20/00912/REM

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

APPLICATION FOR ALL MATTERS RESERVED NAMELY ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RELATING TO THE STRATEGIC LANDSCAPING AREA TO THE WESTERN PART OF THE SITE AND OUTLINE PLANNING CONSENT REFERENCE 15/00362/OUT

APPLICANT: MR WOOD, COUNTRYSIDE PROPERTIES UK (LTD)

ZONING: **SER1**

PARISH: RAWRETH

WARD: **DOWNHALL & RAWRETH**

1 RECOMMENDATION

1.1 It is proposed that the Committee RESOLVES

That Reserved Matters Approval be approved, subject to the following conditions:

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

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

(2) The development shall be undertaken in strict accordance with the submitted plan referenced: 180605-L (93) -50 Strategic Landscape (Rev D)

REASON: To ensure that the development is undertaken in accordance with the details of the submitted plans considered.

(3) Notwithstanding the details of the submitted plan 180605-L (93) -50 Strategic Landscape (Rev D), details of the location and number of general waste bins including their material construction and finish shall be submitted to and approved in writing by the Local Planning Authority. The bins shall be installed in accordance with the approved details prior to the first use of the area subject of the development and retained in perpetuity over the lifetime of the use. Any subsequent replacement bins shall be of the same construction and finish unless agreed otherwise in writing by the Local Planning Authority.

REASON: To ensure the adequate provision of refuse facilities as part of the overall design layout in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1.

(4) Notwith standing the details of the submitted plan 180605-L (93) -50 Strategic Landscape (Rev D) details of the material construction and finish of the dog waste bins shall be submitted to and approved in writing by the Local Planning Authority. The bins shall be installed in accordance with the approved details prior to the first use of the area subject of the development and retained in perpetuity over the lifetime of use. Any subsequent replacement bins shall be of the same construction and finish unless agreed otherwise in writing by the Local Planning Authority.

REASON: To ensure the adequate provision of refuse facilities as part of the overall design layout in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1.

2 PLANNING APPLICATION DETAILS

- 2.1 This application is submitted in respect of matters relating to the strategic landscaping of part of a wider strategic residential development site which is subsequently being developed in a phased manner further to the granting of outline planning permission on 3 June 2016 under planning reference 15/00362/OUT for the following development: Outline Planning Application (with all Matters Reserved) for the erection of Residential Development with associated Open Space, Landscaping, Parking Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-Residential Floor Space to Part of Site, Uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre).
- 2.2 This application relates to an area of land located to the western part of the wider site and west of the central and southern aspect of the spine road which itself is being developed in a phased manner coinciding with corresponding planning consents, the latter of which was granted in respect of the last phase which was the bridge crossing over the Rawreth Brook approved by planning reference 20/00996/REM. The site is broadly triangular in shape, as this area is that area located north and south of the Rawreth Brook which flows from the

- west in the direction of the bridge crossing which links the southern and central section of the spine road.
- 2.3 The application fundamentally relates to strategic landscaping proposals for the western part of the site which forms part of much wider phased development proposals incorporating elements which are captured under the headings of Access, Appearance, Landscaping, Layout and Scale as defined by Article 2(1) of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 2.4 This Phase of development is cited as Phase 4 which is set out by the submitted plan reference TOR-L (93) -50 (Strategic Landscape) Rev C and as further updated by TOR-L (93) -50 (Strategic Landscape) Rev D in response to the initial comments provided within the consultation response received from Essex County Council Place Services which shows the broad landscaping. layout and access arrangements associated with the site. The features shown include the proposed location and extent of tree planting including scrub, coppice and hedgerow planting. The plans also show the extent and type of open grassed areas to be established within the site including areas of amenity grassland, meadow and tussocky grassland, proposed mown and wetland grasslands coinciding with the provision of SuDS features including attenuation ponds, ditches and swales required to convey and store water as part of the site's flood storage regime. The proposals also indicate the position and extent of paths (both informal and formal paths) within the site, together with the location of fixtures such as benches.
- 2.5 It has been clarified as part of the application that the level of detail submitted is the same as that submitted to support the Phase 1 landscaping proposals which were considered by planning application reference 17/00588/REM approved in 2018. It has also been clarified that this current application does not cover the specific issue of site levels which is covered as a requirement by condition 21 of the outline permission as are the specific details of planting including species type, height, mix and planting density. Condition 21 of the 15/00362/OUT permission is comprehensive in its requirements such that those details need not be submitted as part of this application and will be subject of a separate application to discharge that condition which will include details of site levels and details and specification of all planting.

3 MATERIAL PLANNING CONSIDERATIONS

Site and Context

3.1 The above application relates to the southern portion of this landscape corridor and extends from London Road to approximately the centre of the site and is submitted pursuant to outline planning permission 15/00362/0UT. Based on the submitted scaled plans the application site is approximately 660 metres in length from north to south and 293 metres wide at its north aspect at that location where the Rawreth Brook runs in the direction of the spine road bridge crossing. At this location within a broadly triangular area the landscaping forms

- an 85-metre band (north to south) comprising a 30 metre deep strip to the north of the Rawreth Brook and a 55 metre strip to the south of the Rawreth Brook. The remaining width of the site extending in a southerly direction towards London Road is on average approximately 103 metres.
- 3.2 In the outline planning permission this corridor was shown on the approved land use and landscape parameter plan as natural / semi natural green space. The access and movement plan showed public footpaths throughout this corridor
- 3.3 The northern portion of this corridor was subject to a previous reserved matters application (reference 17/00588/REM) approved in 2018 and subsequent discharge of condition application (reference 20/00101/DOC). The current application seeks to continue the principles approved in the northern section of this corridor into the southern section.
- 3.4 Condition 21 of the outline planning permission relates to the natural / semi natural green space and amongst other things requires details relating to planting species, paths details, furniture, contouring and lighting to be discharged.

Relevant Planning History

- 3.5 There is significant planning history relating to the site as a whole, not all of which is directly relevant to this particular application. Relevant site history is cited as follows:
- 3.6 Application No. 14/00627/OUT Outline Planning Application (with all Matters Reserved apart from Access) for the erection of Residential Development with associated Open Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-Residential 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.
- 3.7 Application No. 15/00362/OUT Outline Planning Application (with all Matters Reserved) for the erection of Residential Development with associated Open Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-Residential 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
- 3.8 Application No. 19/00456/DOC Discharge of condition 34 (surface water drainage scheme) on approved application reference 15/00362/OUT, drainage details relating to the Spine Road Stage II as defined by works under

- application reference 19/00315/REM. (Part Discharge Spine Road Phase): PART DISCHARGE 26 June 2020
- 3.9 Application No. 19/00424/DOC Application to Discharge Conditions 21 (landscaping) to residential development approved on 3 June 2016 under application reference 15/00362/OUT. DISCHARGED 8 January 2021
- 3.10 Application No. 19/00420/DOC Discharge of Conditions 12 (driveway/garage gradients) and 13 (discharge of surface water) of application reference 15/00362/OUT and conditions 4 (ground surface finishes) and 11 (path lighting and drainage) of application reference 17/00578/REM. DISCHARGED 27 January 2021
- 3.11 Application No. 19/00409/DOC Discharge of Condition 7 on approved application 15/0362/OUT. PARTIAL DISCHARGE 3 April 2020
- 3.12 Application No. 19/00391/REM Reserved Matters for utility Infrastructure (gas and electricity) Partial amendment to details previously approved under Reserved Matters approval 17/01114/REM. Approved 28 October 2019.
- 3.13 Application No. 19/00328/ADV 2 No. Internally Illuminated Totem Signs and 8 No. Flag Signs. Advert Consent issued 4 November 2019.
- 3.14 Application No. 19/00065/REM Reserved Matters Application for Utility Infrastructure (Gas and Electricity Stations) Amendment to Approved Application Reference 17/01114/REM. Outline application was EIA development because an ES was submitted at that time. APPLICATION RETURNED
- 3.15 Application No. 18/01205/DOC Discharge of condition 22 (tree protection) of approved application reference 15/00362/OUT. APPLICATION WITHDRAWN
- 3.16 Application No. 18/01136/DOC Discharge of condition 22 (Tree Protection) of approved planning application reference 15/00362/OUT. Discharged 21 April 2019
- 3.17 Application No. 18/01108/DOC Discharge of Condition 23 (Great Crested Newts) of Approved Application Reference 15/00362/OUT. Discharged 21 April 2019.
- 3.18 Application No. 18/00997/NMA Non material amendment to Condition 3 (materials) to update the approved schedule of materials (primarily in respect of brick details). Reference in condition no. 3 to change from "material schedule date stamped 9 June 2017" to "the materials schedule titled Rayleigh Phase 1 Material Schedule and referenced Revision A dated 11/10/2018 by Saunders Architects". APPROVED
- 3.19 Application No. 18/00995/DOC Discharge of Conditions 15 (Construction Method Statement) and 38 (Construction Surface Water Management) in

- Relation to Phase 1 of Approved Application Reference 15/00362/OUT. APPROVED
- 3.20 Application No. 18/00936/NMA Application for a Non Material Amendment Following Grant of Planning Permission Reference 17/00578/REM to Amend 19 Plots (plots 3,10,12, 21, 46, 61, 64, 67 and 181 Previously 4-bed house type 4.05 becomes 4-bed house type 4.12V2 or 4.12V3, plots 17, 38, 39, 44, 45, 63, 175 and 170 previously a 2½ storey 4-bed house type 4.11 becomes new 2 storey 4-bed house type 4.01, plot 22 previously 3-bed house type 3.07 becomes 4-bed house type 4.12v3, plot 35 previously 4-bed house type 4.11 becomes 3-bed house type 3.08v2. APPROVED
- 3.21 Application No. 18/00077/NMA Outline Planning Application (with all Matters Reserved) for the erection of Residential Development with associated Open Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-Residential Floor Space to Part of Site, Uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). PENDING CONSIDERATION.
- 3.22 Application No. 17/01117/DOC Discharge of Conditions 28, 29, 30 of approved planning application 15/00362/OUT. DISCHARGED
- 3.23 Application No. 17/00943/DOC Discharge of conditions no. 13 and 34 of 15/00362/OUT. DISCHARGED by letter dated 19 January.
- 3.24 Application No. 17/00857/DOC Discharge of Condition 23 (Great Crested Newts) of Approved Application Reference 15/00362/OUT. DISCHARGED
- 3.25 Application No. 17/00578/REM Reserved Matters Application for 192 Residential Units with Associated Access, Parking, Servicing, Landscaping and Utilities. (Phase 1). APPROVED
- 3.26 Application No. 17/00588/REM Reserved Matters Application for Strategic Landscaping Proposals for Phase 1. APPROVED on 9 January 2018
- 3.27 Application No. 16/01236/DOC Submission of details of phasing (condition 4) and Density (Condition 25) to outline permission granted for residential development on 3 June 2016 under application reference 15/00362/OUT Discharged 27 January 2017.
- 3.28 Application Number. 19/01023/REM Reserved Matters Application for the construction of a spine road (Southern Link) granted approval 15 May 2020.
- 3.29 Application Number 20/00996/REM: Application for Reserved Matters (Access, Layout, Appearance, Scale and Landscaping relating to proposed details of spine road bridge crossing: Granted Reserved Matters Approval 26 February 2021.

Assessment of Proposals

3.30 Although the application form has included scale, given its meaning within Article 2(1) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (which means the height, width and length of each building proposed within the development in relation to its surroundings) scale is not a matter for consideration in this instance as there are no buildings to be considered as part of this proposal.

Access and Layout

- 3.31 Article 2(1) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines "access", in relation to reserved matters as the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;
- 3.32 The same Article defines 'Layout' as the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 3.33 The proposals essentially set out a layout and design of the strategic landscape parcel of land. The scheme provides the location of informal recreational routes, naturalised planting and SuDS provision. Consideration of the reserved matter relating to access requires consideration of accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network. Access in this context is limited to the provision of formal and informal paths with no vehicular access being provided.
- 3.34 The proposals as indicated by the revised plan (Revision D) clearly show two distinct self binding gravel paths traversing in a west / east / east / west direction located either side of The Rawreth Brook. One path approximately 257 metres in length is shown to be located south of the most northerly sited attenuation pond (shaped in the form of a teardrop) itself shown to be 97 metres in length by an average width of 28 metres. Another path approximately 216 metres in length is shown to be located north of and running along the edge of a second attenuation pond itself approximately 73 metres by 23 metres in dimension. These two paths are shown to join a path which then runs north to south over a part of the site, this path being 267 metres in length.
- 3.35 The plan indicates the provision of informal paths also in the form of mown areas of grass. One path is shown by Revision D to meander in a north / south direction within the central part of the site extending a distance of approximately 437 metres. Another network is shown to skirt the southerly and westerly aspects of an attenuation pond (that pond located closest to the new bridge

crossing) linking into the formal 2-metre wide gravel paths. Although the initial consultation response received from Essex County Council Place Services indicated it had no objection to the principle of this design and layout, it however emphasised the importance of consideration to ensuring the landscape details are appropriate whilst recommending that landscape plan included details of the site's context and how this had informed footpath locations. Place Services on the receipt of a re-consultation on the basis of a revised Landscape Plan (Revision D) confirmed that it had no objection or any further comment in this respect.

- 3.36 The applicant in submitting comments in response to the initial consultation response indicates that the Design and Access Statement submitted with the original outline planning application (reference 15/00362/0UT) provides analysis of the site including its constraints and context. It is not considered necessary to repeat that work to inform this application as the original Design and Access statement remains valid in relation to this landscape corridor.
- 3.37 It is considered that the access and layout arrangements which coincide with and which take into account the provision of SuDS features in the form of attenuation ponds and swales and the position and extent of proposed planted areas are therefore acceptable.

Appearance

- 3.38 Appearance means the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 3.39 The initial consultation response received from Essex County Council Place Services commented regarding the aesthetic appeal of SuDS features which play an important role in ensuring they are integrated into the surrounding landscape and deliver the multifunctional attributes green and blue infrastructure should provide. It indicated in its response that careful consideration should be given to ground contouring, planting and inlet and outlet design to maximise the amenity value. A standard approach of precast concrete and galvanised handrail for inlets/outlets should be avoided. It advised that to improve biodiversity the attenuation area should be combined with a range of vegetation types such as wildflowers and other nectar rich plants, grasses of various heights, drought tolerant species as well as marginal aquatics and wet grassland. The response also highlighted that trees and shrubs can also be used where appropriate and side slopes allow.
- 3.40 The applicant in submitting comments in response to the initial consultation response indicates that ongoing work to prepare a discharge of condition 21 already includes planting measures to improve biodiversity.
- 3.41 Although it is considered that the number of street furniture in the form of benches could be greater than the two shown (1 being located north and off the

- gravel path skirting the attenuation pond located closest on the spine road and the other located to the north west aspect off a gravelled path). Officers consider that their positioning is acceptable.
- 3.42 A total of 4 dog waste bins are shown on the revised Landscape Plan (Rev D) following the recommendation made within the initial response issued by Essex County Council Place Services. These are shown to be positioned strategically mainly at entrance / exit points into this space from either direction.
- 3.43 The applicant's supplementary statement indicates that following the application recommendation that litter bins should be provided close to the benches, additional litter bins are to be provided. The key to the revised plan (Rev D) as did its predecessor (Rev C) does not annotate ordinary litter bins and neither are they shown on the plan. It is considered that as the plan presents itself the standard condition requiring implementation in accordance with the details of the plan would not ensure the provision of bins. Notwithstanding the requirements of the outline planning permission in this respect it is considered reasonable to include a condition not only requiring an indication of the number of bins to be provided but also their material construction and finish which should be of aesthetic quality such as a timber construction or metal. The condition is also necessary to ensure their provision on the area before first becoming available for use. The condition also requires these bins or subsequent replacements of the same construction and finish to be provided over the lifetime of the use. The condition also seeks the same safeguards with regard to the provision of the dog waste bins and the timing of their provision.
- 3.44 Article 2(1) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines "landscaping" in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—
 - (a) screening by fences, walls or other means;
 - (b) the planting of trees, hedges, shrubs or grass;
 - (c) the formation of banks, terraces or other earth works;
 - (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
 - (e) the provision of other amenity features.
- 3.45 The application has made it clear and has justified why specific details in relation to the species type, planting mix and density has not been provided as part of this application. In the same manner as the strategic landscaping in phase 1 was addressed these details will be submitted pursuant to condition 21

- of the outline planning permission which is an approach which has been previously enabled and accepted by officers. The application therefore provides an indication of the location, extent and the various types of landscaped area that will be incorporated into this site.
- 3.46 The submitted plans indicate the proposed sowing and establishment of meadow grass along the banks of the Rawreth Brook which are conducive to providing favourable habitat for small mammals, invertebrates and flora along the margins of the stream. These areas are shown to be bordered by general grassed area whilst wetland grassland will provide a salient feature around the 2 attenuation ponds. A separate area of wetland grassland is shown to the west of the attenuation ponds.
- 3.47 The submitted plan indicates that significant tree planting will feature within the north east part of the site in the area of attenuation ponds and the Rawreth Brook creating an area which, as the landscaping matures, is anticipated to be high in terms of amenity value and user experience. Intermittent tree planting is also shown to be provided along the northern most section of the site along its west boundary which is to be marked by a post and wire fence. A cluster of tree planting is shown to the south eastern extremity of the site close to the boundary of the site with Lower Barn Farm.
- 3.48 The advice received from Place Services is that a predominance of one species or variety should be avoided in order to minimise the risk of widespread biotic threats to the urban forest and to increase species diversity. Preference should be given to native trees and shrubs as proposed in Condition 21 of Outline Planning Consent Reference 15/00362/0UT. The advice does, however, state that allowance can be given to the use of naturalised trees and shrubs, which are not necessarily native but are the correct tree for site conditions and would add landscape, ecological and arboricultural value.
- 3.49 This detail will be the subject of address pursuant to condition 21 of the outline planning permission when an application is submitted to discharge it. The applicant states that the initial concept work embodies these principles including a mix of trees predominantly derived of native species and comprising 11 different species and varieties and which also reflects those already approved on other parts of Wolsey Park.
- 3.50 The central aspect of the site is predominated by meadow and general amenity grass with interspersed areas of shrub planting. The consultation response received from Place Services recommended the use of flowering lawn mixes as an alternative to amenity lawns on the basis that they provide visual interest, improve biodiversity value, establish quickly and are easy to maintain long-term. The applicant in the supporting supplementary statement indicates that this recommendation has been taken into account amending the seed mix, the precise details of which will be set out in the future application to discharge condition 21 of the outline planning permission. There is a general acceptance of acceptability for the landscaping proposals as a whole.

3.51 The submitted plan is not indicative of any lighting which was a matter regarding which clarification was sought in terms of location and lighting type. The consultation response advice indicated that if lighting were to be installed levels should be kept as low as possible (between 1 and 3 lux and directed to where it is needed, away from hedgerows with lighting columns kept as short as possible (ideally 3 metres or less). The applicant has, however, confirmed that no external lighting is proposed in this area whilst drawing attention to the fact that condition 21 of the outline planning consent already seeks to limit lighting to between 1 and 3 lux.

4 CONSULTATIONS AND REPRESENTATIONS

Rochford District Council Arboricultural and Conservation Officer

4.1 No objection, subject to further details of detailed design to include the final position of planting, density, species, specification. Species must favour native specimens.

Essex County Council Place Services:

4.2 No objection. Initial response received 22 January 2021 which made comments and recommendation in terms of SuDS features, the types of grassed areas and grass mixes, the context of the development in terms of access and layout, street furniture including the siting of bins and lighting. Further response issued on the basis of Revision (D) Landscape Plan acknowledging that the specific details of the species type, mix and planting density will be addressed by means of condition 21 of the outline planning permission.

Third Party Representations

- 4.3 Three representations have been received including those from the following households: 5 Rectory Garth (no further address details provided), 14 Laburnum Way, Rayleigh, 14 Exmouth Drive, Rayleigh.
- 4.4 **Officer Note**: The points raised bear no relation to the development in question but rather the existing residential development or further uplift in unit numbers which this application does not cover.
- 4.5 Points of concern raised are, however, highlighted as follows:
 - Concern regarding capacity of local road network to accommodate current traffic and additional traffic.
 - o Concern regarding air quality, pollution and noise.
 - Concern regarding impacts of development on services.
 - Concern regarding the height of future additional units anticipated as proposed.

5 EQUALITY AND DIVERSITY IMPLICATIONS

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

6 CONCLUSION

6.1 The development will form a continuation of the strategic landscaping previously approved with which this proposal will be consistent. The proposal is considered not to cause undue demonstrable harm to any development plan interests, other material considerations or to the character and appearance of the area such as to justify refusing the application.



How

Assistant Director, Place and Environment

Relevant Development Plan Policies and Proposals

The National Planning Policy Framework

H1, H2, CP1, ENV4, CLT5, CLT7, T1, T6 of the Core Strategy 2011

DM1, DM25, DM26 and DM27 of the Development Management Plan 2014

SER1 of the Allocations Plan 2014

Supplementary Planning Document 7 – Design

Background Papers:-

None.

For further information please contact Arwel Gwilliam Evans on: -

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If you would like this report in large print, Braille or another language please contact 01702 318111.

