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**17/00578/REM**

**LAND NORTH OF LONDON ROAD AND SOUTH OF RAWRETH LANE AND WEST OF RAWRETH INDUSTRIAL ESTATE, RAWRETH LANE, RAYLEIGH, ESSEX**

**RESERVED MATTERS APPLICATION FOR 192 RESIDENTIAL UNITS WITH ASSOCIATED ACCESS, PARKING, SERVICING, LANDSCAPING AND UTILITIES. (PHASE 1)**

**APPLICANT: COUNTRYSIDE PROPERTIES (UK) LTD - MR PETER FROST**

**ZONING: SER1**

**PARISH: RAWRETH PARISH COUNCIL**

**WARD: DOWNHALL AND RAWRETH**

## **1 PLANNING APPLICATION DETAILS**

1.1 The application currently before the Council is a reserved matters application for 192 residential units with associated access, parking, servicing, landscaping and utilities at Land North of London Road and South of Rawreth Lane and West of Rawreth Industrial Estate, Rayleigh.

1.2 This application follows outline approval (reference 15/00362/OUT) on 3 June 2016 for:-

Outline planning application (with all matters reserved) for the erection of residential development with associated open space, landscaping, parking, servicing, utilities, footpath and cycle links, drainage and infrastructure works, and primary school. Provision of non-residential floor space to part of site, uses including any of the following: use class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre).

Planning condition 6 attached to this permission limited the residential development to no more than 500 units. The current application seeks permission for 192 residential units within the first phase of development to the northern area of the site, accessed from Rawreth Lane.

1.3 The development the subject of this application incorporates as follows:-

- 192 dwellings split as follows:
  - 35 no. 1-bedroomed flats in 5 flatted blocks
  - 47 no. 2-bedroomed (4 no. flat over ground (FOG) units)

- 52 no. 3-bedroomed
  - 50 no. 4-bedroomed
  - 8 no. 5-bedroomed
  - Road forming a secondary access running east to west from the access to Rawreth Industrial Estate and other internal roads and accesses
  - Parking provision for 192 dwellings, including visitor parking
  - Amenity area to a central section of the site described as a 'lobby green' on the outline permission and connecting pathway running north-south
  - Secondary pedestrian access into the primary school site to the western boundary of the primary school location
  - Affordable housing tenure mix alteration
- 1.4 The outline application also approved other uses within the larger development site shown on an approved parameter plan including primary school, health provision, outdoor sports facilities, natural/semi-natural green space, attenuation basins, amenity green space, non-residential uses, play space, allotments, green infrastructure and local greens. The current application considers only the residential units with associated roads and a lobby green area within a central area of the site.
- 1.5 During the course of the application the affordable housing tenure mix was amended following comments from the Council's Strategic Housing officer. Minor changes were also made to garden sizes, separation distances and parking during the course of the application. These changes were considered minor some consultation occurred but full re-consultation was not deemed necessary.
- 1.6 An application has also been made for the utility infrastructure for the entire site to which outline permission was granted. This is being considered separately under application ref: 17/01114/REM.
- 1.7 The current application will consider access, appearance, landscaping, layout and scale in relation to phase 1 of the approved outline application.

## **2 THE SITE**

- 2.1 The application site is on the southern side of Rawreth Lane within an area of open land extending to approximately 5.45ha. It represents part of the site that has been approved outline planning permission for up to 500 residential units and other associated development. This application considers a section to the northern area of the site where the proposal is for 192 residential units.
- 2.2 The site consists of open land, but also has a single oak tree located in a central position within the site, which is proposed for retention.
- 2.3 To the south of the site is open land with a ditch running through the centre, which forms part of the wider outline approval. The wider outline approval to

the south incorporated more residential development, attenuation basins, green space, an outdoor sports facility, allotments and local green.

- 2.4 To the north of the site is open land within the wider outline approval identified as natural/semi-natural green space on the parameter plan for the approved outline and then Rawreth Lane, which is a class III classified road. On the opposite side of the road is Madrid Avenue, a road which leads to one individual dwelling (The Dell). A road known as Winchester Drive, opposite, also leads to an individual dwelling (no.1). This side of Rawreth Lane is located within the Green Belt.
- 2.5 To the west of the site is open land with overhead power lines within the wider outline approval identified as natural/semi-natural green space on the parameter plan for the approved outline. Beyond this is open land located within the Green Belt and Rawreth Hall, a Grade II Listed building.
- 2.6 To the east of the site is open land within the wider outline approval identified for use as natural/semi-natural green space, health provision and a primary school. Beyond this is the road which links to the Rawreth Industrial estate, Makro and a residential development from the 1990's.
- 2.7 The Allocations Plan 2014 allocates this area for residential development within policy SER1 of this document.

### **3 RELEVANT PLANNING HISTORY**

- 3.1 18/00077/NMA - outline planning application (with all matters reserved) for the erection of residential development with associated open space, landscaping, parking, servicing, utilities, footpath and cycle links, drainage and infrastructure works, and primary school. Provision of non-residential floor space to part of site, uses including any of the following: use class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). PENDING CONSIDERATION
- 3.2 17/01117/DOC - discharge of conditions 28, 29, 30 of approved planning application 15/00362/OUT: outline planning application (with all matters reserved) for the erection of residential development with associated open space, landscaping, parking, servicing, utilities, footpath and cycle links, drainage and infrastructure works and primary school. Provision of non-residential floor space to part of site, uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). PENDING CONSIDERATION
- 3.3 17/01114/REM - reserved matters application for utility infrastructure (gas and electricity stations). PENDING CONSIDERATION
- 3.4 17/00943/DOC - discharge of conditions 13 and 34 of 15/00362/OUT. DISCHARGED by letter dated 19 January.

- 3.5 17/00857/DOC - discharge of condition 23 (Great Crested Newts) of approved application reference 15/00362/OUT. PENDING CONSIDERATION
- 3.6 17/00588/REM - reserved matters application for strategic landscaping proposals for Phase 1. APPROVED on 9 January 2018.
- 3.7 16/01236/DOC - submission of details of phasing (condition 4) and density (Condition 25) to outline permission granted for residential development on 3 June 2016 under application reference 15/00362/OUT. DISCHARGED by letter dated 27 January 2017.
- 3.8 15/00362/OUT - outline planning application (with all matters reserved) for the erection of residential development with associated open space, landscaping, parking, servicing, utilities, footpath and cycle links, drainage and infrastructure works, and primary school. Provision of non-residential floor space to part of site, uses including any of the following: use class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). APPROVED on 3 June 2016
- 3.9 14/00627/OUT - outline planning application (with all matters reserved apart from access) for the erection of residential development with associated open space, landscaping, parking, servicing, utilities, footpath and cycle links, drainage and infrastructure works, and primary school. Provision of non-residential floor space to part of site, uses including any of the following: use class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). REFUSED on 10 February 2015. APPEAL ALLOWED

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

##### **Rawreth Parish Council (14/08/17)**

- 4.1 Construction access to the site will be from Rawreth Lane only, as the plan shows the spine road not completed to London Road. Council would like to see the spine road completed before any development is started. The completion of the road could provide access without too much traffic conflict; with a one way system operating most construction traffic will be able to enter from the west, in via London Road and out via Rawreth Lane. This will ensure that construction vehicles do not turn across the path of oncoming traffic in either Rawreth Lane or London Road and will prevent queuing while waiting to turn into the site.
- 4.2 Council also wants to see all flood attenuation completed beforehand.
- 4.3 Council feels that the layout is attractive; the design of houses is conservative but ok. It does, however, have a couple of observations. One is that one of the houses with rooms in the roof - hence higher roof line - is on the western

boundary. This might be acceptable, though, as it makes the outline more interesting. The other is whether the flats alongside Rawreth Lane should be further down the slope and therefore less obtrusive. Council feels this is something worth looking at.

- 4.4 Council also feels that Rochford District Council should safeguard responsibility for the maintenance of green spaces and drainage in the planning conditions.

#### **RDC Engineering (10/08/17)**

- 4.5 Surface water design/storage will be required; spare capacity within Rawreth Brook to be confirmed by the Environment Agency (EA). Any design will need to be approved by the EA. Rawreth Brook drains to Rawreth village, which suffers from surface water and ground water flooding.

#### **RDC Environmental Services (14/09/17)**

- 4.6 Environmental Health has no adverse comments in respect of this application; however, the applicant is referred to the Essex guide for developers in respect of land contamination: <https://www.rochford.gov.uk/environment/what-contaminated-land/advice-builders-and-developers>.

It is noted that noise conditions 19 and 20 will be addressed in separate applications.

#### **RDC Strategic Housing**

##### **FIRST RESPONSE (27/06/17)**

- 4.7 Re: paragraph 13 regarding the split for the affordable 3-bedroom units - we are unhappy with the split of 1 rented and 6 for shared ownership. There needs to be more of an even split as we have a high demand for 3-bed rent accommodation in Rayleigh and Sanctuary has not consulted about these breakdowns.
- 4.8 Whilst I understand this may impact on the financing of the affordable housing, this would not reflect the housing need based on the information we have for Rayleigh.

##### **SECOND RESPONSE (20/09/17)**

- 4.9 We support this application as it will provide much needed affordable housing.

#### **RDC Arboriculture (10/07/17)**

- 4.10 The landscaping plan, in particular the palette of suggested trees and hedges, is not consistent with the strategic landscape assessment supplied or Local Plan policy (DM25 section 4.13 onwards). Most of the species detailed are

non native; it is recommended that the scheme be revised to include more native planting. This is pertinent where tree belts and woodlands are to be created on the boundaries of the site and link to other areas of the wider landscape - the Rawreth Lane corridor and corridors on the east and western boundaries. Within the approved urbanised areas, more formal planting and those trees that are more suited to this setting can be included; those of: upright form, low water demand, low root penetration strength, etc.

#### **Further Comments (29/08/17)**

- 4.11 It would seem that the tree planting is for the urbanised areas? If this is the case this will be fine. I would recommend when considering the tree belts and woodland belts on the outskirts of the site a more native planting palette be provided, i.e., internally, happy with ornamental, with reduced % of native, but externally need to have native tree and woodland belts.

#### **RDC Ecology (27/11/17)**

- 4.12 Standing advice from Natural England:-

‘an extra survey to be done, as a condition of the planning permission for outline plans or multi-phased developments, to make sure protected species aren’t affected at each stage (this is known as a ‘condition survey’).’

Source – Gov.UK – Planning and Development - Protected species: how to review planning applications 6th October 2014 updated 12 October 2016

#### **Suggested Condition**

‘a further wildlife survey of the site shall be carried out to update the information previously submitted with the application, 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 Planning Authority prior to the commencement of the development hereby permitted and thereafter the development shall be implemented in accordance with the approved wildlife survey and mitigation/compensation.’

#### **RDC Waste and Recycling (02/08/17)**

- 4.13 Please see page 89 of the attached for waste and recycling requirements. There is a charge per household of £168 for bin capacity for lifetime costs of bins. We ask that the developer pays for this before we can provide the bins.

**Further Comments (30/08/17)**

- 4.14 Please refer them to page 89 of the attached for waste requirements and advise them of the developer charge for bins at £168.00 per household.

**Essex County Council SUDS (18/09/17)**

- 4.15 Sorry I've not responded sooner. We were happy with the conditions placed on the outline permission so we didn't have any specific comments in relation to the REM applications. I have had a number of pre-application meetings with the applicant and their consultants and am fairly confident that what they end up submitting will provide the level of detail that we require to recommend discharge of the drainage conditions in relation to phase 1 of the development.

**Essex County Council Archaeology (18/07/17)**

- 4.16 Archaeological investigation has already taken place and accordingly there are no further recommendations for archaeological works on this application.

**Further Comments (18/08/17)**

- 4.17 Archaeological work is complete for this first phase of the development and I have no further recommendations for this phase.

**Essex County Council Highways (13/10/17)**

- 4.18 The application is still subject to all the requirements and timescales associated with planning permission of application reference 15/00362/OUT and associated legal agreements. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of the Highway Authority, details to be agreed before the commencement of works.
- 4.19 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.
- 4.20 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority for the following reasons:-
1. Prior to development the areas within the site identified for the purpose of loading/unloading/reception and storage of materials and manoeuvring associated with the proposal shall be provided clear of

the highway and retained at all times for that sole purpose.

2. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
3. There shall be no discharge of surface water onto the highway.
4. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide areas within the curtilage of the site for the purpose:-
  - 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
5. All independent paths to be a minimum of 2 metres wide, with details of lighting and drainage to be submitted to and approved in writing by the Local Planning Authority.
6. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
7. The parking shall be provided in accordance with the EPOA Parking Standards.

### **Essex County Council Urban Design (04/10/17)**

#### **PRE-APPLICATION ENQUIRY LETTER COMMENTS**

##### **Comments on the Updated Layout**

- 4.21 The proposed and updated plan has been amended to provide a greater proportion of smaller dwellings in place of the larger 5-bedroom dwellings. These layout changes have been produced to reflect the ethos of the approved layout. The following points highlight our key recommendations for the revised proposals:-
1. The built frontages throughout the layout need to respond to the street type that they front onto, using landscape and the appropriate boundary treatments to address the distinctiveness of the character area they form part of. In some areas the street frontages have become generic and fail to respond to the street scene. For example,



the same frontage is adopted for the shared surfaces as elsewhere on the site.

2. Plot 116 is in a key location fronting the school site and marking the corner of a key junction; the proposed building alignment and roof plan needs to be developed further to provide a suitable frontage onto the street.
3. Apartment blocks (92-100 and 101-109) should be designed to the same principles as the buildings on the previously approved layout. The use of a mirrored building form for the two apartment blocks is logical; however the arrangement and relationship between these two blocks could be improved to respond better to the surrounding space, access routes and car parking court.
4. Similar to the point above, plots 184-192, 132-140 and 142-150 all utilise the same 'L shaped' building block design, within what is an open and exposed area of the site. The success of this portion of the development will rely on a subtle variety of the elevation design, materials specification/mix and structural landscape.
5. Across the layout, there are opportunities to combine some of the single garages to create joined garages; for example plots 22-21, 8-7 and 10-11 etc.
6. The use of smaller dwellings has reduced the amount of opportunities for street tree planting, mainly due to the need to provide additional driveways to service the greater number of dwellings. An updated landscape plan needs to be produced alongside this layout to inform a clear landscape strategy for the site. The landscape plan should include reference to the design of the parking courts which surround the apartment buildings.

#### **Comments on the Updated Density Parameter Plan**

- 4.22 The updated density parameter plan has been produced to reflect the density changes in the revised layout. The revised density parameter plan has been produced to reflect the surrounding rural context of the site, with lower density development parcels located to the western rural boundary edge. From a design and layout perspective, the amended density parameter plan is appropriate for the site and the proposed layout changes.

#### **FIRST RESPONSE**

- 4.23 Thank you for consulting me on the submitted applications 17/00588/REM and 17/00578/REM for Land North of London Road. Following a pre application meeting in March 2017 and a review of the indicative layout, this

response summarises my recommendations to inform the emerging proposals for the site.

### **Comments on the Updated Layout (17/00578/REM)**

4.24 The proposed and updated plan has been amended to provide a greater proportion of smaller dwellings in place of the larger 5-bedroom dwellings. These layout changes have been produced to reflect the ethos of the approved layout. The following points highlight our key recommendations for the revised proposals:-

1. The built frontages throughout the layout have been amended to respond to the street type that they front onto, for example, outside plot 51 and 52; plot 52 has been moved to allow for a green space to transition the bend within the road. This is seen in other bends in the road, particularly in the western area. More effort has been put into creating boundaries by the use of vegetation, especially in parking areas seen by plots 130, 172 and opposite plot 42; however, more could be introduced on the larger roads.
2. Plot 116 is in a key location fronting the school site and marking the corner of a key junction; the proposed building alignment and roof plan looks the same as in the previous plan.
3. Apartment blocks (92-100 and 101-109) should be designed to the same principles as the buildings on the earlier approved layout. The apartment blocks are now mirrored. A parking court has been added and sits between the two buildings. One entrance to both apartment blocks has changed in the bike store and is reflected in both blocks. The surrounding space has been improved with more vegetation to break up the car park.
4. Similarly to the point above, plots 184-192, 132-140 and 142-150 all utilise the same 'L shaped' building block design, within what is an open and exposed area of the site.

Only one elevation plan has been submitted for an apartment block; however, the site plan shows different proportions for all three of these blocks. More elevation plans will need to be supplied to decide if there is enough variation to the street scene from the edge of the development.

5. Across the layout, there are opportunities to combine some of the single garages to create joined garages; for example, plots 22-21, 8-7 and 10-11 etc.

No changes are apparent.

6. The updated landscape strategy for the site includes a greater number of proposed trees and planting; they appear more in parking areas than the previous plan. There is little information other than the site plan on parking, although a parking court has been introduced by blocks 92-100 and 102-109. There is a detailed plan about types of vegetation that will make up the landscape surrounding the development, but very little for within it.

**Further Comments (05/02/18)**

- 4.25 Looking through these minor amendments, most of them seem logical without negatively affecting the layout further. There are still areas which could be improved further, such as some of the parking solutions (tandem/triple tandem/courts) but I guess that is the trade-off for a policy compliant layout. Happy to help with recommended conditions.

**Environment Agency (1/1/08/17)**

- 4.26 We will not be providing any comments for these applications, as all three fall outside our consultation checklist.

**Natural England (14/08/17)**

**Statutory Nature Conservation Sites – no objection**

- 4.27 Natural England has assessed this application using the Impact Risk Zones data (IRZs). Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Crouch and Roach Estuaries (Mid Essex Coast Phase 3) Special Protection Area (SPA) and Ramsar and Essex Estuaries Special Areas of Conservation (SAC) have been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on these sites' conservation objectives.
- 4.28 In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Crouch & Roach Estuaries Site of Special Scientific Interest (SSSI) has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

**Protected Species**

- 4.29 We have not assessed this application and associated documents for impacts on protected species.

**Natural England has Published Standing Advice on Protected Species**

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

**Local Sites**

- 4.32 If the proposal site is on or adjacent to a local site, e.g., Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

**Biodiversity Enhancements**

- 4.33 This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

**Sites of Special Scientific Interest Impact Risk Zones**

- 4.34 The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific

Interest” (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect these.

**Essex and Suffolk Water (12/07/17)**

- 4.35 Our records show that we do not have any apparatus located in the proposed development.
- 4.36 We have no objection to this development. Subject to compliance with our requirements, consent is given to the development on the condition that a water connection is made onto our company network for the new dwelling for revenue purposes.

**Highways Agency (11/08/17)**

- 4.37 Highways England has no objections to these applications, as they are remote from the A12 trunk road. It appears from our records that we were never consulted on the original application.

**Sport England (29/06/17)**

- 4.38 The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non statutory remit (National Planning Policy Guidance (PPG) Paragraph 003 Reference ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can, however, be found on our website:  
[www.sportengland.org/planningapplications](http://www.sportengland.org/planningapplications)

- 4.39 If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Paragraph 74 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.
- 4.40 If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes:  
<http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

- 4.41 If the proposal involves the provision of additional housing (<300 units) then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.
- 4.42 In line with the Government's NPPF (including Section 8) and PPG (Health and Wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and Wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance:  
<https://www.sportengland.org/activedesign>

#### **Essex Bridleways Association (16/08/17)**

- 4.43 Within the outline application for this site, we requested that bridleway access is provided through the western green corridor running north/south from Rawreth Lane to London Road. The outcome was that it was suggested that at reserved matters stage this would be considered, but it appears that no plans have now been made in this initial application for Phase One of the development.
- 4.44 We request that informal permissive access for all users, including equestrians, is included within the western corridor within the informal grassland areas to link London Road with the existing bridleway network to the north of Rawreth Lane which runs northward towards Hullbridge.

#### **National Grid/Cadent (14/08/17)**

- 4.45 The reason Cadent hasn't responded is because both the application boundaries aren't affected by any of our assets.

**MP Mark Francois Response (18/07/17)**

- 4.46 Having read through the above application, I am writing as the local Member of Parliament to object. My reason for doing so is given below. In addition, I declare an interest as a local resident living in the Rawreth Lane area.
- 4.47 As the local MP, I have long argued that major housing developments should only take place if the necessary infrastructure improvements to support them are provided. The development on the land to the north of London Road will total some 500 dwellings which will add considerably to the local traffic in the area.
- 4.48 It has already been established that the mini roundabout at the junction of Rawreth Lane and Hullbridge Road will have to be upgraded to a more traditional roundabout in order to cope with the additional traffic flow.
- 4.49 As I understand it, the developers, Countryside Properties, have signed a section 106 agreement committing them to paying £250,000 towards the upgrade of this roundabout. However, this application represents “phase one” of the development, but there is no repeat of the commitment to fund the roundabout, nor any guarantee that the roundabout will be built before the houses are completed. In other words, local residents will face the situation where they get the houses first and the infrastructure later, if at all.
- 4.50 On this basis I wish to object to the application as it does not do enough to address infrastructure concerns.

**Response to Neighbour Notification****4.51 First Consultation**

Alexandra Road, Rayleigh: 39 (19/07/17)  
Castle Drive, Rayleigh: 3 (12/07/17)  
Cherrydown: 6 (05/07/17)  
Church Road, Rawreth: Tufty Lodge (12/07/17)  
Curtis Way: 45 (19/07/17)  
Cordelia Crescent, Rayleigh: 14 (05/07/17)  
Diamond Close, Rayleigh: 13 (12/07/17)  
Downhall Park Way: 108 (05/07/17)  
Durham Way, Rayleigh: 5 (05/07/17)  
Elm Drive: 17 (12/07/17)  
Evergreen Drive, Colchester: 60 (16/08/17)  
Exmouth Drive, Rayleigh: 14 (07/07/17)  
Grosvenor Road, Rayleigh: 56 (05/07/17)  
Hanningfield Close, Rayleigh: 2 (19/07/17), 12 (05/07/17)  
Hartford Close, Rayleigh: 43 (19/07/17)  
Hatfield Road: 71 (12/07/17 & 11/10/17)  
High Mead, Rayleigh: 42 (12/07/17)  
Kenilworth Gardens: 11 (05/07/17)

Laburnum Way, Rayleigh: 46 (27/06/17), 4 (19/07/17)  
Langham Drive: 35 (19/07/17)  
Leasway: 9 (12/07/17)  
Leonard Drive: 23 (12/07/17)  
Lincoln Way, Rayleigh: 9 (05/07/17)  
Louis Drive East, Rayleigh: 11 (05/07/17)  
Lubbards Close, Rayleigh: 4 (19/07/17)  
Mortimer Road, Rayleigh: 32 – Oak Lodge (05/07/17)  
Paignton Close: 20 (12/07/17)  
Parkhurst Drive, Rayleigh: 6 The Terrace (05/07/17)  
Sycamore Close: (unknown number, 19/07/17)  
Trenders Avenue, Rayleigh: Millview (12/07/17)  
Waxwell Road: 58 (05/07/17)  
Unknown address x 2: (18/07/17)

#### 4.52 Second Consultation

Cordelia Crescent, Rayleigh: 14 (13/09/17)  
Hatfield Road: 71 (11/10/17)  
Hanningfield Close, Rayleigh: 12 (20/19/17)  
Leonard Drive: 23 (13/09/17)  
Rawreth Lane: 200 (12/09/17)  
Unknown address: (14/09/17)

These comments can be summarised as follows:-

#### 4.53 Highways

- Traffic congestion on Rawreth Lane.
- At least 2 or 3 times a week traffic is queuing from one end of Rawreth Lane to the other.
- New roundabout at Hambro Hill end is insufficient.
- Assume that any measures of this nature will be installed before any building works commence.
- Rawreth Lane is just 'a lane' and cannot cope with the traffic volume today. It's daily at a standstill.
- It is simply not acceptable to build any more houses that connect to Rawreth Lane.
- This development needs an additional access road off the A1245.
- Anyone who lives here knows of daily delays now at peak times affecting not only car users but those who choose to use public transport.
- We live on a virtual peninsular bounded by the Thames, the Estuary and the rivers Roach and Crouch. Our ways of exiting the area are therefore limited.
- Construction traffic - the prospect of multiple / simultaneous construction site traffic in the same area will, without doubt, negatively impact on the already problematic local road/junction situations. Inward looking approach.



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- There still appears to be inadequate infrastructure (road and traffic) management plans.
  - There will also be a huge effect on the train services into London with many additional passengers making commuting more difficult.
  - The Rayleigh area cannot be expected to sustain current levels of vehicle movements, let alone the potential additional 1000-1500 which will be the normal if this building plan goes ahead.
  - Emergency services will be unable to proceed to any incident via this route without experiencing delay.
  - I have lived off Teignmouth Drive for 30 years and have witnessed how any build up of traffic in Rawreth Lane has resulted in a significant increase in through traffic in both directions along Teignmouth Drive and Exmouth Drive for traffic attempting to avoid the mini roundabout at the eastern end of Rawreth Lane and the junction on Hambro Hill and Downhall Road. My concern is that this 'escape' route which is already a rat run will become a high usage rat run when the development of housing along Rawreth Lane is established. Bearing in mind the location of Downhall Primary School off Teignmouth Drive, I would like Councillors to look at the impact here from such an increase in traffic and take measures to discourage or limit through traffic in Teignmouth Drive and Exmouth Drive.
  - The planning documentation doesn't provide sufficient information in respect of parking provision and ingress/egress to current road layout which could lead to further congestion.
  - Councillor Hall informed a meeting of Rawreth Parish that the statistics and traffic movement model provided by Essex Highways in relation to this development are questionable.
  - As peak time traffic is very high on Rawreth Lane now, the addition of 192 new dwellings will, of course, add a considerable amount of traffic into, and out of, the new development. May we assume that, as in the case of Downhall Park Way, traffic lights are situated at that junction?
  - Assuming each resident of this new development has 2 cars per residence, is an allowance made within the road layouts for additional parking for delivery vehicles, visitors vehicles, etc, as, in the case of Downhall Park Avenue, I understand from a resident there that, especially at weekends, through traffic is problematic due to parking both sides of the road(s) on that estate.
  - There should be a provision to provide a footpath along Rawreth Lane heading west.
  - There is no provision for any crossing for families to access the footway /alleyway that they will be required to use to attend St. Nicholas Primary School.
  - I would ask that Councillors insist a full mechanical wheel washing facility is present on the site at all times.
  - The contractors, employed by the developer, should be bussed in daily to prevent parking problems off site

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#### 4.54 Air Quality

- I would also like to see the pollution level metrics that were accessed for this application, given the expected additional cars.
- Nothing so far has been done to stop the pollution from the land referred to as 'Pearsons Meadow' by the Council alongside this proposed further development. With a diesel generator currently running through all hours of the day and night, the smell of fumes is filling the properties around Grosvenor Road and Diamond Close.
- There is little or no reference to the dust that is present in the area that dissipates over the open fields at present to the west. How are the residents of the existing homes in Boston Avenue, etc. going to cope with this increase in pollution because the Industrial Estate will in fact be blocked in by buildings?

#### 4.55 Noise

- Can the developers or the Council advise us on how they will deal with the noise pollution that comes from the Rawreth industrial estate which will be in between two housing estates when the project is complete.
- There are already miles and miles of congestion along Rayleigh High Street and the A127 every day for hours causing air and noise pollution.

#### 4.56 Infrastructure

- School capacity is another concern, especially for senior schools and the ever shrinking Education budgets.
- There will also not be enough general facilities such as doctors, dentists, schools, as there is not enough now - trying to get a doctor's appointment is a complete nonsense;, if you are really ill no wonder people just turn up at hospitals.
- There are not enough schools, community areas, parks, hospitals to support the extra residents.
- High street parking. Already at capacity.
- Station parking. Already at capacity.
- Local police. Being reduced.

#### 4.57 Minerals

- I note at Hullbridge that blue clay has been found on development proposed land. Has the proposed site in Rayleigh been tested for this?

#### 4.58 Archaeology

- Similarly, due to Saxon finds of national interest having been found only ten miles away, will there be an opportunity for archaeology on this site?

## 4.59 Flooding

- In the absence of any sort of execution plan it is impossible to judge if an effective SUD system will be in place at any stage of this Phase 1 proposal, either during construction or indeed at the end of the 192 house occupations. Whilst Phase 1 might be positioned 'up the slope' the Brook remains at the 'bottom of the slope' so any increased run off rate will pass downstream if not controlled by a completed system.
- The development will cause the houses in the lanes on the north side of Rawreth Lane to flood. This has happened regularly since the Asda estate was built. The area developed and about to be built is on the flood plain for the north of Rawreth Lane properties. The ground water just runs down the lanes and floods the lanes as there are too many properties built on the south side of Rawreth Lane and the fields and ditches cannot cope.

## 4.60 Other

- No environmental impact assessment appears to have been received according to the website.
- There is other better placed land that could be used.
- Objection - Areas of Nature, Loss of Trees and Vegetation, Over Development, Protection of Wildlife.
- Is this application an additional 192 units to the 500 units earmarked for that location. Other residents I have spoken to are not sure.
- Environmental impact has been sadly under estimated.
- Wickford building is almost encroaching on Rayleigh and it will not be long before these two towns amalgamate. Is this the reason for imminent boundary changes?
- Sewerage - is there capacity to accommodate?
- Rubbish collection - what provision has the Council made for this?
- The pretence of affordable housing is also a complete farce, as all that normally happens is the new housing stock sells to those moving down from higher priced areas, and does nothing to help anyone local looking to buy.
- I wish to object to this development because both the traffic and flooding models have not been calibrated against the 'real world' i.e. the current levels of traffic jams and floods have not been predicted and therefore the impact from the new development cannot be understood.
- There is evidence that badgers have been gassed by putting blue pipes down setts. The badger protection people should be consulted before any work commences on the south of the site.
- The setting of the town from the west will be diminished, as will the character of Rawreth Hall.

## 5 MATERIAL PLANNING CONSIDERATIONS

### Principle of Residential Development

- 5.1 The Allocations Plan 2014 was adopted on 25 February 2014. The application site is within part of the general location of 'North of London Road, Rayleigh' referred to in policy H2 of the Core Strategy as one of the general locations in the District where land would be released from the Green Belt to meet a rolling up-to-date five year supply of deliverable sites for residential development up to 2021. This general location was identified in policy H2 to accommodate 550 dwellings between 2015 and 2021. The Allocations Plan identified a specific site within this general location known as SER1. The application site falls within the SER1 allocation.
- 5.2 The principle of residential development of this site for up to 500 dwellings has already been accepted through the grant of outline planning permission on site SER1. This application represents consideration of the detail for phase 1 of this outline approval.
- 5.3 The discharge of condition application reference 16/01236/DOC agreed a phasing plan for the outline application, which was a requirement of condition 4 of this consent. Three phases have been agreed; the first phase is as submitted and currently being considered. The second phase would be to the southern London Road end of the development and the third would then concentrate on the centre of the site.

### Access

- 5.4 Phase 1 of the development incorporates various roads linking from the main north-south access road which takes its access from Rawreth Lane. This phase also incorporates the secondary access road which would link onto the Rawreth Industrial Estate access road running east-west through the development. The primary corridor which provides access from Rawreth Lane and will link to London Road was approved as part of the outline application and is not under consideration as part of this reserved matters application.
- 5.5 The proposal would accord with the access and movement parameter plan of the approved outline application.
- 5.6 ECC Highways does not object to the proposal but seeks planning conditions be imposed if planning permission were to be granted. Suggested conditions 1, 3 and 4 are already present within conditions attached to the approved outline application and therefore do not need to be repeated here. Suggested conditions 2, 5 and 6 are not present within the outline application and will be included within the current application. Suggested condition 7 relates to compliance with the Parking Standards document. The proposal has been assessed against the Parking Standards document within the parking section below. It is not considered necessary to impose this condition as head of

condition 2 within section 7 below requires adherence to the layout plan showing the location and provision of parking on the site.

- 5.7 The design and access assessment accompanying the application explains that the proposal incorporates secondary and tertiary access roads. The main secondary road (Road 1) would link the Rawreth Industrial Estate road to the primary access within the development measuring 5.5m in width with 2m wide footpaths either side; this is a type 3 road. Two secondary access roads would also continue from this road south finishing alongside plots 151 (Road 2) and 170 (Road 3). These would measure 5.5m wide. Road 3 would have 2m footpaths either side along the entranceway. Road 2 would have 2m footpaths either side along the entranceway and then a single 2m wide footpath to the eastern edge would link to the local green.
- 5.8 Tertiary roads would also be located across the development, some of which would form private drives. These vary in width from 3.7m to 5.5m with pinch points in private drives at 2.4m in a couple of places. Where it does narrow to 2.4m, this is in accordance with the Essex Design Guide. None of the private drives would give access to more than 5 dwellings. The area where plots 127 – 129 would be located gives access to parking spaces for 6 units but this is not considered to be contrary to the Essex Design Guide.
- 5.9 The proposal uses a mix of feeder roads, shared surface roads, mews courts and private drives, taking reference from the Essex Design Guide. There is a 2m wide footpath which links from the lobby green to the secondary access road to a width of 2m which is considered to be within an acceptable location.
- 5.10 Rawreth Parish Council has queried whether the spine road can be completed down to London Road creating a one way system for construction traffic. This is not for consideration here but could be considered in discussion with the applicant as part of the discharge of condition 15 attached to the approved outline application which requires a Constriction Method Statement to be submitted and agreed.
- 5.11 MP Mark Francois raises concern regarding the commitment to the upgrade of the mini roundabout at the junction of Rawreth Lane and Hullbridge Road. Junction improvements here remains a requirement of the agreed section 106 agreement as part of the approved outline application; the applicant does not need to repeat such commitment here. The applicant must pay the £250,000 for such improvements prior to occupation of the 150<sup>th</sup> dwelling at the site, therefore such payment will be required during the course of the construction works for phase 1.

#### Parking

- 5.12 The Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010 requires dwellings with one bedroom to provide a minimum of one off street parking space and dwellings with two

bedrooms or more should have a minimum of two off street parking spaces. These spaces would serve the residents of the dwellings.

- 5.13 On the current proposal for 192 dwellings, 157 dwellings would have two bedrooms or more and 35 dwellings would have one bedroom. Therefore, these 35 dwellings would need to provide one space each with the remaining 157 dwellings providing two spaces each. This is adhered to across the development.
- 5.14 The Parking Standards document requires 1 secure covered cycle space per dwelling to be provided for residents. The majority of dwellings proposed have garages or car barns that would be considered to provide secure cycle storage. There are some dwellings that do not have garages, for those dwellings that either do not have garages or have open car barns a planning condition should require a secure and covered area for cycle storage within the curtilage as part of a planning condition. The apartment blocks provide a cycle store for its 9 residents in each block and the 4 no. FOG units provide cycle provision for their residents within their garages in accordance with the requirements.
- 5.15 If parking is located within the curtilage of dwellings disabled parking spaces are not required. 67 dwellings do not have parking within their curtilage and disabled bays for these must be considered under the visitor/unallocated criteria.
- 5.16 The Parking Standards document requires a minimum of 0.25 visitor parking spaces per dwelling (unallocated). For 192 dwellings, this would equate to the need for a minimum of 48 visitor parking spaces. 39 unallocated spaces are provided across the development. There are 23 dwellings that provide additional parking on plot that meet the bay size criteria within the Parking Standards document beyond the 2 spaces needed per dwelling. One of these provides an additional 2 spaces. In total, there is a further 24 visitor spaces that are provided across the site but on individual plots. Therefore whilst the proposal has 9 less unallocated visitor parking spaces, there are 24 extra visitor spaces across the site on individual plots. ECC Highways have verbally advised that they do not object to the arrangement for visitor parking at this site.
- 5.17 If no garage or secure area is provided within the curtilage of the dwelling then 1 covered and secure cycle space per dwelling in a communal area for residents plus 1 space per 8 dwellings for visitors should be provided. In this instance, the majority of dwellings without a garage in their curtilage could provide a secure area within their gardens for cycle parking required by condition. The FOG units each provide space within their garages for visitor cycle parking. Within the apartment blocks, 2 cycle spaces for visitors should be provided within each block, this is allocated for.
- 5.18 The Parking Standards document requires 1 powered two wheeler space plus 1 per 20 car spaces (for 1<sup>st</sup> 100 car spaces). With a requirement for 48 visitor

parking spaces, this would result in a need for a total of 4 powered two wheeler spaces across the development. Two spaces are shown within the area of the local green to the west of the land allocated for the primary school and two are shown adjoining visitor spaces within the secondary roadway in accordance with this requirement.

- 5.19 With regard to disabled bays, the requirement is 200 vehicle bays or less should provide 3 bays plus 6% of total capacity. This is calculated with regard to the 48 visitor parking space requirement and also the 67 units which do not have parking within their curtilage. Therefore, there is a requirement for 7 spaces; 6 are provided within the area of the apartment blocks. 3 of these should be unallocated visitor disabled bays however, they are all allocated to individual wheelchair accessible apartments. There is the ability for visitor bay 29 to be converted to a disabled visitor bay which could be controlled by condition. It is not considered objectionable that 2 bays would serve specific units rather than being disabled visitor bays.
- 5.20 The quantum of parking provision is considered acceptable at the site with the ability for planning conditions to be applied as outlined above.
- 5.21 The Parking Standards document requires parking spaces to meet preferred bay size criteria of 5.5m x 2.9m per space with a 6.5m length for parallel parking. This criteria is adhered to across the development. Garage spaces should internally measure 7m x 3m. Car barns are proposed in various locations across the development. So long as doors are not included on these car barns, controlled by planning condition, it is not considered that they would be required to meet the 7m x 3m garage size criteria. The double garage proposed does not measure 7m in length; however, where this is used across the development (for 8 dwellings), there are already 2 off street parking spaces provided for those particular units that meet the necessary bay size criteria. The disabled bay sizing of 6.5m x 3.9m where such spaces are shown is met across the development although the length is reliant on space to the rear of the parking space; however, this is still considered acceptable. 6m reversing distances are provided within the communal parking areas across the estate.
- 5.22 Vehicle spaces across the development are considered to be located in usable positions for residents. Most would have parking within their curtilage whilst some would have spaces within parking areas. All units whereby parking would be located within such areas would have access to spaces near to their properties.
- 5.23 The visitor spaces are spread throughout the development in reasonable locations. In order to make it clear to residents that these are visitor spaces they should be demarcated as such and a requirement for such markings/signage could be controlled by planning condition.

### Appearance

- 5.24 Views are terminated across the development in various locations by predominantly the use of soft landscaping. The layout is not vehicle dominant with parking predominantly located to the sides of dwellings or within parking areas.
- 5.25 The design of the house types proposed is traditional. Such traditional design is not uncommon within the Rayleigh area. There are 12 different house types (also with variations of) and also FOG units and apartment blocks. The street scenes would provide variety in the form and style of dwellings within the selected mix. The dwelling designs also following designs that can be found at Countryside developments at St Luke's Park (Runwell) and Beaulieu (Chelmsford). It is considered that this would be suitable for the London Road, Rayleigh site.
- 5.26 The site uses 5 character areas: the rural edge, school approach, oak view, hill green and mews courts. The rural edge is the area that fronts Rawreth Lane and extends down the western edge of the site. This seeks to provide cottage and barn like dwellings using neighbouring Rawreth Hall as a reference. Oak view is the area to the centre that includes the lobby green with the oak tree located within it. The detached houses of similar design would front onto this area. The hill green area is located to the south and extends to the south-eastern corner. It includes detached dwellings fronting the large area of open space approved as part of the outline application. The school approach area has a denser more urban character with terraced units a common feature. There are three mews courts character areas which provide small clusters of detached houses which are semi-secluded.
- 5.27 The key external materials proposed include as follows:-
- Bricks – Parnham red, Ivanhoe antique, buff handmade
  - Boarding – cream white, grey green, black
  - Render – cream
  - Roof tile – SVK Montana composite slate, Marley Anglia concrete pantile (antique brown), Marley Plain concrete tile (dark red), Marley Anglia concrete pantile (old English dark red)

These materials would be considered acceptable. A condition should be applied requiring adherence to these materials. It is not entirely clear on the material separation between brick and boarding usage for the apartment blocks, more clarity on this will be required by condition. It is considered that the design represents good, high quality design in accordance with policy CP1 of the Core Strategy.



- 5.28 Dormers are proposed to one of the house types to the front elevation. The dormers proposed are modern looking flat roofed dormers. Whilst SPD2 requires front/side dormers to have pitched roofs this does not allow for modern style dormers such as that proposed. This affects 7 dwellings within the scheme. The modern style is not considered objectionable for these 7 dwellings.
- 5.29 ECC Urban Design makes reference to the need for more boundaries formed through vegetation across the development; this can be controlled through the discharge of condition 21 attached to the approved outline application. Concern was raised regarding the prominence of plot 116 near to the school site and the need for improvement in design. As a result a revised plan was provided showing improved window positioning and the inclusion of a bow window at first floor to improve the appearance of this dwelling on this prominent corner. Such a change would also be included to plots 42 and 59. This change is considered to provide visual improvements to this prominent plot. Mention was made regarding opportunities to link the single garages throughout the development. The applicant has not made such a change for viability reasoning; it is not considered that such linking is paramount to the design of the scheme.

### Landscaping

- 5.30 Various soft and hard landscaping is proposed across the site. A soft landscape strategy has been provided which identifies a variety of landscaping incorporating proposed trees, hedge planting, native and ornamental shrub planting and turfed/seeded areas. Tree planting and native/ornamental shrub planting is concentrated in prominent areas of the site such as within verge areas, in between visitor parking spaces and on corner plot positionings.
- 5.31 The proposed planting schedule identifies the initial intended use of the following species:-
- Trees – field maple, ornamental cherry (2 types), snowy mespilus, hornbeam, sheerwater seedling
  - Shrub planting – choisya species, rosmarinus officinalis, hebe species, phormium species, cornus species, lavandula species among others
  - Hedge planting – Photinia and fraseri, osmanthus and burkwoodii, ligustrum species, elaeagnus and ebbingei, escallonia species and Ilex crenata
  - Native planting – native dogwood, common hazel, common hawthorn, spindle bush, ligustrum vulgare, blackthorn, dog rose, common elder, guilder rose and hornbeam.

- 5.32 The Council's arboriculturalist does not raise concern with the proposed planting for the urban areas of the site. He advises that more formal planting and trees more suited to their setting can be included here. One tree would be retained, located within the lobby green area 'Oak View'.
- 5.33 The ECC Urban Design officer advises that the updated landscape strategy for the site includes a greater number of proposed trees and planting but that they appear more in parking areas. The ECC Urban Design officer also raises concern regarding the quantity of detail provided around landscaping. It is considered that there is more opportunity for tree planting across the urban area of the site outside of parking areas. This could be addressed through discharge of planning condition 21 attached to the approved outline application.
- 5.34 Only limited details around boundary treatment have been provided. The current information advises that treatment will include:-
- native hedging to act as a natural screen to the perimeter
  - boundary fencing and robust hedging to provide subtle separation between the public and private realm
  - planting to soften the transition between different parts of the site
  - estate railing along the south-eastern boundary of the strategic open space (boundary edge to the current application)
- 5.35 With regard to hard landscaping the only material detail that we currently have is tarmacadam for the 5.5m wide secondary roads.
- 5.36 The information currently provided confirms that a good landscaping strategy can be provided for phase 1 with full details including improvements to that supplied to be addressed through discharge of planning condition 21 attached to the approved outline application.

## **Layout**

### **Density**

- 5.37 The discharge of condition application reference 16/01236/DOC sought to agree a revised density across the approved outline application site. Three density levels were agreed within the outline application across the development. A high density (34-38 dph), medium density (29-34 dph) and a low density (25-29dph). Within the discharge of condition application four density levels were proposed. A high density (38-47.5dph), medium high density (34-38dph), medium density (29-34dph) and low density (25-29dph). This was agreed by letter dated 27 January 2017.
- 5.38 The density levels that have been agreed for phase 1 include a high density to the entire section to the east of the main access road into the development

with medium and low density's proposed to the section to the west of the main access road. The medium density would be to the north-western corner and the low density to the south-western corner. The high density area would have a density level of 38.7dph, the medium would be 27.9dph and the low would be 25.4dph. The medium would be slightly below what was agreed by discharge of condition; however, this could be due to difficulties in breaking down the agreed details from the parameter plan onto the more detailed layout plan we are now considering. The medium density proposed is not considered objectionable. Variation of the details agreed for the condition within the outline application would need to address this separately.

#### Dwelling Mix

- 5.39 Policy H5 of the Core Strategy requires new developments to have a mix of dwelling types. The proposal consists of flats (one and two-bedroomed) and houses (two, three, four and five-bedroomed). It is considered that a reasonable mixture of property sizes has been provided at this site in accordance with this policy.

#### 1m Separations

- 5.40 SPD2 requires that 1m separation is provided between the side boundaries of the hereditament and habitable rooms of the dwelling house. Whilst mostly applicable to infill plots within existing residential areas SPD2 also makes clear that this should also be applied to development of new estates. The aim is to achieve a total separation of 2m between the sides of the buildings with reference within SPD2 to such separation being important to the overall appearance of new estates.
- 5.41 There are 33 dwellings within the proposed development that do not meet the 1m separation criteria; for 6 of these dwellings only one corner does not meet the 1m sizing. The apartment blocks 132 – 140 and 142 – 150 also do not provide a full 1m to the southern boundary. However, for these dwellings that do not provide a technical 1m separation visual gaps are provided by car parking spaces, open grass verges, gardens and open space. Although this does not in a literal sense comply with the 1m criteria, it does adhere to the aspirations of this guidance which seeks to improve the appearance of new estates by providing visual gaps. It is not considered a reason for refusal would be justified on the lack of strict adherence to the 1m separation criteria as the layout and design would still provide visual separations for most house types whilst still seeking to retain a continuity of frontage.

#### Residential Amenity

- 5.42 The nearest residential dwellings to the site are Rawreth Hall, The Dell (Madrid Avenue), No.1 Winchester Drive and a residential estate from the 1990s to the east.

- 5.43 Due to the distance between the proposed dwellings and these neighbouring properties, with open space also forming a buffer, it is not considered that the proposed dwellings would be detrimental to the occupiers of any neighbouring properties.
- 5.44 The Essex Design Guide requires a minimum of 25m distance between the backs of houses to provide acceptable privacy distancing. Where the backs of houses are at more than 30 degrees to one another this separation may be reduced to 15m from the nearest corner. This is complied with across the majority of the development although there are 12 instances whereby such separation is not provided. It is not considered reasonable to refuse the application due to the lack of strict compliance with this criteria. The Essex Design Guide, as referred to in policy CP1 of the Core Strategy, should help provide guidance without being overly prescriptive.
- 5.45 Some of the house types use side windows design within their; these are listed below:-

House Type	Ground Floor Side Windows	First Floor Side Windows
3.01 V1	Lounge, WC	Staircase
3.07 V1	Dining area (2 windows and patio doors), kitchen	Bedroom 2 and bathroom
3.07 V2	Kitchen, dining area (patio doors)	Bedroom 2 and bathroom
3.08 V1	WC, garage	Bedroom 1
3.08 V2	WC	
4.05 V1	Utility room and kitchen (patio doors)	Ensuite and bathroom
4.05 V2	Dining room, utility room, kitchen (patio doors)	Ensuite and bathroom
4.10 V1	Living room (x2), dining area, WC	Bedroom 1, bedroom 2, staircase
4.10 V2	WC	Staircase
4.11 V1	Dining area	Bedroom 3, second floor – bedroom 2
4.12 V1	Dining room, utility room, family room (patio doors),	Bedroom 2, bathroom, bedroom 1

House Type	Ground Floor Side Windows	First Floor Side Windows
	lounge (x2)	
4.12 V2	Dining room, utility room, lounge (x2)	Bedroom 2, bathroom, bedroom 1
5.01	Lounge (x2), utility (door)	Bedroom 1
2-Bed AFF V1	Lounge	
3-Bed AFF V1	Lounge, hallway	Staircase
4-Bed AFF V1	Lounge	Staircase

- 5.46 However, where these are used, the ground floor windows are separated from neighbours by boundary treatment, parking spaces, roads or pathways to ensure no detrimental impact upon neighbouring properties. At first floor the windows would serve bedrooms, bathrooms or staircases where protracted periods of time are not spent and therefore unacceptable overlooking would not be considered to occur.
- 5.47 Where balconies are proposed to apartment blocks and FOG units these are not considered to be in positions that would generate unacceptable overlooking.

#### Technical Housing Standards

- 5.48 The Ministerial Statement of 25 March 2015 announced changes to the Government's policy relating to technical housing standards. The changes seek 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.
- 5.49 Rochford District Council has existing policies relating to access (Policy H6 of the Core Strategy) , internal space (Policy DM4 of the Development Management Plan) 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).

#### 1. Internal Space

- 5.50 Until such a time as existing policy DM4 is revised, this policy must be applied in light of the Ministerial Statement (2015) which introduced a new technical housing standard relating to internal space standards. Consequently all new dwellings are required to comply with the new national space standard as set

out in the DCLG Technical housing standards – nationally described space standard March 2015. An assessment of the proposal against the national criteria is undertaken below.

<b>National Technical Housing Standard Assessment</b>					
<b>House Type</b>	<b>Gross Internal Floor Area (m<sup>2</sup>)</b>	<b>Storage (m<sup>2</sup>)</b>	<b>Single bed size (m<sup>2</sup>) and width (m)</b>	<b>Double bed size (m<sup>2</sup>) and width (m)</b>	<b>Ceiling Height (m)</b>
2.02 v1	2b4p 83 (79 required and met) ✓	1.8 - plus built in wardrobe space in bedroom (2 required and met) ✓	✓	✓	✓
2.02 v2	2b4p 83 (79 required and met) ✓	1.8 - plus built in wardrobe space in bedroom (2 required and met) ✓	✓	✓	✓
2.02 variant 2	2b4p 83 (79 required and met) ✓	1.8 - plus built in wardrobe space in bedroom (2 required and met) ✓	✓	✓	✓
2.03 (FOG) v1	2b4p 80 (70 required and met) ✓	2.1 (2 required and met) ✓	✓	✓	✓
3.01 v1	3b5p 100 (93 required and met) ✓	2.1 - plus built in wardrobe space in bedrooms (2.5 required)	✓	✓	✓
3.01 v2	3b5p 100 (93 required and met) ✓	2.1 - plus built in wardrobe space in bedrooms (2.5 required)	✓	✓	✓

National Technical Housing Standard Assessment					
House Type	Gross Internal Floor Area (m <sup>2</sup> )	Storage (m <sup>2</sup> )	Single bed size (m <sup>2</sup> ) and width (m)	Double bed size (m <sup>2</sup> ) and width (m)	Ceiling Height (m)
3.01 v3	3b5p 100 (93 required and met) ✓	2.1 - plus built in wardrobe space in bedrooms (2.5 required)	✓	✓	✓
3.07 v1	3b6p 119 (102 required and met) ✓	3.2 (2.5 required and met) ✓	✓	✓	✓
3.07 v2	3b6p 119 (102 required and met) ✓	3.2 (2.5 required and met) ✓	✓	✓	✓
3.08 v1	3b6p 132 (102 required and met) ✓	2.5 (2.5 required and met) ✓	✓	✓	✓
3.08 v2	3b6p 132 (102 required and met) ✓	2.5 (2.5 required and met) ✓	✓	✓	✓
4.05 v1	4b8p 156 (124 required and met) ✓	3.3 (3 required and met) ✓	✓	✓	✓
4.05 v2	4b8p 156 (124 required and met) ✓	3.3 (3 required and met) ✓	✓	✓	✓
4.10 v1	4b7p 151 (115 required and met) ✓	3.7 (3 required and met) ✓	✓	✓	✓
4.10 v2	4b7p 151 (115 required and met) ✓	3.7 (3 required and met) ✓	✓	✓	✓

National Technical Housing Standard Assessment					
House Type	Gross Internal Floor Area (m <sup>2</sup> )	Storage (m <sup>2</sup> )	Single bed size (m <sup>2</sup> ) and width (m)	Double bed size (m <sup>2</sup> ) and width (m)	Ceiling Height (m)
4.11 v1	4b8p 166 (130 required and met) ✓	3.3 (3 required and met) ✓	✓	✓	✓
4.12 v1	4b7p 148 (115 required and met) ✓	2.7 – plus built in wardrobe space in bedrooms (3 required and met) ✓	✓	✓	✓
4.12 v2	4b7p 148 (115 required and met) ✓	2.7 – plus built in wardrobe space in bedrooms (3 required and met) ✓	✓	✓	✓
5.01 v1	5b8p 178 (134 required and met – bedroom 4 can be single sized only due to the 1.5m <sup>2</sup> headroom restriction) ✓	3.4 – plus built in wardrobe space in bedrooms (3.5 required and met) ✓	✓	✓	✓
FOG 1 AFF V1	2b4p 80 (70 required and met) ✓	2.1 (2 required and met) ✓	✓	✓	✓
FOG 2 AFF V1	2b4p 80 (70 required and met) ✓	2.1 (2 required and met) ✓	✓	✓	✓
2-Bed AFF V1	2b3p 76 (70 required and met) ✓	2.8 (2 required and met) ✓	✓	✓	✓



National Technical Housing Standard Assessment					
House Type	Gross Internal Floor Area (m <sup>2</sup> )	Storage (m <sup>2</sup> )	Single bed size (m <sup>2</sup> ) and width (m)	Double bed size (m <sup>2</sup> ) and width (m)	Ceiling Height (m)
3-Bed AFF V1	3b4p 86 (84 required and met) ✓	2.5 (2.5 required and met) ✓	✓	✓	✓
4-Bed AFF V1	4b7p 150 (115 required and met) ✓	3.2 (3 required and met) ✓	✓	✓	✓
Apartment Block – 1-bed units (type 1)	1b2p 52 (50 required and met) ✓	1.5 (1.5 required) ✓	✓	✓	✓
Apartment block – 1-bed units (type 2)	1b2p 62 (50 required and met) ✓	1.5 (1.5 required and met) ✓	✓	✓	✓
Apartment block – 1-bed units (type 3)	1b2p 52 (50 required and met) ✓	1.5 (1.5 required and met) ✓	✓	✓	✓

5.51 The agent has confirmed that all ceiling heights will meet the minimum criteria. The table above confirms that the Technical Housing Standards are met and considerably exceeded in terms of overall unit sizing for a number of house types. It should be noted that built-in wardrobe space is provided for a number of house types in addition to the independent storage cupboards shown.

## 2. Water Efficiency

5.52 Until such a time as existing Policy ENV9 is revised, this policy must be applied in light of the Ministerial Statement (2015) which introduced a new technical housing standard relating to water efficiency. Consequently all new dwellings are required to comply with the national water efficiency standard as set out in part G of the Building Regulations (2010) as amended. Planning condition 28 attached to the approved outline application required compliance with this Building Regulation requirement. Details of this were required to be submitted with each Reserved Matters application. A discharge of condition application has been submitted with regards to this (reference

17/01117/DOC). This advises that water efficient fittings such as flow restrictors and water efficient appliances will be used to address this condition which is likely to be considered acceptable. Formal discharge of this condition is pending consideration.

### 3. Energy

- 5.53 Policy ENV9 requires all new dwellings to achieve Code Level 4 of the Code for Sustainable Homes as a minimum. The Ministerial Statement relating to technical standards has not changed policy in respect of energy performance and this requirement still therefore applies. Planning condition 29 attached to the approved outline application required compliance with this Building Regulation requirement. A discharge of condition application has been submitted with regard to this (reference 17/01117/DOC). This demonstrates that an efficient building fabric and services has resulted in CO2 savings of 8%; this is through design features such as high levels of insulation, designing to maximise solar gain and limiting heat loss through air leakage and thermal bridging. High efficiency gas fired boilers, continuous mechanical extraction ventilation and low energy lighting are also intended to be used. This is likely to be considered acceptable; formal discharge of this condition is pending consideration.
- 5.54 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 are now no longer sought.

### 4. Wheelchair Accessible Units

- 5.55 Paragraph 3.21 to policy SER1 of the Allocations Plan requires a minimum of 16 dwellings across the wider site to be built to full wheelchair accessibility standards. Policy H6 of the Core Strategy requires 3% to be provided which would equate to 6 dwellings within the current reserved matters application. Planning condition 27 attached to the approved outline application required 3% of new dwellings within each phase to be built to wheelchair accessibility standards to meet the optional standard M4(3)(B) on access to and use of buildings. This application identifies plots 91, 92, 101, 132, 142 and 184 to be built to this standard in accordance with this condition.

### Amenity

- 5.56 SPD2 requires that for three-bedroomed plus detached and semi-detached dwellings 100m<sup>2</sup> of private amenity is provided. SPD2 requires 3-bedroomed terraced properties to provide a minimum depth of 2 ½ x the width of the house (except where the provision exceeds 100m<sup>2</sup>) and a minimum garden area of 50m<sup>2</sup>. For 1 and 2-bedroomed dwellings a minimum 50m<sup>2</sup> garden is

required provided that the second bedroom is not of a size that would allow sub-division into two rooms. And for flats there is a requirement for a minimum balcony area of 5m<sup>2</sup>, with the ground floor dwelling having a minimum patio garden of 50m<sup>2</sup>; or the provision of a useable communal residents' garden on the basis of a minimum area of 25 m<sup>2</sup> per flat. These two methods for flats may also be combined.

- 5.57 The 1 and 2-bedroomed flats are located within blocks and FOG units and provide a combination of 5m<sup>2</sup> balconies and communal space in accordance with SPD2. The majority of the units are 3, 4 or 5-bedroomed requiring minimum 100m<sup>2</sup> gardens. Many provide in excess of the 100m<sup>2</sup> criteria. There are 8 dwellings that are slightly below:-

Plot 6 (93m<sup>2</sup>)  
Plot 7 (92m<sup>2</sup>)  
Plot 19 (91m<sup>2</sup>)  
Plot 51 (92m<sup>2</sup>)  
Plot 59 (73m<sup>2</sup>) – 50m<sup>2</sup> requirement  
Plot 80 (53m<sup>2</sup>) – 50m<sup>2</sup> requirement  
Plot 174 (97m<sup>2</sup>)  
Plot 178 (88m<sup>2</sup>)

- 5.58 Plots 6, 7, 51, 59 and 178 comply with SPD2 as they are adjacent to a substantial area of well landscaped and properly maintained open space. Plots 59 and 80 have sufficient space but just don't meet the 2 ½ time the width of the property in garden length criteria which is not strictly applied. It is therefore only 2 plots that are not considered to comply with SPD2 - plots 19 and 174. These provide 91m<sup>2</sup> and 97m<sup>2</sup> respectively therefore the reduction is quite minimal. There are some garden areas to dwellings across the development that are actually over sized. Adjustments could potentially be made to the layout to provide 100m<sup>2</sup> gardens to these plots but it would make for unusual boundary positioning, it is considered that these 2 plots provide usable garden areas and the slight reduction in a scheme of 192 dwellings is not considered objectionable.

- 5.59 Therefore, only 2 dwellings within the entire development do not strictly adhere to the garden size requirements, but for the reasoning outlined above it is not considered that it would be reasonable to refuse the application for the lack of such adherence in relation to just these 2 plots.

- 5.60 Within a central area of the site an amenity area is proposed. This is described as the 'Oak View open space'. It incorporates an existing oak tree, a turfed/seeded area, native/ornamental shrub planting, hedge planting and proposed trees. The parameters plan for the approved outline application explains that this would measure a minimum of 0.1ha. The lobby area shown on the plan measures 0.07ha, below the minimum identified. Whilst a footpath and verge has been included in the applicant's measurements it is not considered that these should reasonably be included in the overall calculation.

- 5.61 Within the approved outline parameters plan, two local green areas were located within phase 1, one to the west of the primary school and another within the north western corner of the site. Three local greens were proposed within the entire site the subject of the outline application. The minimum area that the three local greens proposed across the entire site required was 0.15ha; therefore, if split equally, this would equate to 500m<sup>2</sup> per area. The area to the west of the primary school would equate to 316m<sup>2</sup>. The green to the north western corner is difficult to calculate independently as it has been incorporated into the wider strategic landscaping surrounding the site. However, it is considered to amount to approximately 265m<sup>2</sup>. This would require the third green, the subject of a later phase, to provide approximately 919m<sup>2</sup>. There is no specific sizing requirement for each local green; the two greens proposed as part of the current application and their locations are considered acceptable. In order to accord with the parameters plan for the approved outline application the last green would need to provide a larger sizing in any future application.
- 5.62 Whilst the Oak View open space would be below that agreed as part of the approved outline application, it is important to look at this phase in the context of the wider site. The development is surrounded by a large quantity of strategic landscaping, approved as part of application reference 17/00588/REM. There is also a large quantity of landscaping to be provided as part of the central and southern areas of the wider site shown on the parameters plan. In this context it is not considered objectionable that this area is below that identified within the parameters plan for the outline application and it is not considered that this would represent a justified reason for refusal. A non material amendment application has been submitted for consideration relating to the change now proposed for the sizing of the lobby green (reference 18/00077/NMA).
- 5.63 The open space is considered to be located in usable and appropriate positions within the development easily accessible to residents. It is not considered that the positioning of the proposed communal spaces formed through communal amenity space, communal bin storage, parking courts or open spaces/play spaces would be located in positions that would be detrimental to surrounding dwellings on the development.

#### Refuse

- 5.64 The refuse plan shows a swept path analysis showing where a refuse vehicle could track through the development. The Council's Appendix 1 to the Development Management Plan explains that a minimum of 5m width should be provided for a refuse vehicle. In a few places the roads narrow to 4.8m but it is still considered that this would provide acceptable space for a refuse vehicle to access. The access roads to be used would need to be engineered to take the weight of a 26 tonne refuse vehicle. A planning condition would need to ensure that this is the case.

- 5.65 The Council operates a 3 bin system per dwelling consisting of a 240l bin for recycle (1100mm high, 740mm deep and 580mm wide), 140l for green and kitchen waste (1100mm high, 555mm deep and 505mm wide) and 180l for residual waste (1100mm high, 755mm deep and 505mm wide). The revised refuse plan provided shows that within the curtilage of each dwelling the bins would be stored within the rear gardens or within garages. The FOG units would provide storage within their garages and the apartment blocks would have dedicated communal bin stores. On plot storage arrangements are considered to be acceptable. Plot 116 appears to have two arrangements however, either shown is considered acceptable.
- 5.66 With regard to the bin collection points, there are 5 locations whereby the bin stores would exceed the 25m drag distance for an operative (equating to 14 dwellings). The maximum distance would be 45m but in most cases the distance would be between 27.5 and 30m. One unit has the potential for the collection point to be closer (156). It is not considered that this is objectionable for this number of units. For one of the apartment blocks there is a proposal for bins to be dragged to a closer collection point by the management company. Such an arrangement is considered acceptable. The bin collection points show space for 2 bins per dwelling which is the quantity presented on bin collection days.
- 5.67 All collection points will require hard surfacing, this could be grass crete to soften the appearance of these areas. The soft landscaping details requiring discharge would look at this in more detail. The collection point for units 152, 153, 154, 155 and 183 would be better placed with a form of store as there would be 10 bins in this location on collection day. This could be controlled by condition.

### Scale

- 5.68 The building height parameter plan, approved as part of the outline application, permitted heights of up to 3 storeys (12.5m) and up to 2.5 storeys (11m) for the residential units. Within phase 1 this incorporated up to 3 storey heights to the east of the main access road into the development and up to 2.5 storeys to the west of the main access road.
- 5.69 The majority of the development would use 2 storey house types. Only 2 house types would be 2.5 storeys, house type 4.11 V1 (4-bed detached house) and 5.01 V1 (5-bed detached house). There are also 5 blocks of 3 storey apartments rising to 3 storeys in height. The heights of the various house types across the development is as follows:-

House Type	No. of units	Storey	Height
2.02 v1	16	2	9m
2.02 v2	2	2	9.3m
2.02 variant 2	1	2	7.3m

House Type	No. of units	Storey	Height
2.03 (FOG) v1	1	1 storey at first floor level	8.2m
3.01 v1	14	2	9.1m
3.01 v2	8	2	9.1m
3.01 v3	1	2	9m
3.07 v1	5	2	8.2m
3.07 v2	2	2	8.1m
3.08 v1	3	2	9.1m
3.08 v2	12	2	9.1m
4.05 v1	7	2	9m
4.05 v2	2	2	8.7m
4.10 v1	12	2	9.4m
4.10 v2	1	2	9.4m
4.11 v1	4	2.5	10.7m
4.12 v2	4	2	8.7m
4.12 v1	9	2	8.7m
5.01 v1	7	2.5	10m
FOG 1 AFF V1	1	1 storey at first floor level	8.2m
FOG 2 AFF V1	2	1 storey at first floor level	8.8m
2-Bed AFF V1	12	2	9.1m
3-Bed AFF V1	6	2	9.1m
4-bed AFF V1	1	2	9.2m
Apartment Block	45	3	12.3m

- 5.70 This accords with the building heights plan agreed as part of the approved outline application at the site. It is considered to provide sufficient variety in height but maintains a predominantly 2 storey presence across the site. The greatest heights, forming the apartment blocks, would be located within the north-eastern and south-eastern corners of phase; two blocks would be located to the north, three to the south. They would be located by the boundaries to the school and health care elements of the wider site which is considered to be a good position within the site for 3 storey flatted units. The 2.5 storey units would be pepper-potted throughout phase 1 providing a variety in building height across the scheme. The proposed house type heights proposed is considered to be acceptable.

### Other Matters

#### Affordable Housing

- 5.71 Policy H4 of the Core Strategy seeks at least 35% of dwellings on all developments of 15 or more units, or on sites greater than 0.5 hectares, to be affordable. However, such quantity can be relaxed where the developer is able to demonstrate that 35% provision will be economically unviable, rendering the site undeliverable.

5.72 As part of the outline planning application 35% affordable housing was agreed to as part of the section 106 agreement. The mix for the first phase (also the baseline for future phases) was identified within the legal agreement as follows:-

- 1-Bed = 51% (100% affordable rented)
- 2-Bed = 36% (63% affordable rented and 37% intermediate housing)
- 3-Bed = 11% (50% affordable rented and 50% intermediate housing)
- 4-Bed = 2% (100% affordable rented)

5.73 With a proposal for 192 dwellings within the first phase of reserved matters application, the current application requires a total of 68 affordable dwellings. The break down of affordable unit tenure mix as agreed as part of the 106 agreement would result in the tenure mix requirement for 68 dwellings as follows:-

- 1-Bed = 51% = 35 affordable rented units
- 2-Bed = 36% = 24 units (63% affordable rented and 37% intermediate housing = 15 affordable rented and 9 intermediate housing)
- 3-Bed = 11% = 8 (50% affordable rented and 50% intermediate housing = 4 affordable rented and 4 intermediate housing)
- 4-Bed = 2% = 1 (affordable rented)

5.74 The current application, as initially submitted, looked to amend the tenure mix as follows:-

Bedroom Number	Outline approval (percentage and resulting unit number)	Reserved matters proposal (percentage and resulting unit number)
1	51% = <b>35</b> affordable rented	66% = <b>46</b> affordable rented
2	36% = <b>24</b> (63% affordable rented and 37% intermediate housing = <b>15</b> affordable rented and <b>9</b> intermediate housing)	22% = <b>14</b> (53% affordable rented and 47% intermediate housing = <b>7</b> affordable rented and <b>7</b> intermediate housing)
3	11% = <b>8</b> (50% affordable rented and 50% intermediate housing = <b>4</b> affordable rented and <b>4</b> intermediate housing)	10% = <b>7</b> (15% affordable rented & 85% intermediate housing = <b>1</b> affordable rented and 6 intermediate housing)
4	2% = <b>1</b> affordable rented	1.5% = <b>1</b> intermediate housing

- 5.75 Sanctuary Housing provided a letter in support of such a change within the planning application. Part 4 of the Affordable Housing Schedule within the 106 allows consideration of changes to the tenure mix with written reasons for the variation to be provided. Such detail has been provided within the current application. During the course of the application concerns were raised with regard to this proposed tenure mix change by the Council's strategic housing team. There is no viability argument being made for such a change. As a result a revised mix was provided as follows:-

Bedroom Number	Outline approval (percentage and resulting unit number)	Reserved matters proposal (percentage and resulting unit number)
1	51% = <b>35</b> affordable rented	51% = <b>35</b> affordable rented
2	36% = <b>24</b> (63% affordable rented and 37% intermediate housing = <b>15</b> affordable rented and <b>9</b> intermediate housing)	36% = <b>25</b> (53% affordable rented and 47% intermediate housing = <b>16</b> affordable rented and <b>9</b> intermediate housing)
3	11% = <b>8</b> (50% affordable rented and 50% intermediate housing = <b>4</b> affordable rented and <b>4</b> intermediate housing)	11% = <b>7</b> (15% affordable rented and 85% intermediate housing = <b>4</b> affordable rented and <b>3</b> intermediate housing)
4	2% = <b>1</b> affordable rented	2% = <b>1</b> intermediate housing

- 5.76 The key differences are between the 2 and 3-bed units with one extra proposed in the 2-bed versus one less in the 3-bed. This actually comes down to how you choose to break up the percentages dictated in the 106 agreement so arguably could be concluded not to actually represent a change in the tenure mix for the 106. The other change relates to the 4-bedroomed unit. The 106 required this to be an affordable rented unit, whereas Countryside propose this to be an intermediate unit. The Council's Strategic Housing Officer does not object to this change, with a greater demand for units smaller than 4-bedroomed being the need within the Rochford District. Such a change would also not affect the total tenure mix which would remain at the required 80% affordable rented and 20% intermediate housing split.

- 5.77 On this basis, it is not considered that the proposed change would be objectionable and this reserved matters application can agree such variation.

#### 106 Contributions

- 5.78 All the necessary 106 requirements and planning conditions attached to the approved outline application at this site would need to be adhered to and are not required to be repeated within the current application.



- (1) The option of transfer of the education land at the site to Essex County Council (ECC) and a pro rata financial contribution towards provision of a new primary school with early years and childcare provision on site or a proportionate financial contribution towards expansion of existing primary, early years and childcare provision. A financial contribution towards secondary provision. A total estimated education contribution of approximately £5.1 million. In the interests of clarity it should be noted that the total education contribution figure is estimated with the final figure to be calculated according to the precise housing mix to be provided and according to the agreed ECC formula for education contribution calculations.
- (2) A contribution of £250,000 (Two hundred and fifty thousand pounds) for highway infrastructure improvements at the Rawreth Lane/Hullbridge Road/Hambro Hill junction to a timetable to be agreed by Essex County Council.
- (3) Payment of a £5000 Travel Plan monitoring fee to ECC relating to the residential Travel Plan.
- (4) Provision and implementation of a Residential Travel Information Pack for every household.
- (5) Provision of an extended bus service linking the development with Rayleigh railway station. Bus service along the link road with the service to operate between 0700 and 2100 hours Monday to Friday with a minimum frequency of every 30 minutes and hourly on a Saturday and Sunday between 0900 and 1800 hours for a period of 5 years. Fallback requirement for financial contribution of £540,000 to ECC in the event that reasonable endeavours cannot secure provision of the service for use in the provision of a bus service.
- (6) Provision of 12 month season tickets for bus travel to all eligible occupiers of the development (maximum of 2 per household) once bus service is operational.
- (7) A minimum of 35 per cent affordable housing shall be provided in each phase (reserved matters application site area) to a mix of 80 per cent affordable rent and 20 per cent intermediate housing, subject to delivery triggers, appropriate location of units within the site, appropriate dwelling type/size, nomination rights and other relevant matters.
- (8) Youth facilities provision (subject to costs cap of £140,000) and financial contribution for maintenance to be offered for transfer to RDC. In the event that RDC declines the transfer, facilities to be maintained in perpetuity by a management company.

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- (9) Land for provision of sports pitches to be offered for transfer to RDC with a commuted sum of £130,237 for ongoing maintenance (if to be transferred to RDC to be laid out by the developer to a specification to be agreed by the LPA and to include drainage, ancillary car parking, hedging/fencing and pedestrian link to the adjacent existing sports pitches). In the event RDC to not accept the transfer – a requirement to lay the land out as a kick about area for informal recreation and be incorporated into the open space maintenance scheme.
  - (10) Allotment land to be offered for transfer (with the necessary infrastructure for a water supply to the boundary, fencing around the boundaries and vehicular access to the boundary which shall provide a route to connect to the adopted highway) to Rawreth Parish Council with a commuted sum for laying out. In the event that Rawreth Parish Council declines the land transfer the land would revert to public open green space and be incorporated into the open space maintenance scheme.
  - (11) Monies of £200,000 set aside for contribution towards any flood mitigation scheme associated with flood alleviation of the Rawreth Brook in the Parish of Rawreth to be paid to RDC in the event that a scheme is finalised and approved/agreed by the EA. Monies to be made available as follows: 50 per cent prior to 10th occupation and 50 per cent prior to the 150th occupation unless a scheme is agreed for implementation earlier in which case the monies can be called on at an earlier time.
  - (12) Provision of a Sustainable Urban Drainage system in accordance with details agreed by the relevant planning condition. Maintenance of the system by a management company, statutory water undertaker or the County Council (should the County Council become an approved body) in perpetuity to be undertaken in accordance with a maintenance schedule to be submitted and agreed by the Local Planning Authority.
  - (13) Marketing of health care site for provision of health care services for a period of 2 years following commencement of development at the site. Payment of a financial contribution of £164,581.82) for capital projects associated with delivery of primary health care services in the vicinity of the site in the event that the health care land at the site is not developed to provide a facility which incorporates primary publically available GP services within 4 years following commencement of development at the site.
  - (14) A site of 0.38ha to the north-east corner to be marketed for various non residential uses such as for retail, crèche/nursery, health purposes, for a period of 2 years from occupation of the first dwelling at the site. Further applications/approvals would be required for any such uses.

- (15) Provision of public open green space in accordance with the requirements of the relevant planning conditions and maintenance of these areas and any play equipment within these areas by a management company.
- (16) Contribution not exceeding £3000 to be made available for rodent control in the event that a nuisance occurs to properties close to the site as a result of ground works.

#### Archaeology

- 5.79 ECC Archaeology has confirmed that archaeological work is complete for this first phase of the development and they have no further recommendations for this phase.

#### Lighting

- 5.80 Policy DM5 of the Development Management Plan requires proposals to be appropriately designed to minimise the impact of the light pollution on residential and commercial areas, important areas of nature conservation importance, highway safety and/or the night sky. Planning condition 21 of the approved outline application requires such details to be agreed so this would be addressed within this existing condition.

#### Ecology

- 5.81 The Council's ecologist recommends a further condition be imposed requiring further survey work to be undertaken prior to works commencing as part of the current application.
- 5.82 Condition 23 of the outline application requires a European Protected Species mitigation strategy to be prepared in consultation with the Local Planning Authority and Natural England prior to commencement of development in each phase for the protection of Great Crested Newts. The applicant is currently seeking a licence through Natural England. Therefore, it is not necessary to require any further mitigation relating to Great Crested Newts as part of the current application as this is sufficiently addressed through condition 23 of the outline application.
- 5.83 As part of the outline application a desk top and phase 1 habitat survey were undertaken, along with badger, bat, breeding bird, otter, water vole, barn owl and great crested newt surveys. Such survey work showed evidence of bats using the site for foraging and commuting and birds with water voles in a ditch to the west and made recommendations that were placed into condition 21 of the outline application requiring the provision of bird and bat boxes.
- 5.84 It is not considered reasonable to require further survey work to be undertaken beyond the Great Crested Newt survey required under condition 23. If such further survey work was considered necessary a phased arrangement for such survey work would have been imposed on the outline

application; however, the only mitigation considered necessary has been imposed on the outline application incorporating bird and bat boxes and Great Crested Newt survey work. Such a condition was not imposed on the recently approved strategic landscaping application for phase 1 (17/00588/REM).

#### Noise

- 5.85 Within the approved outline application, planning conditions 19 and 20 were imposed relating to noise. Condition 19 requires that prior to occupation of the first dwelling on the site an updated noise assessment be submitted to and agreed regarding noise associated with the neighbouring industrial estate and mitigation in terms of layout and orientation of buildings, glazing specifications and acoustic bund/structure. Condition 20 requires details of any plant and equipment for non-residential buildings including a noise assessment to be submitted to and agreed prior to use. These conditions will still require details to be submitted to and agreed separate to the current application.

#### Renewable Energy

- 5.86 Policy ENV8 of the Core Strategy requires developments of five or more dwellings to secure at least 10% of their energy from decentralised and renewable or low-carbon sources, unless this is not feasible or viable.
- 5.87 Condition 30 attached to the approved outline application had such requirements. This condition required detail to be submitted to and agreed. A discharge of condition application has been submitted for consideration (reference 17/01117/DOC). In order to address this condition photovoltaic panels are proposed which is likely to be considered acceptable. Formal discharge of this condition is pending consideration.

#### Surface Water Drainage

- 5.88 Within the approved outline application, condition 34 requires a surface water drainage scheme to be submitted to and agreed by the Council. Discharge of condition details have been submitted under application reference 17/00943/DOC in relation to condition 34. In response to the discharge of condition request ECC Lead Local Flood Authority has confirmed that conditions 13 and 34 can be agreed in relation to surface water at the site for phase 1. The details submitted with regard to condition 34 have been confirmed by letter to be discharged in so far as it relates to this first phase of the development. Condition 34 requires that a surface water drainage scheme is installed concurrently with each phase.

## 6 CONCLUSION

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

**7 RECOMMENDATION**

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

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

Heads of Conditions

- (1) Time Limit
- (2) List of plans approved
- (3) Materials/external details – in accordance with material schedule and more detail on apartment blocks.
- (4) Ground surface finishes including kerbs, channels, manhole covers, tree surrounds to be agreed.
- (5) All service intakes to dwellings and soil and waste plumbing shall be run internally.
- (6) Security measures to rear/side access ways to terraced units to be agreed incorporating security coded self-closing/lockable gates.
- (7) Secure cycle storage details to be agreed for plots without garages/stores shown.
- (8) No doors to be installed to any of the car barns across the development.
- (9) Demarcation of visitor spaces to be agreed.
- (10) No unbound material within 6m of highway boundary.
- (11) Independent paths to be a minimum of 2 metres wide. details of lighting and drainage to be agreed.
- (12) New boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
- (13) Visitor bay 29 to be converted to disabled bay.
- (14) Roads to be designed to take weight of 26 tonne refuse vehicle where to be accessed by refuse vehicle.
- (15) Refuse storage and collection in accordance with agreed amended plans.

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Matthew Thomas  
Assistant Director, Planning and Regeneration Services

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**Relevant Development Plan Policies and Proposals**

Policies H1, H2, H4, H5, CP1, ENV4, ENV8, ENV9, CLT1, CLT2, CLT4, CLT5, T1, T3, T6 and T8 of the Core Strategy 2011

Policies DM1, DM2, DM4, DM5, DM25, DM26, DM27, DM29, DM30 and DM31 of the Development Management Plan 2014

SER1 of the Allocations Plan 2014

Supplementary Planning Document 2 – Housing Design

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

Essex Design Guide 2005

National Planning Policy Framework 2012

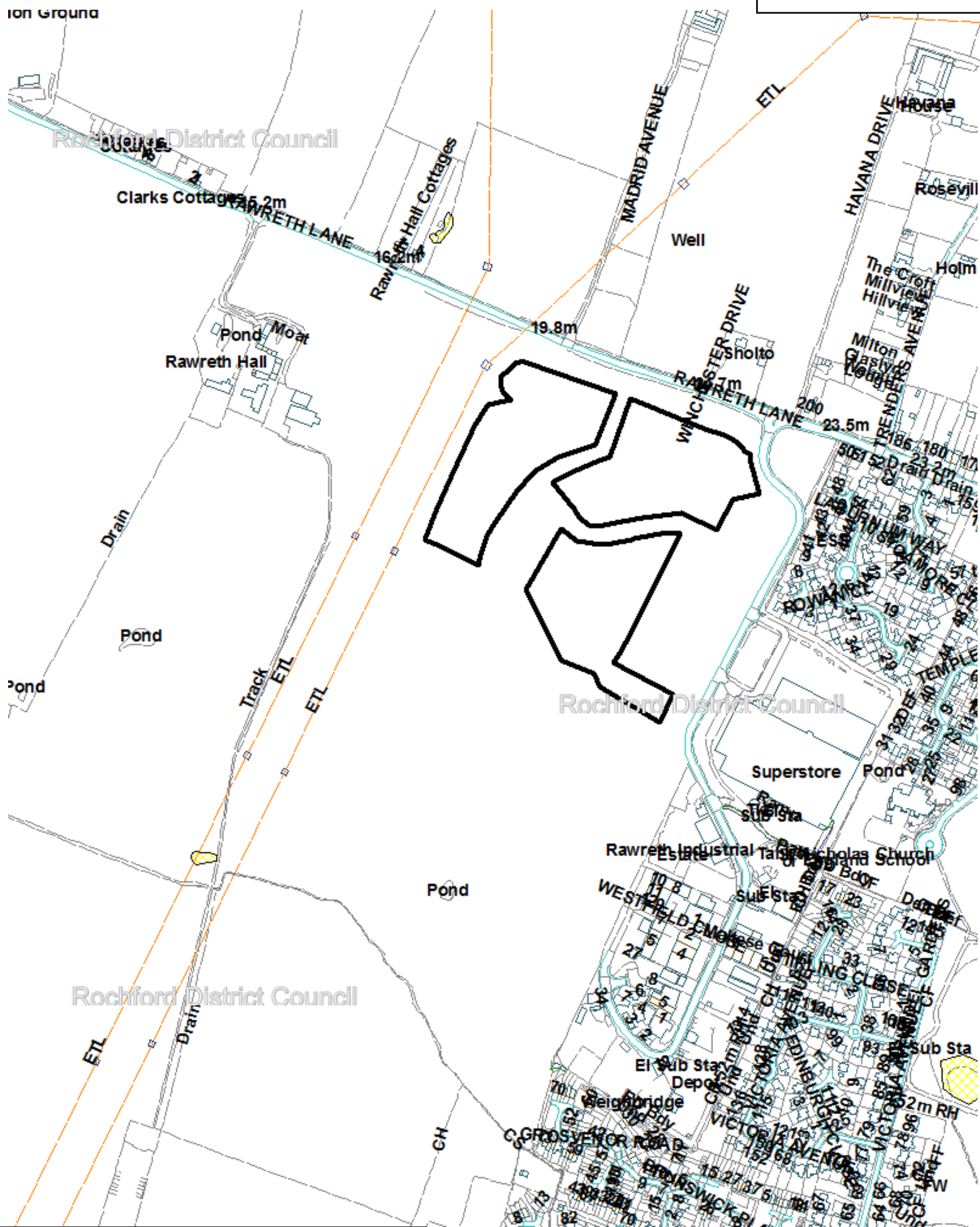
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