity

- Spoil our (2 Oxford Road) view and de valuing our property
- Will impact standard of living, quality of life and quiet enjoyment
- Loss of privacy
- Loss of open space that is used for exercise
- Loss of open view
- Loss of light to surrounding dwellings

- Too close to boundary; calculation of housing density (665/32 houses per ha) gives a required building area of 20.78 ha and the site is 21 ha. Leaving no room for green open space
- Loss of privacy to 166 Ashingdon Road
- Community centre and car park behind housing will cause noise and disturbance
- Overlook No. 10 Oxford Rd
- No. 168 Ashingdon Road happy with amendments to parking behind them but would rather a house behind than maisonettes which will attract young people
- Nos 146 and 152 Ashingdon Road will suffer noise increase from the road to the flank of the dwellings
- Loss of light and privacy to No. 4 Oxford Road from maisonettes being built on the boundaries
- Proposed 3 storey and 2.5 storey dwellings are too near houses of Oxford Road

Character

- Proposed siting of the development is particularly ill considered
- The proposed development will be visually detrimental to the area
- New housing schemes are standard designs with eyewatering colours and no architectural imagination
- Destruction of the character of rural Rochford
- Overdevelopment of the area
- Loss of the market town appeal
- Urban sprawl
- Rochford is a village not a town
- Area will be changed for local residents
- Will remove the green way of life people move to Rochford for
- Overcrowding
- The design does not take into local needs
- Should include more bungalows; RDC own statistic predict a rise in over 65s in the area
- In respect of COVID 19 the application needs to be refused as until the full future impact of the virus is ascertained, particularly in respect of future housing needs, the design/layout could well prove to be fundamentally flawed
- Loss of area in front of the bungalows to be demolished which is used by residents frequently
- Site was allocated 500 dwellings the increase of 165 dwellings would result in gross overdevelopment
- The view from Doggets Chase should be considered
- Rochford will lose its character as it becomes an overflow town used for people to commute out of
- Bungalows would be more in keeping

Transport/Traffic Impacts/ Highway safety

- Safety of the children entering and exiting Holt Farm Junior School during peak periods and the volume of traffic would be increased as well as the children coming to the school which is a genuine road safety concern
- The narrowing of the pavement outside Holt Farm Junior School produces a further road safety/child welfare risk
- The traffic from the site will have no choice but to use Ashingdon Road which is already heavily congested
- During the gridlock hours emergency services would not be able to get through
- Increased traffic from the construction of 600 houses
- Traffic has already been made worse along Ashingdon Road by the houses on Hall Road
- Ashingdon Road can't cope with the traffic already using it without adding hundreds more cars to it
- Ashingdon Road could not cope with the increased volume of traffic
- Traffic along Oxford Road has been increased already due to King Edmund School becoming an academy
- Increased delays
- Narrowing pavement would be dangerous for children coming out of the school, a recipe for an accident or potentially a fatality
- No credible plans to address the dangers and challenges that comes with the site traffic during the construction phases or the residential traffic once works are complete and residents have moved in
- Alternative access points should be considered
- Potential danger during school drop off times
- The access will cause bind spots for pedestrians who are walking along that side of the road
- Cars coming out of the school will have to cross two lanes of traffic which is dangerous
- The shared spaces for bikes/pedestrians on the footpath would be dangerous
- Removal of school parking
- The access into Percy Cottis Road is also already a problem due to on road parking and the turning into Somerset Avenue have the same issues
- Previous application on Holt Farm for a pre-school refused due to too much traffic
- Trains can't cope with commuters
- A ring road around Rochford should be provided prior to the development
- Traffic assessment is based on old data
- How will the 10 allocated spaces for school traffic be policed
- No one can enforce the residents using alternative forms of transport

- Will the emergency access be able to provide enough room for emergency vehicles if cars are parked there during busy times
- No consideration for horse riders who ride in the area
- Highways Baseline Technical Note 2017 identified that Ashingdon Road was 125% over subscribed
- Percy Cottis Road already busy with on-street parking making it hard for cars to pass let alone as one of the main accesses to the development
- Traffic survey done in July is bias, needs to be done at peak time when schools are back and everyone is working
- Loss of cycle lanes
- Rochford Garden Way has not been designed to take a lot of traffic and will result in congestion for residents
- Under estimated the amount of cars that will be present from the estate
- Traffic Assessment produces an unrealistic calculation of the amount of vehicles
- Please ensure the Drive is not used as a route for construction traffic
- Somerset Avenue will become a cut through
- Entrances and exits should be out the back of the field towards Southend
- Second opinion on the highway assessment needed as ECC's results are unsound
- The proposed pathway and electric pole will hinder the ability for No. 170 to be able to drive onto their driveway
- Difficult and dangerous to pull out onto Ashingdon Road
- Rochford Garden Way estate not designed to take a lot of through traffic
- Buses are often delayed due to traffic on Ashingdon Road, this will not encourage people to get public transport instead of driving

Ecology

- The field in which the proposal is sited on floods every winter and the increase in concrete would increase this risk
- Wildlife will be threatened
- Our (88 Oxford Road) garden and fence area is a haven for and contains colonies of Native British Lizards, Snakes and Slow Worms and bats
- Loss of food producing land
- Removal of green space and trees is unnecessary and will cause massive drainage and flooding problems
- Loss of a preserved oak tree which is illegal
- Will destroy and remove wildlife that has re-homed since decreased traffic on Ashingdon Road due to the virus. Has a survey been re-done since this has changed during lockdown?
- The trees proposed will not replace the carbon dioxide inhaled and oxygen exhaled by this beautiful oak tree
- Harm to bees and insects which are protected

- Loss of green belt
- Flood zone area
- Title of department is place and environment but the environment is not being considered
- Pheasants nesting
- No real detail re the foul water pump

Infrastructure

- The infrastructure of Ashingdon Road is wholly inadequate at today's level of traffic
- By increasing the traffic it will cause significant risk for residents who daily must endure many hours of gridlock on a poorly maintained road
- No room for an additional road to help ease traffic
- Schools can't cope with more pupils
- The doctor's surgeries and hospitals can't cope with more patients
- No infrastructure is in place for the extra traffic and the road cannot be made wider in order to cope
- A school and doctors surgery were proposed for the development along Hall Road but these were not built
- The doctors in the area cannot deal with the additional residents from surrounding developments
- Could development not be sited nearer to main larger roads so the district could not cope
- Infrastructure cannot take additional homes
- Not enough shops
- On a peninsula, no more people, cars or households will fit
- No facilities for teenagers
- The estate has the potential to become a car park
- Good landscaping to the east and north of the site, the south and western side would benefit from less housing and a few open spaces
- No local supermarkets, Sainsburys will not be able to facilitate the new residents
- Internet is already stretched in the area
- The sewage will connect to the drainage at the end of The Drive, the drainage system was built in the 1950s and would this be capable of supporting waste and water of an additional 665 dwellings?
- The proposed solutions to GP surgeries will not be suitable and more resources would be needed to facilitate the number of people coming into the area
- Trains can't cope with extra passengers
- Reduction of 3 buildings does not help the lack of infrastructure improvements
- It is not viable to put portacabins as classrooms within playgrounds to support schools

Pollution

- Significant increase in traffic along the road, the unfortunate side-effect is an increase in air-pollution, litter and waste that will directly affect Holt Farm Junior School
- Pollution from the extra traffic to the access opposite Holt Farm Junior School would affect the children
- Increase noise and pollution
- Disturbance and loss of quiet enjoyment whilst construction is underway
- Increased health issues caused by the additional air pollution
- Multiple schools down the road and the pollution would affect children walking to these schools
- Noise pollution
- Noise and disturbance from the construction which will last long term as it won't all be built at the same time like Hall Road
- In a recent air quality assessment report it states 665 dwellings is in excess of the threshold
- The potential for airborne dusts and exposure to construction materials as well as increases in vehicle emissions through the works and resultant from increased traffic congestion will cause health implications
- A dust impact assessment was recommended; two of the four stages of the development were classed as high risk to air quality
- Affects of pollution to occupiers of properties adjacent to the new access onto Ashingdon Road

Incorrect drawings

- Drawing shows that the tree line backing onto No. 164 Ashingdon Road falls within their property but this is not the case
- Design report includes incorrect information

Community safety

- Alleyways proposed would result in crime
- Will cause mental health and well being issues
- Increasing population in close proximity will increase risk of spread of COVID
- Insufficient police, crime and anti social behaviour is increasing
- Concern with the community facility bringing about noise, gatherings, unsocial behaviour
- Car park behind no. 168 Ashingdon Road has potential for danger and high crime
- Pedestrian walk way next to no. 168 would lead to criminal activities
- Critical that the proposal is assessed to ensure crime prevention factors have been built into the environmental design

- Chancellor of the Exchequer reported that the housing market will be depressed for some time, it is therefore likely that the houses will go to social housing and bring families from London with social issues that will spike crime rates
- Pedestrian walk way to side of No. 168 with no consideration for the occupants, the electric wire to No. 168 is above this walkway which could cause danger
- Will cause new levels of stress, impeding mental health of the community
- Essex police have not been consulted

Other

- Brownfield sites would be better to be used
- Houses are unaffordable to local residents
- Priority is the developers making money not local residents
- Putting the application in during the pandemic is sneaky and has an ulterior motive
- Affordable housing should be dedicated solely to local requirements and local housing associations
- Noise from lorries
- RDC care about the income of taxes not residents
- Put in during COVID so residents can't view plans
- Houses have been allocated to unwanted London borough councils
- Originally 600 houses were proposed and now its 650 and the public haven't been consulted that the number of dwellings would increase
- Residents were not aware of SER8 or the meeting Bloor held
- Should condition the application to limit multiple unit sales to prevent houses being sold to meet other council's housing register needs
- Archaeological desk-based assessment carried out to assess the archaeological potential of various parts of the site due to moderate archaeological potential of the roman period
- We should be building homes that are sustainable as the UK has said it will end its contribution to global warming by 2050
- Homes shouldn't be built until the new normal of covid is known
- Agricultural land brings food security in light of Covid19 and Brexit this is important
- No houses that are affordable for first time buyers
- Positioning of social housing reduces the value of the existing properties
- RDC are in danger of illegally proceeding with the Bloor development and there will be legal action taken if every objection is ignored
- Local issues need to be addressed first
- Reconsider the local plan
- Community centre won't be looked after
- ECC and RDC do not want to object for fear of legal action

- Reduction of 3 houses is an insult
- Those without access to the internet have been neglected from consultation
- Loss of value to homes

In addition a response has been received from The Rochford Supporters LTD residents association which makes the following summarised comments;

- Inadequacy of Ashingdon Road
- Not objecting on the grounds of material considerations but what should have been checked out before the local plan was adopted
- No due diligence can have been performed when adopting the site into the core strategy because it was blindingly obvious Ashingdon road could not support even more development
- Since the adoption of the core strategy the traffic has increased considerably
- Highways studies in consultation statement for new local plan do not realistically reflect the gridlocked hours along Ashingdon Road, the minor improvement of the mini roundabout on Hall Road made no difference to the easement of traffic
- Within the new local plan there were many comments received by consults that Ashingdon Road was a hotspot for traffic
- There are skylarks and cuckoos both of which are universally protected bird species
- 5 active badger sets
- Newts which are thriving on the proposed development site
- 99% of Oxford Road are bungalows, the two storey homes close to the Oxford Road perimeter is unacceptable. New buildings must reflect existing buildings which have been in situ for many years and they should not be overlooked
- The proposed affordable homes will have tiny gardens and so the homes on Oxford Road will be overlooked
- The proposed walkway around the development will enable those with criminal intentions to pursue the properties without discovery especially at night
- Crime rates are higher where there are clusters of affordable housing
- Renumeration that the GP will receive will not help to obtain an appointment
- Gridlock traffic causes parents to be late to work or having to put children into child care in the mornings
- Missed appointments such as at the hospital due to gridlocked traffic on Ashingdon Road
- Gardens in Oxford Road regularly flood, this extends to Spencer gardens and Vaughn Close where there is no proposal to place underground tanks
- The proposed parking slots for the school will add to congestion. Likely parents will park within the entrance and in the estate itself
- Loss of magnificent tree which has a TPO is a crime against nature

- The gridlock traffic will create a rat run for users through side roads and the estate itself
- The traffic statistics and date have been manipulated by Bloor
- There has been no communication from Bloor despite a document stating that Bloor have engaged with resident groups
- The council does not appear to seek preservation of green belt land, soon there will be very little green belt within the urban sprawl
- Associated appendices have also been attached including; RSPB extract stating cuckoos join the list of threatened birds; text stating that newts are protected by the Wildlife and Countryside Act 1981; crime figures for the area focused on social housing development; comments regarding delays on Ashingdon Road and GP surgery appointments received on a local facebook group; photos of flooding within gardens along Oxford Road

74 responses have been received without an address, the comments can be summarised as follows:

- Services are over stretched and infrastructure cannot support this; namely Ashingdon Road
- Currently a waiting list to join the doctors surgery and will get worse with the new homes
- Local schools are over crowded
- The lack of provision to extend existing infrastructure will lead to social deprivation and discontent
- A bland design
- Environmental impact from hard surfacing the farm land
- Displacing habitats
- The field regularly floods and this water will have nowhere to go
- Volume of traffic already at maximum capacity
- Neighbours have not been properly consulted
- What renewable energy will be installed?
- Most of the houses along Ashingdon are bungalows and will be overlooked
- Traffic could use Doggets Chase instead
- Redevelopment of abandoned buildings should be looked at before the loss of green space
- AAP identifies Ashingdon Road as having traffic safety and congestion issues
- New local plan identified Ashingdon Road as congested
- In the Rochford town centre area, Ashingdon Road is identified as having high levels of congestion for all three approaches to the road
- Affordable housing building too close to house and causing anxiety
- No. 221 and No. 220 should be removed for a green area
- Overdevelopment
- New access opposite Holt Farm school is of the utmost concern

- Timing of submission gives the lack of opportunity for the community to respond
- Almost no interaction with community during pre-app phase
- Should an application of this scale be considered when the government are requiring the country to change their lifestyles to the 'new normal' which will have an impact on the nature of housing and community infrastructure required
- Some of the data submitted by the developer is outdated/inaccurate
- Downfalls of buying a new build and same thing will happen again; roads are too small for traffic on the development site
- Where are the families needing these homes?
- Should be built on brownfield not green belt
- Who will maintain a community centre
- Removal of the tree would be devastating
- Walkways/alleyways will increase crime

Second Consultation

482 responses have been received from the occupants of the following addresses in response to the second consultation (the above listed concerns raised also address points made in relation to the second consultation);

Aaron Lewis Close; 9. Adams Glade; 8. Albert Close; 5, 14A, 31, 32A. Albert Road; 31. Alexandra Road; 9, 25, 35, 49, 173. Althorne Way; 8B. Anne Boleyn Drive; 16. Appleyard Avenue; 7. Ash Green; 11. Ash Tree Court; 17. Ashcombe; 7, 40, 83. Ashingdon Heights; 15. Ashingdon Road; 7 Norwich House, 17, 22, 32, 40, 62, 72, 86, 98A, 104, 126, 128, 146, 152, 158, 160, 168, 170, 178, 192, 194, 196, 200, 209, 210, 211, 218, 222, 229, 234, 238, 251, 278, 347C, 348, 351, 363, 366, 394, 477, 525A, 577, Holt Farm Infants School, Holt Farm Junior School. Ashworths; 3, 10. Avon Close; 22. Avondale Road; 3. Banyard Way; 14, 71. Beehive Lane; 15. Belchamps Way; 25B. Bobbing Close; 2, 7. The Bramleys; 26. Branksome Avenue; 34. Braxted Close; 5. Brayers Mews; 15. Brays Lane; 27. Reliance. Brinkworth Close; 6. Broadlands Avenue; 20. Cagefield Cottages; 10. Cagefield Road; 30. Canewdon View Road; 37, 74. Cedar Walk; 7. Central Avenue; 15A, 22. Clifton Road; 26, 61, 79, 83. The Chase; Brotherhood Cottage. Chestnut Path; 9. Chichester Drive (Chelmsford); 23. Church End; 1 Punchbowl Cottages. Coleman Avenue (Westcliffe); 65. Coombes Grove; 24. Copelands; 18. Cornwall Gardens; 1, 19. Craven Close; 1. Creeksea Ferry Road; Takeley. Cromwell Road; 4. Crouch View Villas; 2. Dalys Road; 10, 12, 13. Devon Gardens; 3, 36. Dome Village; 23 The Spur. Doric Avenue; 1, 10, 17. Dorset Gardens; 11, 37, 38. Doulton Way; 23, 36, 42, 44. The Drive; 28, 44, 56, 80, 99, 100. Durham Way; 5. East Street; 15. Eastbury Avenue; 9, 17, 28, 39. Eastwood Road; White House Court Flat 7 158. Edward Close; 1. Elizabeth Gardens; 6. Folly Lane; 19, 23. Gelding Close; 14. Golden Cross Road; 9, 22, 42A, 93, 97, 99. Greensward Lane; 115. Hall Road; Longbridge. Harewood Avenue; 6, 14A, 68. Hillcrest Road; 19A. Highcliff Crescent; 10.

Holt Farm Way; 27, 43. King Henrys Drive; 10, 25. Lambourne Hall Road; 2 Crouch View Villas, Holly House. Larkfield Close; 3, 7. Larkhill Road; Fairlawn; Hillcrest Farm. Lascelles Gardens; 18. The Laxtons; 5. Leamington Road; 48, 55. Leecon Way; 46. Lesney Gardens; 4, 119. Little Stambridge Hall Lane; Amhurst. Lower Road; 171. Macintyres Walk; 3, 19. Main Road; 82. Malting Villas; 15. Malvern Road; 42. Meesons Mead; 12, 17. Merryfields Avenue; 39. Mill Lane; 2 New Cottages, 10. Millview Meadows; 6, 35. Montefiore Avenue; Farmside Cottage. Moorcroft; 27. Mornington Avenue; 4, 32, 33, 36. Nelson Road; 18, 24, 33. Newhall; 3. Newton Hall Gardens; 14, 19, 28, 43. Oak Walk; 36. Oakland Mews; 12. Orchard Avenue; 10. Ormonde Avenue; 7. Oxford Road; 2, 4, 8, 10, 12, 15, 35, 44, 45, 46, 48A, 55, 65, 66, 68, 73, 74, 84, 85, 88, 96, 103. Park Gardens; 1. Parklands; 27, 83, 88, 178. Percy Cottis Road; 22. Prentice Close; 7. Priors Avenue; 19. Princess Gardens; 21, 54, 62, 66, 68, 99, 105, 9 Norfolk Court. Pudsey Hall Lane; 14. Radnor Road; Streamside. Ravenswood Chase; 17. Rectory Avenue; 44, 66, 72, 108, 145, 150, 164, 183, 193, 195, 233, 243. Rectory Road; 9 Hedingham Place, 27, 65, 101, 112, 114. Reynolds Gardens; 27. Roche Close; 17 Rochforte House. Rochefort Drive; 32. Rochford Garden Way; 32, 33, 35, 36, 38, 51, 85, 105, 107, 121, 165, 177, 179, 237. Rocheway; 6, 8, 10, Flat 7 Norman House 28. Rosslyn Close; 40. Royer Close; 1. Sandon Close; 15, 67. Scotts Hall Road; 20 Scotts Hall Cottages. Seaview Drive; 39. Shetland Crescent; 20. Silver Birch Lodge; 7. Somerset Avenue; 6, 10, 27. Southbourne Grove; 13. Southend Road; 4, 6, 14, 53, 80, 89. Sovereign Close; 15. Spencer Gardens; 2, 11, 19, 59, 72. Spindle Beams; 1. St Andrews Road; 26. St Marks Field; 8, 12, 30. Stambridge Road; 14, 27, 59, Coombes Farm. Stanley Road; 35A, 38, 53, 55. Station Approach; Flat 10 Clayswell Court. Steeple Close; 29, 35. Sunny Road; 2. Sutton Road; 54. Trinity Wood Road; Woodlands. Tyford Avenue; 72. Tylney Avenue; 35, 43, 67. Tyrells; 15. Uplands Road; 6. Vanderbilt Avenue; Little Meadow. Vaughan Close; 2. Victor Gardens; 63A. Victory Lane; 11, 35, 61, 65. Village Green; 21. Warners Bridge Chase; 1. Warwick Drive; 4. Wedgewood Way; 17, 34. West Street; 88, 98. Wheatfields; 14. Wheatley Close; 5. Willow Walk; 1; 10. Woodville Close; 3. York Road; 2B, 25A, 28A.

5 EQUALITY AND DIVERSITY IMPLICATIONS

5.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- To eliminate unlawful discrimination, harassment and victimisation
- To advance equality of opportunity between people who share a protected characteristic and those who do not

- To foster good relations between those who share a protected characteristic and those who do not
- 5.2 The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, pregnancy/maternity.
- 5.3 The Equality Impact Assessment (EIA) indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

6 CONCLUSION

- 6.1 The application is for development on a site that the Council has allocated for residential development in the adoption of the Allocations Plan in 2014 and the principle of the proposed development here is therefore acceptable.
- 6.2 The application site could accommodate the proposed 662 dwellings alongside all the necessary infrastructure, policy requirements such as parking and amenity space and achieve good design. The increased number of dwellings would support housing delivery in the district. Other benefits would arise from the development including reduced flood risk to some properties off-site.
- 6.3 The proposal would result in the loss of a highway tree of significant amenity and the proposal would also result in a residual impact on the local highway network as a result of increased traffic from the proposed development, however, taking into account proposed mitigation, this residual impact would not be considered severe. The adverse impacts of the development would not significantly and demonstrably outweigh the benefits.
- 6.4 Appropriate mitigation relating to relevant local and national planning policy requirements would be secured by condition or within a s106 legal agreement including significant financial contribution towards off-site infrastructure improvements.



Marcus Hotten

Assistant Director, Place and Environment

Relevant Development Plan Policies and Proposals

Allocations Plan (2014) Policy SER8

Development Management Plan (2014) Policies DM1, DM2, DM4, DM5, DM25, DM26, DM27, DM28, DM29, DM30 and DM31.

Core Strategy (2011) Policies H1, H2, H3, H4, H5, H6, CP1, GB1, GB2, ENV1, ENV3, ENV4, ENV5, ENV8, ENV9, ENV10, ENV11, CLT1, CLT2, CLT3, CLT4, CLT5, CLT6, CLT7, CLT8, T1, T2, T3, T5, T6, T8, RTC2 and RTC3.

National Planning Policy Framework (NPPF)

Planning Practice Guidance

Standing Advice (Natural England)

Background Papers

Appropriate Assessment

Screening Opinion

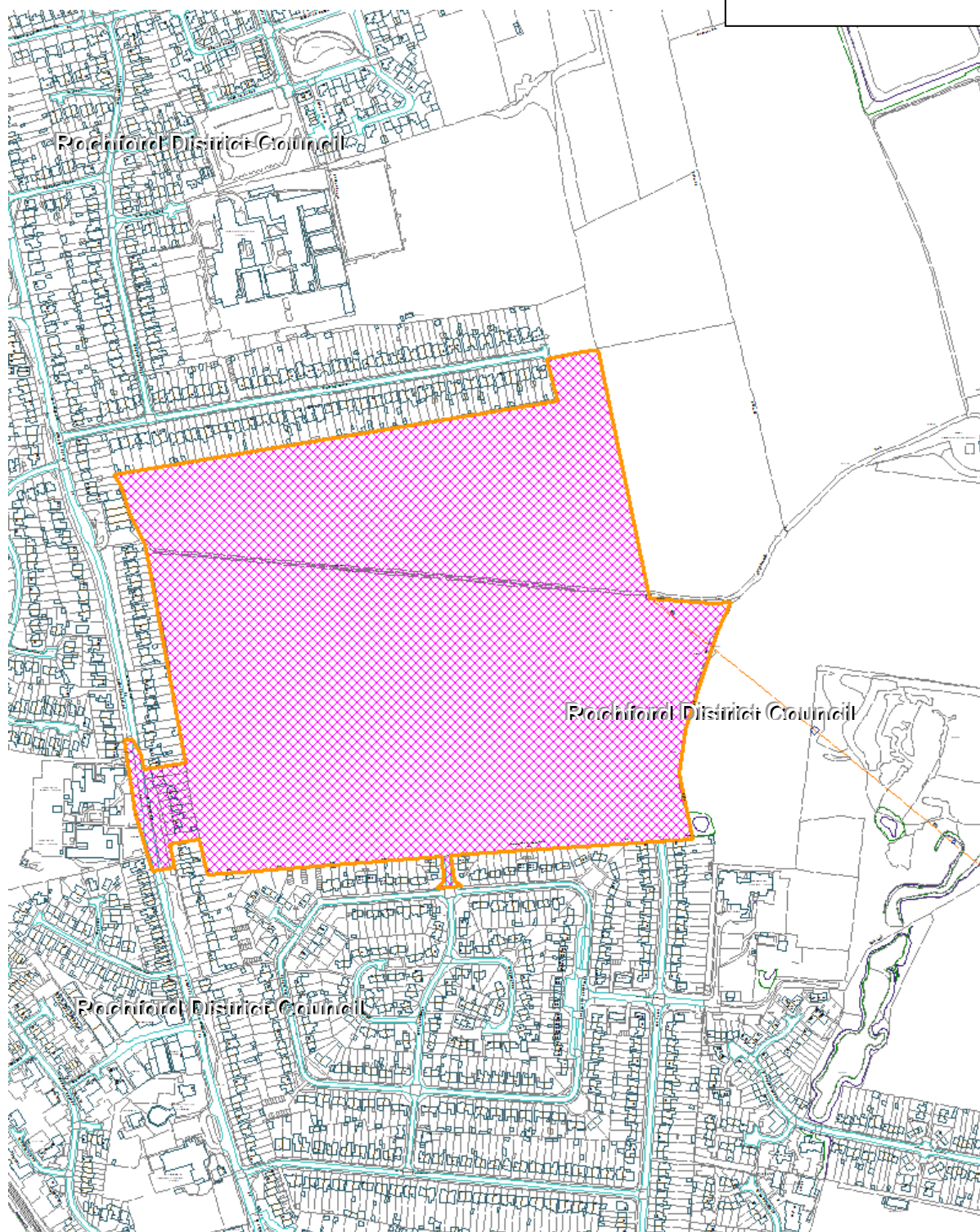
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20/00363/OUT



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ADDENDUM

20/00363/OUT – LAND EAST OF ASHINGDON ROAD AND NORTH OF ROCHFORD GARDEN WAY ROCHFORD

Contents

- 1. Additional Details to s106 Heads of Terms**
- 2. Further Consultation Response from ECC (Ecology)**
- 3. Consultation Response – Essex Wildlife Trust**
- 4. Consultation Response - Contamination**
- 5. Additional Neighbour Comments**
- 6. Additional Planning Conditions**

- 1. Additional Detail to s106 Heads of Terms**

A revision to Heads of Terms, point 11):-

Provision and implementation of a residential Travel Plan including payment of a Travel Plan Monitoring fee to Essex County Council of £2500 per annum, for a period of six years (index linked) from first occupation (to be capped at £15,000).

A revision to Heads of Terms, point 12):-

Prior to first occupation at the site a financial contribution of £700,000 to Essex County Council towards bus service enhancements along the Ashingdon Road corridor to upgrade existing services/creation of new service routes or the provision of Bus Priority measures as deemed necessary and approved by Essex County Council.

A revision to Heads of Terms, point 13):-

Prior to first occupation at the site a financial contribution of £250,000 to Essex County Council towards cycling infrastructure upgrades from the site to connect with Rochford town centre and employment sites on Cherry Orchard Way, as identified in the Rochford Cycling Plan as Flagship routes 1 and 2.

- 2. Further Consultation Response from ECC (Ecology)**

The Reptile Mitigation Report (SES, October 2020) states the site supports a “Low” population of Common Lizards and Grass Snakes and a “Good” population of Slow Worms, so a reptile translocation will be necessary to ensure that these Priority species reptiles are not harmed by the development.

The mitigation measures detailed in the Reptile Mitigation Report (SES, October 2020) are supported and it is recommended that the finalised details for this translocation should be secured as a condition of any consent. We support the proposed reasonable biodiversity enhancements specified in the Ecological Impact Assessment (SES Southern Ecological Solutions, December 2019) which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. The reasonable biodiversity enhancement measures should be detailed within a Biodiversity Enhancement Layout and should also be secured by a condition of any consent for each phase of this development.

1. No disturbance of soil, roots or vegetation in respect of the development hereby approved shall take place until a full reptile survey has been undertaken and the details submitted to and approved in writing by the Local Planning Authority. The details shall include measures and programme for reptile mitigation and conservation, including a detailed methodology for the capture and translocation of such. The mitigation and conservation measures shall be implemented in accordance with the approved details and programme to the satisfaction of the Local Planning Authority.

REASON: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development in accordance with policy DM27 of the Development Plan and the NPPF.

3. Consultation Response – Essex Wildlife Trust

It is recommended that the developer produces a Badger Protection Plan to ensure that disruption to badgers is minimised and sufficient foraging habitat remains during the operational phase to allow the badger clan to continue to thrive and avoid problems resulting from badgers accessing new residential gardens in search of food.

4. Consultation Response – Contamination

The proposed development is sited on agricultural land. Potential contamination on farmed land comes in the form of chemicals, heavy metals and hydrocarbons. In addition, the geophysical survey report identifies multiple ponds which have been infilled. For these reasons I suggest if planning consent is granted the following conditions be imposed:

1. No development shall take place until a scheme to assess and deal with any contamination of the site has been submitted to and approved in writing by the local planning authority.
2. Prior to the occupation or first use of the development, any remediation of the site found necessary shall be carried out and a validation report to that

effect submitted to the local planning authority for written approval and the development shall be carried out in accordance with that scheme.

5. Additional Neighbour Comments

Comments have been received from the occupants of the following addresses:-

Albert Road; 14A. Ashingdon Road; 98

Below is a summary of their comments:

- Volume of traffic
- Traffic causes delays and pollution
- Access would be dangerous opposite a school
- Local community already experiencing the negative impact of over development
- Impact of Hall Road development cannot be fully assessed yet as it hasn't finished

6. Additional Planning Conditions

Full detail of wording of planning condition 36: -

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

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

This must be conducted in accordance with DEFRA and the Environment

Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers'.

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

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works and must complete the remediation works in accordance with the scheme approved. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Prior to occupation of any property hereby permitted the developer shall submit to the Local Planning Authority a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in the approved remediation scheme.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, in accordance with policy ENV11 of the Core Strategy and the NPPF.

An additional planning condition:-

53. No disturbance of soil, roots or vegetation in respect of the development hereby approved shall take place until a full reptile survey has been undertaken and the details submitted to and approved in writing by the Local Planning Authority. The details shall include measures and programme for reptile mitigation and conservation, including a detailed methodology for the capture and translocation of such. The mitigation and conservation measures shall be implemented in accordance with the approved details and programme to the satisfaction of the Local Planning Authority.

REASON: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development in accordance with policy DM27 of the Development Plan and the NPPF.

Extract of Counsel Advice: Mr John Dagg of Trinity Chambers

The following paragraphs are extracts taken from Counsel's advice sought following the Development Committee meeting held on 26th November 2020.

In order to protect the Council's legal position, part of the advice remains legally privileged but the questions raised by Committee Members are addressed below by Mr Dagg:-

1. Could a reason for refusal based on an 'out of date' local development plan be substantiated on appeal?

In my opinion, no. This is not, for allocation purposes an outdated plan. Policy SER 8 of the Local Development Framework Allocations Document 2014 (plan period to 2025) allocates the 23.5 ha site for residential development and gives effect to the 2011 Core Strategy (Policy H3). Paragraph 3.225 of the Allocations document provides that:

"The area identified as SER 8 will be safeguarded from development until 2021..."

2. Could a reason for refusal based on severe residual impact on the local highway network be substantiated on appeal, despite no support for this as a reason for refusal from ECC Highways Authority?

On the basis of the evidence as it stands, I do not consider that it could. From the (very full) Ardent Transport Assessment with addendum it is apparent that the development will give rise to some increased queuing in the network, particularly at the Ashingdon Road / West Street / Hall Road junction.

Mitigation measures can be put in place at other junctions but not at this one. However, the Assessment concludes that the residual cumulative impact on the network would not be 'severe'. This has been accepted by the Highway Authority.

3. Could a reason for refusal based on an inappropriate access to the site off Ashingdon Road, with reference to the proposed junction not being safe being directly opposite a school and reducing the safety for pedestrians and cyclists, including as a result of the narrowing of the footway outside Holt Farm Infant School (along a section) and the loss of a segregated cycle lane (along a section) be substantiated on appeal?

This question overlaps with ii above because of the consultation advice of the Highway Authority. This accepts the Applicant's access design and the proposals for modification of the highway layout including the right turn lane, the adjustment of the bus stop and the alterations to the 'Toucan' pedestrian crossing.

It is the judgment of the Highway Authority Officers that the design is acceptable in highway safety terms.

For the Planning Authority very great weight must be given to the advice of the Highway Authority, in the absence of any contradictory technical opinion. As with ii

above I do not consider that, in the present state of the evidence, there is a viable basis for refusal.

4. Could a reason for refusal relating to the loss of the Oak tree within the highway be substantiated on appeal?

Assuming that an Inspector concluded that the access arrangements were properly considered and safe, which I consider likely, the tree has to be removed. Such necessary loss of a tree or trees to facilitate development (with mitigation) is provided for in development plan policy. The application provides for replacement planting. This would not be a viable basis for refusal.

5. Could a reason for refusal relating to overdevelopment be substantiated on appeal?

I do not consider that an Inspector, having considered the character of the surroundings, the detailed layout put forward for phase 1 and the provisions of the NPPF Part 11 'Making Effective Use of Land' would find this proposal 'overdevelopment'.

Note in particular Paragraph 123:5

'Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site....'

It follows that there is sound development plan and national policy justification for an increase in site content from 500 to 662.

6. Would a reason for refusal relating to overdevelopment have to specifically identify the harm that would arise as a result of the number of dwellings proposed rather than simply identify overdevelopment as a reason for refusal?

Yes. 'Overdevelopment' has to be critically applied to a planning context - both relating to the prevailing character of the area and to policy - the development plan and the NPPF.

A simple assertion of overdevelopment would be ineffective and an invitation to an application for Appellant's costs.

7. Related to the above, could a reason for refusal relating to overdevelopment be substantiated on the grounds that the scheme could not deliver youth facilities within the site allocation (purple land highlighted in reference to Policy SER8) but would rather deliver youth facilities within the Green Belt adjacent to the site allocation?

No. Although the proposed location of the youth facilities would be a slight difference from the provisions of SER 8 it is not significant: the youth facilities are '

not inappropriate' (and therefore acceptable) in the Green Belt: NPPF Paragraph 145b) and 146e).

8. *The overall likelihood of success for the Appellant should the matter be appealed*

It follows from the above, in particular with regard to the references I have made to the primacy of the development plan, the status of the Highway Authority's consultation advice and the NPPF, that an appeal on any or all of the reasons for refusal discussed would have substantial merit.

The Inspector would note the Appellant's consultants' discussions with the Authority and the Highway Authority and the revisions made to scheme.

9. *The likelihood and extent of a costs award in relation to the above*

In my view, on the evidence presently available, there is a very high likelihood of an Inspector awarding costs against the Authority if it attempted to support all or any of the reasons for refusal discussed above.

10. *In relation to the above, who would be the most appropriate expert witnesses given the Officers' recommendation for approval and the lack of objection from any statutory consultees in the defence of a likely appeal at a public inquiry?*

It would not be professionally acceptable for any of the Authority's Planning Officers who have prepared or contributed to the Committee Report to give evidence.

The Applicant has instructed well established and professionally well-equipped consultants (in particular their Highway consultants Ardent). Were the Authority to consider contesting an appeal my recommendation would be to approach firms of equivalent weight. Given the nature of the case it may however be difficult to find appropriate consultants.

Conclusions

In my view, on the evidence, there are no clear material considerations in law which weigh against the scheme, it being in general accord with the development plan allocation. It is also in accord with the NPPF.