

12/00293/OUT

**OUTLINE APPLICATION FOR DEVELOPMENT
COMPRISING UP TO 50 DWELLING UNITS, INCLUDING
IMPROVEMENTS TO EXISTING VEHICULAR ACCESS, NEW
PEDESTRIAN ACCESS, PROVISION FOR PUBLIC OPEN
SPACE AND PLAY AREA AND PROVISION OF AREA
PRESERVED FOR ECOLOGY. ALL MATTERS RESERVED
APART FROM ACCESS.**

SITE LOCATION: POND CHASE NURSERY, FOLLY LANE

APPLICANT: MR. CRIPPS

ZONING: RESIDENTIAL/MGB

PARISH: HOCKLEY

WARD: HOCKLEY WEST

1 PLANNING APPLICATION DETAILS

- 1.1 Outline planning permission is sought for re-development to comprise up to 50 dwelling units with improvements to existing vehicular access, new pedestrian access and provision for public open space, play area and an area preserved for ecology.
- 1.2 This application is an outline application with all matters reserved apart from access. Appearance, landscaping, layout and scale would all therefore be reserved for consideration in a Reserved Matters application, which would follow if outline permission were granted.
- 1.3 The key matters for determination at the outline stage are therefore the acceptability of the principle of residential development of the site, the quantum of development proposed and the proposed access arrangements.
- 1.4 Although a detailed site layout has been submitted with the application, this is for illustrative purposes only to indicate how 50 dwellings could reasonably be accommodated on the site and is not for determination. The submitted parameters plan, which shows the areas designated for residential development and public open space is for determination at the outline stage

and would, if approved, form the basis for the working up of a detailed site layout at the reserved matters stage.

2 THE SITE

- 2.1 The application site, shown edged red on the submitted location plan, is an irregularly shaped area of some 3.8 hectares. Part of the site is that of a now redundant mushroom farm, some of the buildings associated with which are now in alternative business use. There is also one residential property on the site, located towards the southern boundary, which would be demolished as part of the proposal. The remainder of the site is grassed, undeveloped land on which there are a number of substantial trees and a pond.
- 2.2 The site is located to the north-west of Hockley. The distance of the site from Hockley town centre and the railway station is approximately 1260m and 2000m respectively. The site abuts part of the built up residential edge of the town, bordering properties on Folly Lane. The site also borders the rear gardens of several properties on Church Road, to the west. To the east, the site borders undeveloped land, part of which is wooded. The northern boundary of the site extends towards the embankment of the railway line.
- 2.3 Approximately 2.45 hectares of the site is identified for the proposed residential development with an additional 544 square metres (approximately) identified for use as public open space. The remainder of the site, some 1.63ha, lies outside the developable area and is identified as being retained for wildlife.
- 2.4 The majority of the site is designated Green Belt save for a small part (some 1550 square metres) along the southern boundary, covering the existing access way into the site off Folly Lane and the plot of land fronting Folly Lane between the existing residential properties. Although designated Green Belt, that part of the site containing the buildings and hard surfaces of the now redundant mushroom farm, is previously developed land. The site is not subject to any other planning policy designations.

3 PLANNING HISTORY

- 3.1 94/00466/COU - Change Use of Land to Site Mobile Home for a Temporary Period of 3 Years. REFUSED.
- 3.2 03/00713/OUT - To Cease all Commercial Activity, to Remove All Commercial Buildings and Re-Develop for Residential Purposes. REFUSED.
- 3.3 04/00093/DPDP6 - Steel Portal Frame Agricultural Building (Connected to Existing Mushroom Farm). REFUSED.

- 3.4 04/00094/FUL - Erect a General Purpose Agricultural Building for Farm Workshop and Storage (Connected with Existing Mushroom Farm). APPROVED.
- 3.5 04/00223/DPDP6 - Steel Portal Frame Agricultural Building (Connected to Existing Mushroom Farm). APPROVED.
- 3.6 06/00567/COU - Change of Use of Redundant Building to Form 4 x Light Industrial Units and Layout Parking. Insertion of Roof Lights and Access Doors to Each Unit. APPROVED.

4 CONSULTATIONS AND REPRESENTATIONS

Hockley Parish Council

- 4.1 This development was thought to be in line with the current core strategy and the Local Development Framework (LDF) where 50 homes have been agreed in principle for West Hockley. If the development is to go ahead Members should give consideration to ensuring that money be set aside to repair any damage to roads caused by construction traffic.

Highways (ECC)

- 4.2 No objection, subject to the following planning conditions:-

Prior to occupation of the development, the road junction shall have been re-modelled with appropriate kerb radii and road markings. The junction shall be maintained with a clear to ground visibility splay with dimensions of 2.4 metres by 90m to the east and Fountain Lane junction to the west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.

1. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
2. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading /unloading /reception and storage of building materials and manoeuvring of all vehicles, including construction traffic, shall be identified clear of the highway, submitted and approved in writing by the Local Planning Authority.
3. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

Additional Note:

With reference to the above condition the applicants' attention should be drawn to the recent alterations to householder "permitted development" in so far as there is now the need to provide a permeable solution (SUDS) for the hard standing to reduce the cumulative impact of surface water run off and overloading of sewers.

1. Prior to commencement of the proposed development details of a wheel cleaning facility within the site and adjacent to the egress onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The wheel cleaning facility shall be provided at the commencement of the development and maintained during the period of construction.
2. Prior to commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.
3. 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.
4. Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.
5. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
6. All parking shall conform to the EPOA Parking Standards Design and Good Practice Sept. 2009. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres. All single garages should have a minimum internal measurement of 7m x 3m.
7. Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include 6 (Six) All Essex Scratch card tickets.

RDC (Engineering)

- 4.1 No objections or observations.

Environment Agency

- 4.2 Flood Risk (surface water)
- 4.3 Whilst the site is outside the tidal and fluvial floodplain, development of this scale can generate significant volumes of surface water. Surface water drainage therefore needs to be addressed in the form of a flood risk assessment (FRA) to ensure that the additional surface water generated by this development can be managed without increasing both on- and off-site flood risk.
- 4.4 An FRA, prepared by Richard Jackson, referenced 43205 and dated April 2012, has been submitted. It shows that a suitable option for managing surface water flows at the site can be provided. We agree with the comments raised by Essex County Council regarding the use of sustainable drainage features and confirm that we would expect filter strips, swales, etc, to be incorporated throughout the development wherever possible.
- 4.5 Although we are satisfied at this stage that the proposed development is acceptable in principle from a surface water management perspective, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk to the surrounding area. We therefore suggest that the following condition is appended to any permission granted.

Condition

- 4.6 No development approved by this planning permission shall take place until such time as a scheme for the provision and implementation of surface water drainage, including the following details have been submitted to, and approved in writing by, the local Planning Authority:-
- incorporation of sustainable drainage principles wherever possible;
 - evidence that surface water shall be discharged from the site at the greenfield runoff rate;
 - evidence that the 1 in 100 year storm, inclusive of climate change, can be conveyed and stored on site, without increasing flood risk at the site or surrounding area, and;
 - details of who shall be responsible for the maintenance of the scheme in perpetuity upon completion of the development.
- 4.7 The scheme shall be fully implemented and subsequently maintained as may subsequently be agreed, in writing, by the local Planning Authority.
- 4.8 The scheme shall be fully implemented and subsequently maintained as may subsequently be agreed, in writing, by the local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 4.9 Advice to Applicant: Any culverting or works affecting the flow of a water course requires the prior written consent of the Lead Local Flood Authority (in this case, Essex County Council). Wherever possible, culverting should be avoided and consent will only normally be granted for a means of access.

Contaminated Land: risk to the water environment

- 4.10 We refer to the “Phase One Desk Study Report”, referenced 43205, dated April 2012 and prepared by Richard Jackson Ltd.
- 4.11 The report indicates potential contamination sources have been identified for the site associated with its previous use as a nursery and other commercial activities such as vehicle maintenance and carpentry, and including the presence of above ground storage tanks, made ground and an in-filled pond. It advises the site is located on bedrock of clay, silt and sand, which is designated as Secondary Aquifer, with no overlying superficial deposits. There are also ponds and surface water drains on the site.
- 4.12 Given that a number of potential receptors of contamination have been identified, the report recommends an intrusive investigation should be undertaken to assess the contamination status of the site. Therefore to ensure it is subject to adequate investigation, assessment and remediation as may be necessary for the protection of the water environment, the following conditions should be appended to any planning permission granted:

Condition

- 4.13 Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local Planning Authority:
1. A preliminary risk assessment which has identified;
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- 4.14 Any changes to these components require the express consent of the local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the proposed development does not cause pollution of Controlled Waters and that development complies with approved details in the interests of protection of Controlled Waters.

- 4.15 Informative/ advice to LPA
- 4.16 This condition has been recommended as we are satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing.
- 4.17 The local Planning Authority must decide whether to obtain such information prior to determining the application or as a condition of the permission. Should the local Planning Authority decide to obtain the necessary information under condition we would request that this condition is applied.

Condition

- 4.18 Prior to [commencement of development/occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local

Planning Authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Condition

- 4.19 Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local Planning Authority.

Condition

- 4.20 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that the proposed development does not cause pollution of Controlled Waters and that development complies with approved details in the interests of protection of Controlled Waters.

Foul Water Drainage

- 4.21 Anglian Water Services should be consulted regarding the available capacity in the foul water sewer. If there is not sufficient capacity in the sewer then we must be consulted again with alternative methods of disposal.
- 4.22 Climate Change and Sustainable Construction
- 4.23 Climate change is one of the biggest threats to our future and will have far-reaching effects on our economy and society. We need to improve our resilience and adaptation to the effects, particularly with regards to already stretched environmental resources and infrastructure such as water supply and treatment, water quality, flood risk, coastal erosion, waste disposal facilities and aquatic biodiversity.
- 4.24 New development, if not carefully planned, can exasperate these pressures. Opportunities should therefore be taken in the planning system, no matter the scale of the development, to contribute to tackling the problem. This is supported by the NPPF.

- 4.25 We therefore recommend you append suitable planning conditions to any approval granted to ensure the development is carried out in as sustainable a manner as possible. The following information should form the basis of the applicant's considerations.-

Water Efficiency

- 4.26 Over the next 20 years, demand for water is set to increase substantially yet there is likely to be less water available due to a drier climate and tighter controls on abstraction. To address this we are keen to see developments coming forward as water efficient and climate change resilient as possible.
- 4.27 Simple water efficient systems and fittings should be considered by the applicant, such as dual-flush toilets; water butts; water-saving taps and showers; and appliances with the highest water efficiency rating as a minimum. Wherever possible grey water recycling and rainwater harvesting schemes should be considered to produce the highest water efficiency ratings.
- 4.28 Any submitted scheme should include detailed information (capacities, consumption rates, etc) on proposed water saving measures. Applicants are advised to refer to the following for further guidance:
- 4.29 <http://www.environment-agency.gov.uk/homeandleisure/beinggreen/118946.aspx>, <http://www.water-efficient-buildings.org.uk/> and <http://www.savewatersavemoney.co.uk/>.

Save Water, Save Energy

- 4.30 Energy and water efficiency are inherently linked. Excluding space heating, approximately 24% of domestic energy consumption in the UK goes to heating water (DTI 2002). With the current high and rising energy prices, taking measures to use more efficient fixtures and fittings (such as showers, baths and hot water taps) will result in major cost savings for the user in both energy and water bills. Further information is available at: www.water-efficient-buildings.co.uk
- 4.31 Development should also seek to reduce the demand for energy by incorporating, for example, passive systems that take advantage of natural light, air movement and thermal mass. To meet the remaining energy demand the use of renewable sources should be explored and implemented where possible.

Waste

- 4.32 The Government and construction industry have a target to halve waste to landfill by 2012. The management of waste should therefore be considered as early as possible during the design phase to ensure that minimal volumes of

waste arise during the construction of the development and the demolition at the end of its life. This can include measures such as preventing the over-ordering of materials, reducing damage to materials before use by careful handling and segregating waste on site into separate skips. The developer should consider how they will incorporate recycled/recovered materials into the building programme, including the use of secondary and recycled aggregates, and re-use of any on-site demolition waste.

- 4.33 The design of the development can also influence the ability of residents to recycle their waste and we would suggest that designs incorporate facilities to aid in this, especially in multiple-occupancy buildings. We would also suggest that consideration is given to the provision for recycling within public areas. We recommend the following websites which provide ideas and further information: <http://www.wrap.org.uk> and <http://www.tcpa.org.uk/pages/towards-zero-waste.html>.

4.34 **Education Provision (ECC)**

- 4.35 According to our forecasts there should be sufficient primary and secondary school places at local schools serving this development.
- 4.36 With regard to early years and childcare provision, the local ward for this development would be Hockley West. According to the Essex Childcare Sufficiency Assessment the ward has no places available at the moment. It is clear that action will be needed to provide additional places and that this development will add to that need.
- 4.37 Based on the information provided the proposal would result in 3.87 additional early years and childcare places being required and consequently a section 106 agreement to provide a contribution is drawn up on the basis of the formula outline in our Developers' Guide to Infrastructure Contributions 2010 Edition and our standard s106 agreement clauses stated in our Education Contribution Guidelines Supplement, published in July 2010. On the mix stated in this application the contribution amount would be £45,058. This figure is calculated using the April 2012 cost multipliers and would be index linked from this date using the PUBSEC index.

4.38 **Environmental Protection Unit (RDC)**

- 4.39 No adverse comments but in reserved matters, proposals in line with ENV7 of the LDF Core Strategy should be presented to the Council's Planning Department.
- 4.40 Urban Design (ECC)
- 4.41 These proposals have shown some improvement, however there are still a number of issues. These are:-

-
- 4.42 Detached units on the western arm of the loop are close to the back edge of carriageway and there is not enough space to provide tree/hedge planting. In this respect the layout is therefore not complying with the requirements of boulevard planning in the Essex Design Guide. There will not be a satisfactory enclosure of space and the general impression will be of big detached houses crammed into the street.
- 4.43 The street scenes would also be improved if garages, where possible, were placed further back within the curtilage of the properties, which would remove cars from the frontages and allow for reducing the width of the driveway at the junction with the carriageways, providing an opportunity for more hedge/tree planting to the street edge.
- 4.44 I note there is a footpath, which runs along the eastern boundary from Folly Lane to the square. If this is to be part of the scheme then it is important that dwellings have windows that overlook the path to provide surveillance. Will this be adopted and provided with lighting?
- 4.45 Additional non allocated visitor spaces will be required; however, this should not be at the expense of the landscaping to the road frontages.
- 4.46 **Primary Care Trust**
- 4.47 Further to your most recent email of 2 October I set out below details of the PCTs request for Section 106 contribution for health on the above proposal.
- 4.48 South Essex PCT uses the Health Urban Development Unit model to calculate contributions arising as a result of major residential developments. This model uses Office of National Statistics (ONS) data to determine the population increase as a result of the dwelling mix proposed factoring different rates for market and affordable housing, recognising that population gain rates for affordable housing are less than those for market housing (i.e., a higher proportion of people moving into the affordable housing will come from within the local area and so will not add to the requirement for new services). The contribution calculated is a one off capital sum to allow for the alteration, adaptation or construction of facilities for the provision of primary care.
- 4.49 The PCT seeks contributions under pooled arrangements recognising that it would be inequitable for any developer to pick up the incremental cost of infrastructure improvement on an individual scheme purely due to timing differences in the submission of a planning application. Collecting contributions under pooled arrangements still allows for the return of those contributions if not committed to an appropriate project within an agreed timeframe.
- 4.50 The Pond Chase development proposes 50 new homes with an estimated consequent growth in population of circa 71 persons.

-
- 4.51 The residential mix proposed for Pond Chase is unclear as the planning application does not indicate the residential mix for the market housing, which makes up 64% of the units proposed. Assuming that the market housing mix will be similar to the affordable housing mix on the application the development is predominantly for smaller units.
- 4.52 The contribution sought for this development is £22,622.
- 4.53 The cost calculated is a fully inclusive cost to include all elements that would be payable by the PCT for such a development.
- 4.54 As noted above the contribution sought is a one off capital sum to allow for the alteration, adaptation or construction of facilities for the provision of primary care. By way of example such projects may include the provision of additional GP consulting space or space for new services that can be supported by the increased population. As you can appreciate it is not possible to give an exact use of these funds as any use may need to be linked with other local developments to ensure an efficient and effective use of the resource to maximise the benefit to the residents of Rochford.
- 4.55 South Essex PCT cluster is currently completing an analysis of its estate for the newly emerging Clinical Commissioning Groups. Within Rochford that analysis indicates there are practices that have insufficient capacity to meet future predicted requirements.
- 4.56 **RDC (Ecology)**
- 4.57 The application is accompanied by a number of ecological reports.
- 4.58 The Extended Phase 1 Habitat Survey includes amongst its recommendations the need for a reptile survey of the site but there is no accompanying reptile survey. If outline planning consent is granted, then a reptile survey should be required as a condition.
- 4.59 The Great Crested Newt survey was carried out according to current guidelines and therefore the conclusion that this species is likely to be absent appears to be valid.
- 4.60 The Bat Survey Report is confusing and self-contradictory in relation to both survey methodology and results. In section 5.2 it states that two suitably qualified ecologists carried out the survey but in section 6.4 it says that a 'trained surveyor' did the activity survey. Within section 6.4 it only describes two Pipistrelles 'foraging in and around the large shed at the north-east of the site' at 9.10pm. In section 7.0, it states that 'the echolocation survey identify (sic) evidence of bat roosts within the north-east building and pre-emergence calls were noted from the previously described feature.

-
- 4.61 The survey effort expended in relation to bats, one evening with one or two surveyors, does not appear to be adequate to make any conclusions about the existence of roosts within the buildings or trees on the site. The BCT 'Bat Survey Good Practice Guidelines' document (1st edition, as available at the time of the survey; a 2nd edition has subsequently been published) states that for habitat of moderate to high value away from known roosts, there should be 2/3 surveys during the period March to September (optimum period June to August) one of which should include dawn and dusk within the same 24 hour period. It also states that dusk activity surveys should continue until two hours after sunset, rather than the 75 minute duration of this survey.
- 4.62 There is no systematic assessment of trees for their potential to support roosting bats, although T1 is highlighted as a possible roost location.
- 4.63 Should outline planning consent be granted, a condition should be placed requiring a full bat survey of the site, in line with the most up to date guidelines.
- 4.64 The badger survey is adequate, although the descriptions and conclusions are hard to understand. It concludes that a site wide mitigation plan would be needed to ensure the protection of the badgers during construction, and this should be made a condition, if outline planning consent is granted.
- 4.65 In summary, there are concerns over the quality of the ecological reports accompanying the application, and also concerns over the survey work completed in relation to bats. As this application is for outline consent, these concerns are insufficient to consider an objection as there is enough information to judge that it is unlikely that, with appropriate mitigation, the impacts of the proposals as they stand will have a significant negative impact on the species and habitats present. It should be made clear that a higher standard of survey work and reporting would be expected in support of a full application.
- 4.66 **Anglian Water**
- 4.67 There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.-
- 4.68 "Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the

diversion works should normally be completed before development can commence.”

- 4.69 The foul drainage from this development is in the catchment of Rochford Sewage Treatment Works that at present has available capacity for these flows.
- 4.70** The submitted drainage strategy is not acceptable to Anglian Water and if implemented would pose an unacceptable risk of flooding downstream. It is recommended that the applicant contact Anglian Water (Planning and Equivalence Team telephone number 01733414690) to discuss and agree the drainage strategy. We request a condition requiring the drainage strategy covering the issue(s) to be agreed.
- 4.71 The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.
- 4.72 The surface water strategy/flood risk assessment submitted with the planning application is not relevant to Anglian Water and therefore this is outside our jurisdiction for comment and the Planning Authority will need to seek the views of the Environment Agency.
- 4.73 We request that the agreed strategy is conditioned in the planning approval.
- 4.74 Anglian Water would therefore recommend the following planning condition, if the local Planning Authority is mindful to grant planning approval.
- 4.75 ‘No development shall commence until a foul water strategy submitted has been submitted to and approved in writing by the local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

4.76 ECC (Archaeology)

- 4.77 The works will not impact upon any known below ground archaeological remains and accordingly there is no recommendation for archaeological works.

4.78 RDC (Arboriculture)

4.79 Trees adjacent to site at Windfield, Church Road, Hockley are protected by TPO 32/92.

4.80 Will require a tree survey to identify the tree constraints and protection measures in accordance with BS5837:2012. All ecological surveys commented on will need to be undertaken and acted upon.

4.81 RDC (Strategic Housing)

4.82 No objections are raised against this particular application. The proposal to offer 35% affordable housing meets the target as identified in the Core Strategy (35%).

4.83 The number and type of affordable housing units offered (in the applicants Planning Statement [page 11]) meets our current demand and we would welcome a delivery of such homes.

4.84 Ideally, the tenure mix of affordable units should be 80% rented i.e. social/affordable rent and 20% intermediate housing.

4.85 Any affordable housing provision should be included in a S106 agreement which should include delivery triggers, nomination rights and other relevant matters.

4.86 Essex Police

4.87 No objections or comments to offer.-

4.88 Recommend consideration be given by the Elected Members of imposing the planning condition of achieving Secure by Design part 1 and 2, to reduce the opportunity for crime to be committed or anti social behaviour occur. To support this recommendation I would add from my local knowledge that Folly Lane is not a high crime area, however, the majority of offences committed in the general area involve the theft of goods from garages and garden sheds, offences Secured by Design principles counter effectively.

4.89 Neighbours

4.90 14 letters of objection received from the occupants of properties in Church Road, Folly Lane, Fountain Lane, Hawthorn Gardens, High Road, Laburnum Grove and one unnamed road, Hockley.

4.91 In addition, a petition with 193 signatories from residents of Ashingdon, Hawkwell, Hockley, South Fambridge, Great Baddow and Leigh-on-Sea was received stating objection to the proposed development.

4.92 Summary of the comments received:-

-
- This development is inappropriate given the scale of proposal and would constitute urban sprawl.
 - The infrastructure of the area is not geared up for this amount of additional housing. Access/Egress via Church Road/Folly Lane /Fountain Lane is not sufficient as these are essentially small village roads which are also a thoroughfare for Horse riders.
 - Congestion is already particularly bad some days and with the addition of these extra dwellings would put additional strain on the already poor road infrastructure. This also would greatly raise the probability of accidents to car users/pedestrians/riders by this proposal.
 - The land is Green Belt.
 - Concern that if permission is granted for development on some Green Belt land further applications will be submitted and approved further eroding the Green Belt.
 - There is no provision for a new school or consideration of impact on school services including nursery and upwards, or new doctors or dentists surgery or consideration of impact on nearby hospital services which would be essential for the additional houses as services are already stretched.
 - There is a shortage of water and building 50 new dwellings will not help this situation.
 - A nearby housing development in Church Road has failed to sell and indicates that there is not demand for the proposed development.
 - Development at this site will affect existing ecology including badgers, adders, owls and woodpeckers.
 - Folly Lane is a narrow twisty road already used by far too much traffic as a cut through road. Can this road really accommodate the extra traffic that fifty dwellings would bring? This lane is actually a semi rural area, which is a very attractive part of the district. This area and the main road through Hockley cannot accommodate more traffic, the traffic jams continue to worsen.
 - Speeding is a constant issue on Folly Lane and Church Road.
 - It is increasingly dangerous to walk on Church Road as there is no pavement on either side of the road; more traffic would only exacerbate this issue.

- There are plenty of brown field sites in the area, which should be used first to deliver housing.
- Question whether there is any need for additional housing.
- Proximity of railway line with only a ditch buffering access from the site and safety concerns.
- Concern about people congregating on the proposed open space to the rear of the site and increase in anti-social behaviour as there is no substantial barrier to some neighbouring sites.
- Concern about the limited size of the single access road to Folly Lane and the number of vehicle movements in and out of the site.
- In the Transport Assessment the quoted figure of 945 vehicle movements a day seems high compared to observed movements; reference is made to the mushroom farm although this ceased trading some time ago and now only a small number of light industrial uses occupy the site. The stated projected vehicle movements associated with the 50 dwellings proposed at 500 per day with 40 movements in the morning and 40 in the evening is low, especially if half the dwellings have school aged children (likely to be more) which would itself result in 50 vehicle movements. At present there are also considerably less vehicle movements on Saturdays and Sundays, which would increase.
- Although minor changes to the junction with Folly Lane are proposed it will remain a blind junction due to the wall to one side and the garden shrubs to the other.
- There is no mention in the documentation about where visitors to the nature reserve would park; there does not appear to be any designated parking for visitors within the site. Parking for visitors on Folly Lane would exacerbate traffic problems and visibility from the proposed junction with Folly Lane.
- The proposal for 50 dwellings is excessive, given the proposal for the sole access via Folly Lane.
- Although it would be beneficial for the site to be developed into housing rather than its current light industrial use, the number of houses proposed is far greater than would fit into the current neighbourhood. On the south side of Folly Lane in roads such as Gay Bowers there is a higher housing density than that neighbouring the proposed development. A density similar to that in Fountain Lane and on the north side of Folly Lane would be far more appropriate. The number of proposed properties is too high and should be more in keeping with the immediately neighbouring properties.

-
- There are already issues of vehicles using the narrow Fountain Lane too fast (no pavements) and also the wrong way (it is one way). The proposed number of dwellings will only worsen this problem.
 - There has been recent consideration of a reduction in the existing bus services from 1 every 30 minutes to 1 every hour due to the services not being used to capacity. If the services are reduced there would be lack of appropriate public transport to serve the development.
 - The station is not in walking distance but would be accessed via car, increasing vehicle movements, congestion and parking problems at the station.
 - Development would have an adverse impact on public transport links.
 - Folly Lane is winding and has restricted driver visibility along its length. It is used by school children walking to the nearby school and increased use and congestion could lead to increased risk of accident.
 - Concern that the proposed local play area could lead to anti-social behaviour in the area.
 - Use of green belt land contravenes Government policy and is not in keeping with the surroundings.
 - Environmental surveys that have been submitted have not been undertaken to the fullest capacity thereby ensuring validity of results; specifically with regard to newts. Development could have significant environmental impacts.
 - The local primary school is full and existing doctors and dentists unable to cope with existing patient numbers. New development will create additional demand and the proposal makes no suggestion of additional facilities.
 - Congestion will increase with additional vehicle movements to and from the local primary school.
 - Adverse impact on property values.
 - Impact on character of the existing village which will be increased in size.
 - Query whether the proposed houses could be delivered by 1 January 2015 as required by the Core Strategy as Reserved Matters applications would have to be submitted.
 - How would the proposed housing figures for Hockley from 2015 onwards be impacted if the proposed 50 dwellings were delivered in this period?

- The application is premature in respect of the emerging LDF consultation process in which the public should have a say.
- The Council states in the Core Strategy that land in Church Road (WH5 Westview) and the Pond Chase Nursery site combined could provide an additional access to the Pond Chase site and additional houses. An additional access would provide some traffic relief for residents in Folly Lane.
- Part of the 50 houses that the Ward has to provide by 2015 can be provided on land in Church Road that was never intended to be designated Green Belt, thereby reducing the number of properties needed at Pond Chase Nursery and unnecessary intrusion into genuine Green Belt at Pond Chase up to 31.12.2004 as proposed by the Council in the Core Strategy.
- If land used to the west of Pond Chase is utilised for some housing delivery, larger homes could be provided on the Pond Chase site thus uplifting property values in the area.
- Congestion at rush hour onto High Road off Folly Lane is already heavy, can take more than half an hour to get out of Folly Lane onto this road because of the sheer volume of traffic heading into and out of Southend. The extra traffic load that another 50 properties will bring into this area will make this totally unbearable.
- The land at Pond Chase Nursery was up until a few years ago classed as green belt until the Council decided to make sure that it was reclassified for light industrial use against all local public wishes. It appears that the Council have planned residential development of the site for some time.
- It is obvious that 50 dwellings is just going to be the start of this development. We have been presented with a sweetener in the form of an ecological and public open space area to help make the site look attractive. On closer inspection of the plans you can clearly see that the cul-de-sac's have been carefully planned in such a way that there are options to continue housing development through the "ecological" space at a later date should plans be drawn up. If this development is allowed to happen, I can see before long more and more planning applications will be made and accepted by the Council for this area and, before we know it, the whole of the land down Church Lane will become a housing estate, probably with shops and everything else that goes with it.
- This part of Hockley is an area rich in wildlife and natural beauty and should be left as it is.
- We don't need any more stress put on our already overworked, worn out and un-looked after local road networks.

- If the houses don't sell all might be sold to a Housing Association, which would not be appropriate for the area.
 - If this development is approved the flood gates will be open to further schemes such as the nursery off Folly Chase, the garage at the corner of Folly Lane recently used as a car wash, while there is an unfinished development off Church Road and there are a number of houses with large plots which might well attract applications for more intensive development. One cannot see how legally the Council could object to these plans so the 50 houses becomes what 100, 200?
 - In around 2004 a similar development was canvassed and after local opposition an amended application was made to convert farm buildings to light industrial use and in spite of further objections, but with the recommendation of the planning officer this was approved by the Council.
- 4.93 2 letters of support received from occupants of properties on Church Road and Folly Lane.
- 4.94 Summary of comments:-
- No objection.
 - We have no strong feelings about this development other than we would like to see it underway as it has been in the air for a number of years now. However, it does seem that the suggestion that an additional entrance to the proposed development from Church Road, which could reduce the increase in traffic joining Folly Lane from the development is a sensible one.

5 MATERIAL PLANNING CONSIDERATIONS

Principle of Residential Development

- 5.1 The proposal for residential re-development has to be assessed against relevant planning policy and with regard to any other material planning considerations.
- 5.2 In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.3 The adopted development plan is the Rochford District Core Strategy adopted December 2011, saved policies in the Rochford District Replacement Local Plan (2006) not superseded by the Core Strategy, saved policies in the Essex and Southend-On-Sea Structure Plan and the East of England Plan (2008).

- 5.4 The application site is within the general location of West Hockley, which is one of the general locations in which land is allocated for release from the Green Belt in Policy H2 of the Core Strategy, to meet a rolling up-to-date five year supply of deliverable sites for residential development up to 2021.
- 5.5 However, although the Core Strategy is adopted, land within the general locations (including the application site) remains designated as Green Belt until the adoption of a specific site(s) within the general location in the Allocations Development Plan Document (DPD).
- 5.6 A draft pre-submission version of the plan was considered at a meeting of the LDF Sub-Committee on 30 October and will be reported to a meeting of Full Council on 27 November. Paragraph 216 of the NPPF indicates that weight can be given to emerging development plans and that the more advanced the plan the greater the weight that may be given. Since the Allocations DPD is approaching a decision to proceed to pre-submission consultation it is considered that a fair degree of weight may be given to the plan in terms of determining the acceptability or otherwise of this application.
- 5.7 As the majority of the application site is designated Green Belt the proposal would amount to inappropriate development within the Green Belt and consequently very special circumstances must exist that clearly outweigh the harm to the Green Belt that would arise from the proposed development in order for the development to be considered acceptable in Green Belt terms.
- 5.8 The degree of harm to the Green Belt that would arise as a result of the proposed development is, however, limited by the fact that the majority of the land within the application site on which housing is proposed is previously developed land containing a substantial amount of built form, hard surface and activity.

Very Special Circumstances

- 5.9 Although the proposal would amount to inappropriate development within the Green Belt, significant weight must be attached to Policy H2 of the Core Strategy, which identifies the general location of West Hockley for the release of land within the Green Belt for residential development to meet the housing target for the District up to 2015.
- 5.10 Given, however, that a specific site within this general location has not yet been adopted through the Allocations DPD, consideration must be given to whether the application site is the most suitable, including being the least harmful in Green Belt terms for the delivery of the 50 dwellings within this general location.
- 5.11 The Pre-Submission Allocations DPD identifies the preferred site within the general location of West Hockley. As explained earlier, the plan has been considered and agreed by the LDF Sub-Committee and is due to be

considered at Full Council on 27 November 2012. If agreed at Full Council, the preferred site identified will be that put forward for adoption.

- 5.12 The preferred site identified in the emerging Allocations DPD includes that part of the application site, which was once part of the mushroom farm and comprises previously developed land, in addition to areas of land directly to the west and east of this. The preferred site does not, however, include all of the land within the application site; specifically, the undeveloped green field land comprising the northern part is excluded.
- 5.13 Of the 2.45ha identified for residential development on the submitted Parameters Plan, 0.17ha is green field rather than previously developed land, and is not identified as part of the preferred site. This 0.17ha area is shown to accommodate all of plot 24 and parts of plots 11 (parking only), 23 and 25 on the illustrative layout plan. Part of the access road and all of the public open space area are also shown to be within this area. It is also likely that in order to provide a sustainable urban drainage scheme for the site, an attenuation pond would be provided, which is indicated to be accommodated on land outside the preferred site in the northern most area of the application site. There would, however, be no Green Belt objection to the provision of such a feature, which would retain the openness of the Green Belt and not adversely affect the character or appearance of the Green Belt.
- 5.14 There is not considered, however, to be any justification for allowing expansion of the residentially developable area into the undeveloped green field area of the site. However, the provision of public open space within the undeveloped green field area of the site would not be objectionable given that this would not involve built form, which would be harmful to the openness, character or appearance of the Green Belt.
- 5.15 The proposed 50 dwellings could, however, still be reasonably accommodated within the application site with the omission of the 0.17ha, which does not form part of the previously developed land and is not included in the preferred site as identified in the emerging Allocations DPD. The density of the proposed residential development, if the 0.17ha was omitted, would increase only slightly from the 20.4 dwellings per hectare as currently proposed to 21.9 dwellings per hectare and would still be acceptable.
- 5.16 Given that the application is in outline, it is considered that a condition could be imposed to restrict the residentially developable area of the site to the northern limit identified in the preferred option site for the West Hockley location, as identified in the emerging Allocations DPD.

Infrastructure Provision

- 5.17 Policy H2 not only prescribes the number of dwellings and the time frame for delivery but also the infrastructure provision, which must be delivered at each

general location in order to ensure that new residential development across the District is comprehensively planned.

- 5.18 The proposal for 50 dwellings would comply with the requirement in Policy H2 that the general location of West Hockley delivers 50 dwellings to 2015. There is nothing to suggest that the proposal could not deliver the 50 dwellings by 2015 as identified in the Core Strategy.
- 5.19 The infrastructure requirements for the West Hockley general location are as follows:-
- Local highway capacity and infrastructure improvements;
 - Public transport infrastructure improvements and service enhancements;
 - Link enhancements to local pedestrian/cycling and bridleway network;
 - Sustainable drainage systems;
 - Public open space;
 - Play space; and
 - Link to cycle network.
- 5.20 The proposal would deliver all of the identified infrastructure improvements, save for the public transport and service enhancements and links to cycle and bridleways. Public transport and service enhancements would, if necessary, be sought by Essex County Council and, despite being identified as a requirement of the West Hockley general location, have not been sought by the County Council in this instance.
- 5.21 The applicant has not proposed any links to cycle and bridleways, however the emerging Allocations DPD indicates that the preferred site in the general location of West Hockley should provide linkages and enhancements, in particular that it should facilitate the development of the proposed Sustrans cycle network, particularly along the Church Road and Folly Lane section to the west and south of the site, respectively. The Sustrans cycle route is being developed in conjunction with ECC and is intended, in the longer term, to provide a cycle route through Rochford District (ultimately connecting the District's settlements with Chelmsford and Southend). The intention is for larger development sites in the Rochford District to link into this network. Although no specific cycle connection from the site to Church Road, down which part of the proposed Sustrans cycle route is proposed, as the application is in outline, the enabling of a future link through to the land to the west could be included in the detailed layout. It is recommended that a condition be imposed to require provision within the detailed layout of a cycle

connection point to the land to the west. If the land to the west were then developed a cycle connection from the Pond Chase site directly to Church Road could be provided. However, if the land to the west were not developed the fact that the Pond Chase site would not provide for a cycle route access directly to Church Road is not considered objectionable such as to warrant refusal of the application as the alternative route onto Church Road via Folly Lane would be available and is not significantly greater in distance.

- 5.22 It is considered that the application site (subject to a condition limiting the residentially developable area to the northern limit as identified for the preferred site in the emerging Allocations DPD) is the most suitable, given reasonable alternatives, by virtue of the following factors:-
- The site is previously developed land;
 - The site is connected to the built up residential edge of Hockley; and
 - The site can deliver a strong, long-term and defensible green belt boundary.
- 5.23 The proposal would also comply with all other relevant Core Strategy policies and would not be objectionable in relation to any other local, regional or national planning policy.
- 5.24 It is considered that very special circumstances exist, which clearly outweigh the harm to the Green Belt that would result from the proposed development, constituted by the following, either cumulatively or individually:-
- The proposed 50 dwellings are required to contribute to maintaining a rolling up-to-date five year supply of deliverable land for housing and the site would be suitable with regard to the criteria in the National Planning Policy Framework; and
 - The proposal would comply with Policy H2 of the Core Strategy being within the general location of West Hockley, would meet necessary infrastructure requirements of a site within this general location and is considered to be the most suitable site within this general location in planning terms, including Green Belt considerations.
- 5.25 Given the very special circumstances case above the principle of the proposed development is considered acceptable.

Density

- 5.26 The net developable area of the site for residential use would be an area of some 2.28ha (omitting the 0.17ha currently shown within the residentially developable area as per paragraph 5.15 above). It is necessary to consider whether this area could reasonably accommodate the 50 dwellings proposed

at an appropriate density and in a way that would achieve the high standard of design and layout required of new residential developments in order to create a high quality place to live.

- 5.27 National planning policy no longer stipulates a minimum density requirement for residential developments and nor does adopted local planning policy; the only requirement is that best and most efficient use of land is achieved.
- 5.28 The proposal for 50 dwellings on a 2.28ha net developable area would result in an average site density of 21.9 dwellings per hectare (dph), which is considered to be acceptable. Although the site is Green Belt and the loss of a minimal amount of Green Belt land would be preferred this should not be to the detriment of achieving high quality design, which is appropriate to its context and creates a high quality place for people to live. The site is not in a town centre location where much higher overall density would be in keeping with the surroundings. At the proposed average density the development of the site would relate well to its context and make the best use of Green Belt land.
- 5.29 By way of comparison in the locality, the average density for the area close to the site around the western end of Folly Lane is some 11.79 dph and the eastern end some 20.32 dph. The average density for the area to the south of the site, taking in Gay Bowers, Silvertree Close, Hawthorne Gardens, Sunnyfield Gardens, Laburnum Grove and Laburnum Close is some 26.9 dph.
- 5.30 Taking a wider view, and by way of comparison with another Green Belt development site, the recent outline application for the West Rochford general location proposed the majority of the site be developed at a density of between 28 to 40 dph with small areas to a lower density. Although the master plan for the Pond Chase site, which shows a layout is illustrative only, it does show areas of different density within the site and it is likely that some subtle variation in density across the site would form part of the final scheme such that some areas would have a lower density than the average of 21.9 dph.
- 5.31 Although indicative only, the garden areas to plots 1 to 33 shown on the master plan currently significantly exceed the required minimum of 100 square metres with 6 plots having in excess of 300 square metres, 11 plots having in excess of 200 square metres and 8 plots having in excess of 150 square metres. With an average site density of 21.9ha each property would be able to be provided with amenity space which meets and in some cases notably exceeds the minimum policy requirements.
- 5.32 It is concluded that a net developable area of 2.28ha could accommodate the proposed 50 dwellings at an appropriate density and that a detailed overall design and layout could be worked up which would achieve the necessary high standard of design and layout including the required sizes for amenity spaces, parking standards and open spaces.

Design

- 5.33 Policy CP1 requires new housing developments to achieve high quality design and layout. Good design is that which contributes positively to making places better for people and takes the opportunities available for improving the character and quality of an area and the way it functions. Places exhibiting good design should be visually attractive, safe, accessible, functional, inclusive, and have their own identity and maintain and improve local character. They should also be well integrated with neighbouring buildings and the local area more generally in terms of scale, density, layout and access and relate well to the surroundings.
- 5.34 At this outline stage the applicant is required to demonstrate how the proposal would integrate with the surrounding context and has considered this in the submitted Design and Access Statement.
- 5.35 The Parameters Plan indicates two pedestrian links from the site to Folly Lane and public open space would be provided which would be open to and benefit the wider community. Although the proposed open space within the residentially developable area is shown in an indicative position only, there would be opportunity to design the layout such that this space was well overlooked.
- 5.36 As this an outline application, detailed design and layout is not a matter for consideration at this stage; the submitted illustrative master plan which shows how the proposed 50 dwellings could be arranged at the site is not for determination. The detailed layout shown may change and indeed may be required to change in some respects in order to deliver the high standard of design and layout required.
- 5.37 The County Urban Design Team has, however, commented on the illustrative master plan and their concerns will be forwarded to the applicant to consider in working up a final layout for submission in a Reserved Matters application, if outline consent is granted. The Urban Design Teams comments can be found at Paragraph 4.7.
- 5.38 Any Reserved Matters application would be subject to its own consultation and allow for the acceptability of the proposed detailed design, layout and appearance to be interrogated further.

Education

- 5.39 The County Council has requested a financial contribution towards early years and childcare provision. This requirement would form part of the s106 legal agreement.

Scale

- 5.40 Although scale is a matter reserved for consideration in a reserved matters application that would follow, if outline consent were approved, the applicants are required to provide some detail in relation to scale at the outline stage.
- 5.41 The proposed dwellings would be between 2 and 2.5 storeys with the upper and lower height parameters for each of these indicated to be between 7.5-9.5 metres and 9.5-11.5 metres respectively. The proposed 2 to 2.5 storey height is not objectionable and would be in keeping with the context of the surrounding area. The acceptability of exact height and massing of each building would be considered in more detail as part of any Reserved Matters application.

Affordable Housing

- 5.42 The proposal would comply with Policy H4 of the Core Strategy, providing 35 per cent affordable housing on the site. This requirement would form part of the s106 legal agreement, which would also include clauses to require appropriate delivery triggers, nomination rights, the affordable dwellings to be tenure-blind, reasonably located and to a 80 per cent (social rent)/20 per cent (intermediate) split in accordance with the requirements of the Council's Strategic Housing Departments requirements.

Dwelling Types

- 5.43 Policy H5 of the Core Strategy requires new housing developments to contain a mix of dwelling types to ensure that they cater for and help create mixed communities. As the application is in outline, the precise mix of dwelling types is not yet known and is a matter that would be considered at the Reserved Matters stage. Policy H6 of the Core Strategy requires that new housing developments comply with the Lifetime Homes Standard and that 3 per cent of dwellings be built to full wheelchair accessibility standards. Suitable planning conditions are recommended to ensure that provision be made for these requirements coming forward.

Biodiversity and Protected Species

- 5.44 Policy ENV1 of the Core Strategy requires consideration of impact from development on the natural landscape. National planning policy also requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity, providing net gains in biodiversity where possible.
- 5.45 The application site does not include any nationally, regionally or locally designated wildlife sites although there is a substantial pond and a number of mature trees on the site and the site is adjacent to an area of woodland. The site therefore offers the potential for habitat that supports protected species.

- 5.46 The applicant has submitted a badger survey report, a great crested newt survey report and a bat survey report.

Bats

- 5.47 The bat survey report draws on survey work carried out at the site in May 2011, which involved external and internal inspection of buildings on the site and echolocation survey.
- 5.48 The results indicate high levels of foraging activity within the vicinity of the building in the north-east corner of the site, along the woodland corridor and line of mature oaks and within the vicinity of the pond and along boundary hedgerows.
- 5.49 Evidence of bats using the large open ended shed in the north-east corner of the site was also noted and the report also states that it is highly likely that bats are roosting in this building or within the immediate area, potentially within the large Oak to the eastern boundary. It is conclusive that roosts are present within the immediate locality of the site or on the site, given the high degree of activity observed.
- 5.50 The report recommends that a further bat survey should be undertaken to identify the extent of bat activity and roost types present on the site. This should incorporate detailed inspections of the mature trees and buildings highlighted within the report. As well as emergence and activity surveys, arrangements must be made to carry out roost visitation surveys with a licensed surveyor.
- 5.51 The report also recommends that a bat sensitive landscape scheme should be adopted and consideration given to external lighting and maintaining current bat foraging habitat (mature trees and hedges).
- 5.52 The submitted report does not comment on the impact that the proposed development would have on bats at and adjacent to the site or give advice on what mitigation may be needed.
- 5.53 Concerns have been raised by the Council's ecological consultee with regard to the adequacy of the submitted bat survey who recommends that a condition be imposed to require a full bat survey using the most up to date guidelines. Such a condition is recommended, which would ensure that the site is properly assessed for the presence of bats and roosts prior to any development commencing and that appropriate mitigation and enhancement measures for bats are incorporated into any detailed design.

Great Crested Newts

- 5.54 The submitted great crested newt survey report contains contradictory information with regard to whether the pond outside the site in the far north-

western corner was in fact surveyed. The larger pond within the site was however surveyed and whilst evidence of smooth and palmate newts was recorded no evidence of the protected great crested newt species was found. Each pond was also subject to a Habitat Suitability Index Assessment to assess the suitability of each habitat for the species with the larger pond deemed to have average potential and the smaller pond deemed to be of poor potential.

5.55 The Council's ecological consultee is satisfied that the submitted great crested newt survey was carried out according to current guidelines and that the conclusion that this species is likely to be absent therefore appears to be valid.

5.56 The proposed development would not directly affect the existing larger pond on the site which would remain a functioning habitat for the newts that currently inhabit the area.

Badgers

5.57 The survey of the site for badgers identified a large active badger sett contained predominantly in the vegetative structures in woodland adjacent to the northern perimeter of the site although also noted that the site as a whole provided potential for badger foraging and habitat. 18 sett entrances were recorded with 9 of these showing more certain signs of activity with well used entrances and tracks and evidence of hair. Evidence of activity extended down the fence line and ditch along the eastern boundary with diggings and foraging holes also noted across the southern part of the site. Two further sett entrances were found within neighbouring land to the west. The report concludes that due to the number of entrances, the sett is a main sett and of significant importance to the regional population of badgers. The report notes that disturbance within 30 metres of the sett should be avoided.

5.58 The Council's ecological consultee considers that the survey submitted is adequate but that a site wide mitigation plan would be needed to ensure the protection of the badgers during construction, and recommends that this be made a condition, if outline planning consent is granted.

5.59 The submitted report also highlights that more sett entrances had developed and activity moved eastwards in the more recent May 2011 survey since the last survey in 2010. Given this potential for increased activity and variation in location of activity across the site and given that at least 1 year has already passed since the last survey of the site, it is considered that another full site survey for badgers should take place prior to submission of any Reserved Matters application and that this survey should include details of proposed mitigation measures to guard against harm to badgers and their habitat during construction and as a result of the proposed development.

Trees

- 5.60 A preliminary arboricultural implications assessment has been submitted with the application which identifies a number of individual trees and areas of woodland on and adjoining the site as well as a number of hedgerows.
- 5.61 The majority of trees and woodland areas on the site are not within that part of the site which is identified for the proposed residential development although some of the trees and woodland areas directly adjoin this area. Given this, it is considered that the proposed residential development would not require the removal or impact adversely on any significant trees or woodland areas subject to a method statement for working near boundary trees being undertaken which would be required to be submitted and agreed in conjunction with any Reserved Matters application.
- 5.62 The report recommends the removal of some existing cypress hedgerows which are within the southern, developed area of the site and are considered to be of low amenity value. This is not objectionable, particularly given that a scheme for landscaping of the development with suitable amenity trees would be required and implemented as part of the redevelopment.
- 5.63 The report mentions that trees of poorer condition would be removed but does not indicate which specific trees these are. A condition is therefore recommended to require details of any tree removal to be submitted and agreed prior to any removal works taking place.
- 5.64 The report recommends that exclusion fencing be erected to protect the species rich hedgerow to the north-western boundary and to the oak woodland to the west of the site during construction and indicates where this could be located on a site plan. The report does however recommend that a detailed method statement to cover specific tree protection measures be submitted once the layout of the development is known which could be required by condition.
- 5.65 Although the report recommends that protection fencing be erected around the wooded area within the northern section of the site during construction, it is anticipated that some working within this area may be necessary in order for the proposed attenuation pond to be created. Although shown indicatively, the attenuation pond appears to cover an area on which there are a number of mature trees and it may therefore be necessary to vary the location/shape of the proposed pond to avoid any harmful impact on existing trees. It is however considered that this matter could be dealt with my way of a planning condition to require precise details of the attenuation pond, including depth, location and details of necessary ground works alongside consideration of impact on existing trees and root protection areas to ensure that the attenuation pond provided did not impact adversely on existing trees.

- 5.66 Subject to the recommended planning conditions, it is considered that the proposed development would not impact adversely on existing trees at the application site.

Archaeology

- 5.67 Essex County Council Archaeology team has identified that the site is not likely to contain any below ground archaeological deposits and consequently do not require any intrusive site investigation.

Contamination

- 5.68 A phase one desk study report examining contamination risk at the site has been submitted with the application. This identifies a number of potential sources of contamination and assesses the overall risk of contamination affecting the site as moderate to low although acknowledging a high risk posed by the presence of asbestos. It is recommended that an informative be added to any approval to advise the applicant of their responsibility to dispose of asbestos appropriately.
- 5.69 The report recommends that a full intrusive site investigation with soil sampling is undertaken to accurately assess contamination on site and to enable any mitigation to be undertaken. This requirement would be made a condition of any consent.

On-site Renewable Energy

- 5.70 Policy ENV8 requires developments of 5 or more dwellings to secure at least 10 per cent of their energy from decentralised and renewable or low-carbon sources unless this is not feasible or viable.
- 5.71 A condition is recommended that would require at least 10 per cent of the energy from the development be secured from decentralised and renewable or low-carbon sources.

Code for Sustainable Homes

- 5.72 The proposal would meet the minimum requirement of Policy ENV9 of the Core Strategy that all dwellings meet Code for Sustainable Homes (CSH) 3. This policy also requires that developers go beyond this level between 2010 and 2013, particularly in terms of water conservation measures. A condition is therefore recommended that would require all dwellings to meet CSH level 3, except with regard to water efficiency measures, which will be required to meet CSH level 4 criteria.

Health Care

- 5.73 The Primary Care Trust has been consulted on the proposed development and considers that the proposed development would have an impact on the

current health provisions in the area. A financial contribution is sought and would form part of the requirements of a s106 legal agreement.

Open Space and Play Space

- 5.74 Policy CLT5 of the Core Strategy requires the incorporation of new public open space within residential developments, which is accessible and designed to integrate into the development having regard to local current and projected future need.
- 5.75 The submitted Parameters Plan shows two proposed areas of public open space, one within the residentially developable area and one adjacent to the northern boundary of the residentially developable area. The total area shown for these spaces is some 941 square metres (0.0941ha).
- 5.76 The emerging Allocations DPD identifies that a minimum of 0.4ha of amenity green space would be required of the site within the general location of West Hockley. This is some 0.3ha more than is currently proposed. If however, the 0.17ha which is currently proposed within the residentially developable area but lies outside that area in the preferred site in the Allocations DPD, were to form part of the public open space this would increase the amount of space to 0.2641ha. The remaining 0.14ha that would be required to provide the minimum 0.4ha overall could then be provided by land currently shown to form part of the area reserved for ecology towards the north of the site. It is recommended that a requirement for the minimum 0.4ha of public open space be made a requirement of the s106 legal agreement.
- 5.77 Although public open space would usually be required to be integrated into the residentially developable area, in this case the relatively small nature of the development means that all of the 50 dwellings would still have easy access to the public open space even if it were provided on the northern edge of the developable area. The other benefits of providing the large area of public open space to the northern boundary of the developable area are that the space would be provided on an existing green area with some existing mature trees rather than over part of the previously developed land and that public open space would provide a strong, long term defensible Green Belt boundary and guard against any encroachment of development into the Green Belt.
- 5.78 In addition to a requirement for 0.4ha of public open space to the northern boundary of the developable area, a smaller area of open space within the residentially developable area would be provided.
- 5.79 Policy CLT7 requires the incorporation of appropriate communal play space, which would be accessible, subject to natural surveillance and comply with the Council's Play Space Strategy. The emerging Allocations DPD also identifies that the West Hockley general location should deliver at least one local area for play (LAP) on a minimum area of 0.01ha.

- 5.80 The applicant has indicated that play space would be provided and this would be made a requirement of the s106 legal agreement, including maintenance of the equipment and space by an appropriate management company in accordance with the requirements of Policy CLT7.

Highways/Access to the Site

- 5.81 The application site is located on Folly Lane, which is a 30pmh residential street that links to High Road to the south both via Folly Lane and Fountain Lane (one-way).
- 5.82 A Transport Assessment has been submitted with the outline application. This concludes that the proposed re-development of the site for 50 dwellings would generate a reduction in potential vehicle flows when compared with the existing commercial use and that even if the existing/historic commercial use was disregarded, the proposed development would not generate additional traffic of a level to be considered to add materially to traffic flows on the adjacent road network. As such the submitted report concludes that the proposal would not adversely affect highway safety or highway capacity. Essex County Council Highways Authority has considered the submitted Transport Assessment and do not raise any objection on the grounds of impact on the highway network or highway safety.
- 5.83 Access to the site is a matter for determination at the outline stage. Only one vehicular access to the site is proposed which would utilise the existing vehicular access to the site off Folly Lane. Minor amendments to the existing access are proposed to improve junction visibility and a speed restraint would be provided at a point approximately half way along the access road into the site which would achieve a width of 4.8 metres. A 1.8 metre wide footway would be provided along the full length of the access road to the western side.
- 5.84 A pedestrian only access is also proposed from the site onto Folly Lane, which would be located towards the eastern boundary of the site.

Sustainability/Flood Risk

- 5.85 Policy H6 of the Core Strategy requires that all new housing developments comply with the Lifetime Homes Standard and Policy ENV8 of the Core Strategy requires developments of 5 or more dwellings to secure at least 10 per cent of their energy from decentralised and renewable or low-carbon sources unless this would not be feasible or viable. Although no information has been submitted with the application in respect of these matters as the application is in outline form it is considered that if outline planning permission were granted these requirements could be secured by planning condition.
- 5.86 Policy ENV4 of the Core Strategy requires all residential development over 10 units to incorporate surface water run-off control via a sustainable urban drainage system and this is also a requirement of the West Hockley

residential Green Belt release site as identified in Appendix H1 of the Core Strategy.

- 5.87 A site specific flood risk assessment has been submitted with the application which provides indicative details of a proposed surface water drainage strategy utilising above ground features such as swales and a detention pond. Existing drainage ditches to the west and eastern boundaries may be used to accommodate some surface water run-off as part of the overall scheme. A detention pond is shown to be sited in the northern area of the site, which is in the naturally lower lying part of the site as the site slopes downwards by some 9 metres in total from south to north. The detention pond would take attenuated surface water from the development and is designed as a feature to accommodate surface water as and when required rather than as a permanent water body. It is envisaged that the pond would be a shallow depression with a maximum depth of 1.3 metres and would be designed to store 365 cubic metres of surface water which would cater for a 1 in 100 year storm event also taking into account the effects of climate change as required by national flood risk policy.
- 5.88 It is noted that as a result of the proposed development there would be a significant reduction in the amount of impermeable surface at the site as existing commercial buildings and the hard surfaces around them are removed and replaced by housing with permeable driveways and grassed rear gardens.
- 5.89 As the application is in outline a detailed sustainable surface water drainage strategy in which swales and other features are identified cannot be worked up until the layout of the scheme is known. A planning condition could however be imposed to require the details of this strategy to be provided at the Reserved Matters stage to ensure that it is delivered as part of the scheme.
- 5.90 The Environment Agency has reviewed the submitted information and are of the view that a suitable option for managing surface water flows at the site can be provided, which would be expected to incorporate features such as filter strips and swales wherever possible and that details of the scheme should be required by planning permission.
- 5.91 The site is in an area of low flood risk and consequently there is no objection to the proposed residential development, in principle, on flood risk grounds.
- 5.92 The applicant has submitted a foul water drainage strategy which indicatively shows a proposed pumping station adjacent to the area of public open space towards the northern end of the site which would include a hard surfaced area of sufficient size to accommodate a tanker. The location shown is not considered ideal given the proximity to the public open space and indeed would not likely be possible given the requirement to increase the area of public open space to meet policy requirements. Anglian Water has indicated

that the foul water drainage strategy as indicated would not be accepted but has confirmed that the foul water sewerage network in the catchment of the site has capacity to accommodate the development and request a condition to require details of the foul water drainage to be agreed prior to commencement of development. A pumping station would likely be required, which would usually be required to be at least 15 metres from any residential property but could be further than this. It is considered that this could be reasonably accommodated somewhere suitable within the site boundary.

Utilities

- 5.93 A utilities assessment has been submitted with the application, which confirms that potable water, electricity, gas and telecommunication services exist within Folly Lane and that no problems with capacity to serve the site are envisaged.

Residential Amenity

- 5.94 At the outline stage a detailed site layout is not for determination so specific relationships between existing residential properties and proposed dwellings cannot yet be considered. However, the Parameters Plan shows areas of the site proposed for residential development. Within those areas it is considered that residential development could take place, which would not have a detrimental impact on the amenity that ought to reasonably be expected by the occupants of existing adjoining properties.

CONCLUSION

- 5.95 In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.96 Whilst the application site is designated as Green Belt the proposed residential development would be contained within that part of the site which is previously developed land thus limiting the impact of the development on open, undeveloped Green Belt land. It is considered that very special circumstances exist, either cumulatively or individually, which clearly outweigh the harm that would result to the Green Belt. The site, subject to limiting the northern extent of residential development, is considered to be the most suitable site within the general location of West Hockley. Consequently, the proposal is considered acceptable in Green Belt terms.
- 5.97 Subject to the recommended conditions and Legal Agreement, the proposal is policy compliant with respect to relevant Core Strategy and other planning policies and there are no other material planning reasons to refuse consent.

6 RECOMMENDATION

- 6.1 It is proposed that the Committee **RESOLVES** that, subject to notifying the Secretary of State for Communities and Local Government, the application be **APPROVED**, subject to the completion of a **LEGAL AGREEMENT** under Section 106 of the Act for the heads of terms set out below and subject to the heads of **CONDITIONS** as set out below subject to any reasonable changes the Head of Planning and Transportation shall deem fit:-
- 1) Financial contribution towards early years and childcare provision calculated in accordance with the standard formula used by Essex County Council, which relates to dwelling mix and index linked, the estimation for which is at present £45,058. Subject to timings for payments and other stipulations as required by Essex County Council.
 - 2) Financial contribution towards the Primary Care Trust or successor body, for capital projects to allow for the alteration, adaptation or construction of facilities for the provision of primary care, calculated in accordance with the standard formula used by the Primary Care Trust as referenced in their consultation response, which relates to dwelling mix, the estimation for which is at present £22,622. Subject to timings for payments and other stipulations to be agreed by the Head of Planning and Transportation.
 - 3) A minimum of 35 per cent affordable housing shall be provided 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 as specified by the Strategic Housing Department at Rochford District Council.
 - 4) Provision of public open space in accordance with the requirements of the relevant conditions detailing public open space provision and the on-going maintenance of these areas and any play equipment within these areas by a management company.
 - 5) A commuted sum shall be paid for any tree planting proposed within the highway to cover the cost of future maintenance as required by Essex County Council and in accordance with time frames for payments as stipulated by ECC.
 - 6) Provision and maintenance, in perpetuity, of a Sustainable Urban Drainage System for the site in accordance with the details, as agreed by the relevant planning condition.

CONDITIONS

Time limits and Reserved Matters

1. Plans and particulars showing precise details of the layout, scale, design and external appearance, access (save for access points to the site) and landscaping of the site, (herein after called the "Reserved Matters") shall be submitted to and approved in writing by the local Planning Authority the development before any development is commenced. All development at the site shall be carried out in accordance with the Reserved Matters' details approved.
2. Application for approval of all "Reserved Matters" referred to in Condition 1 above shall be made to the local Planning Authority before the expiration of three years from the date of this planning permission. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Site Characteristics

3. Notwithstanding the proposal description for up to 50 dwellings, 50 dwellings shall be provided within the residentially developable area subject to alteration in accordance with condition 5.
4. A minimum of 540 square metres of public open space shall be provided within the residentially developable area of the site.
5. Notwithstanding the extent of the residentially developable area as shown on the Parameters Plan date stamped 28 MAY 2012, this area shall extend only up to the line indicated between points A and B shown hatched on the approved plan.
6. Notwithstanding the extent and location of public open space as shown on the Parameters Plan date stamped 28 MAY 2012, a minimum of 0.4ha of public open space shall be provided to the north of the line between A and B shown hatched on this plan abutting and running the full extent of the northern boundary of the residentially developable area in accordance with details and an amended plan which shall have been previously submitted to and agreed in writing by the local Planning Authority.
7. A minimum of one local area for play (LAP) shall be provided within the site in accordance with details that shall have been previously submitted to and agreed by the local Planning Authority, which shall include:-

- The size, type and location within the site of the proposed equipment
- Details of surface material, enclosure and landscaping
- A maintenance program to ensure the safe upkeep of the installed equipment
- Timeframe for delivery of the equipment, surfacing, enclosure treatment and landscaping.

Landscaping

8. Prior to the submission of Reserved Matters or in conjunction with such application, a landscaping scheme for the required 0.4 ha of public open space as required by condition 6 shall be submitted to and approved in writing by the local Planning Authority. The landscaping scheme shall include details and plans (at an appropriate scale) of;

- Schedule of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
- A full plan (to scale) that clearly shows the locations of new trees to be planted including planting method statement and after care plan;
- Existing trees to be retained;
- A long-term maintenance schedule and specifications including timetable for monitoring and maintenance;
- Location and material details of paved or otherwise hard surfaced areas/paths within the public open space;
- Long-term design objectives in respect of the public open space area;
- Existing and finished levels shown as contours with cross-sections as required;
- Location of lighting including details of lighting to be installed;
- Means of enclosure and other boundary treatment including materials to be used and location of these shown on a plan;
- Minor artefacts and structures (e.g. benches, bins, signs, etc.)

The soft and hard landscaping agreed as part of the landscaping scheme for the 0.4ha public open space area shall be planted/provided in its entirety during the first planting season (October to March inclusive)

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

9. Landscaping details submitted as part of the Reserved Matters for the residentially developable area of the site shall include-
- Schedule of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
 - A full plan (to scale) that clearly shows the locations of new trees to be planted including planting method statement, tree pit details (as necessary) and after care plan;
 - Existing trees/hedges to be retained;
 - A long-term maintenance schedule and specifications including timetable for monitoring and maintenance;
 - Location and material details of paved or otherwise hard surfaced areas/paths within the public open space;
 - Existing and finished levels shown as contours with cross-sections as required;
 - Location of lighting including details of lighting to be installed;
 - Means of enclosure and other boundary treatments including materials to be used and location of these shown on a plan;
 - Minor artefacts and structures (e.g. benches, bins, signs etc)

The soft and hard landscaping agreed as part of the landscaping shall planted/provided in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.

Highways

10. Prior to occupation of the development, the road junction shall have been re-modelled with appropriate kerb radii and road markings in accordance with details and plans submitted to and agreed with the local Planning Authority. The junction shall be maintained with a clear to ground visibility splay with dimensions of 2.4 metres by 90m to the east and Fountain Lane junction to the west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.
11. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be identified clear of the highway, submitted and approved in writing by the local Planning Authority.
12. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
13. Prior to commencement of the proposed development details of a wheel cleaning facility within the site and adjacent to the egress onto the highway shall be submitted to and approved in writing by the local Planning Authority. The wheel cleaning facility as agreed shall be provided at the commencement of the development and maintained during the period of construction.
14. Prior to commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the local Planning Authority. The carriageways of the proposed roads within the site shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any up stands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final

surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.

15. 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 before implementation of paths. Lighting and drainage shall be provided in accordance with details as agreed.
16. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
17. All parking shall conform to the EPOA Parking Standards Design and Good Practice Sept. 2009. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres. All single garages should have a minimum internal measurement of 7m x 3m.
18. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include 6 (Six) All Essex Scratch card tickets.

Surface Water Drainage

19. Prior to or in conjunction with the submission of any Reserved Matters application a scheme for provision of a sustainable urban drainage system at the site shall be submitted to and agreed by the local Planning Authority. The scheme as agreed shall be implemented in conjunction with the development and shall be completed prior to occupation of any dwellings on the site unless an alternative timeframe for implementation is agreed by the LPA. The scheme shall include the following:-
 - evidence that surface water shall be discharged from the site at the green field run off rate;
 - A plan showing trees existing and or proposed within proximity of any SUD's features and assessment of impact on existing /proposed trees;
 - Cross-sections of SUD's features;
 - Details of water levels in SUD's features anticipated at different flooding events;
 - Details of planting in SUD's features including species, density and spacing shown on a scaled plan;

- Permeable surface materials for driveways and other hard surfaced areas;
- evidence that the 1 in 100 year storm, inclusive of climate change, can be conveyed and stored on site, without increasing flood risk at the site or surrounding area, and;
- details of who shall be responsible for the maintenance of the scheme in perpetuity upon completion of the development.

Ecology

20. Prior to the submission of Reserved Matters or in conjunction with a full survey of the site, including detailed inspections of buildings and mature trees, emergence and activity surveys and roost visitation surveys to identify the extent of bat activity and roost locations and types present on or adjacent to the site shall be undertaken by a suitably qualified person. The results of this survey work in the form of a report which shall include recommendations for any necessary mitigation to ensure that no harm would result from the proposed development to bats, bats foraging habitat or roosts and proposed enhancements to habitat including consideration and identification of appropriate external lighting and proposals for the maintenance and enhancement of bat foraging habitat (mature trees and hedges) within the site shall be submitted to and agreed in writing by the local Planning Authority. Necessary mitigation and enhancement measures as agreed shall be carried out in accordance with a timeframe to be submitted to and agreed by the LPA.
21. Prior to the submission of Reserved Matters or in conjunction with, a report detailing the results of a reptile survey of the site shall be submitted to any agreed by the local Planning Authority. This shall include details of any mitigation necessary which shall be carried out as agreed.
22. Prior to the submission of Reserved Matters a report shall be submitted to and agreed in writing by the local Planning Authority which details the results of an up-to-date full site badger survey to include details of proposed mitigation measures for protection of badgers during construction and development. The details as agreed shall be implemented in accordance with a timeframe that shall have been agreed with the local Planning Authority.

Sustainability

23. An assessment to demonstrate what principles of Secured by Design have been incorporated into the design and layout shall be submitted as part of the Reserved Matters application.

24. Prior to the submission of or in conjunction with the submission of Reserved Matters, specific details including plans to demonstrate the extent of compliance of all of the dwellings on the site with the Lifetime Homes Standard as set out in 'Meeting Part M and Designing Lifetime Homes' published by the Joseph Rowntree Foundation 1999 and how at least 3 per cent of dwellings within the development would achieve compliance with full wheelchair accessibility standards identifying specific plot numbers of dwellings which would achieve this, shall be submitted to and agreed in writing by the local Planning Authority. The site shall then be developed in accordance with the agreed details.
25. A mix of dwelling types (size) shall be provided within the layout at the Reserved Matters stage.
26. Prior to commencement of development details shall be submitted to demonstrate how each dwelling on the site with a garden, patio or communal garden space shall be provided with a rain water collection system (with reasons given as to why this is not viable to certain dwellings if this is the case), which shall be correctly specified and of sufficient size to collect rain water for external and/or internal use in accordance with definitions of 'correctly specified' and 'sufficient size' as found in DCLG's Code for Sustainable Homes Technical Guide November 2010. The system(s) shall be implemented as agreed to each dwelling prior to occupation of the dwelling to which the system relates.
27. Prior to or in conjunction with the submission of Reserved Matters, a renewable energy statement including plans and specific details of the measures including size, specification, location and design that will be used in order to secure at least 10 per cent of the energy from the development by on-site decentralised and renewable or low-carbon sources shall be submitted to and agreed in writing by the local Planning Authority. The measures, as agreed, shall be fully installed and operational prior to occupation of the dwelling to which they relates unless an alternative timetable for implementation is approved in writing by the local Planning Authority in which case the implementation shall accord with this.
28. Provision for a future cycle route link to the land to the west of the site identified as part of the preferred site in the general location of West Hockley in the emerging Allocations DPD shall be provided for in the detailed layout to be considered as part of the Reserved Matters application.

Contamination

29. Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as

may be agreed in writing with the local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local Planning Authority:-

1. A preliminary risk assessment which has identified;
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local Planning Authority. The scheme shall be implemented as approved.

30. Prior to commencement of development a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local Planning Authority. The long-term monitoring and maintenance plan shall be implemented as approved.

31. Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local Planning Authority.
32. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Drainage

33. No development shall commence until a foul water strategy submitted has been submitted to and approved in writing by the local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the local Planning Authority.

Trees

34. Prior to or in conjunction with submission of Reserved Matters a full site tree survey to identify specific tree constraints and protection measures in accordance with BS5837:2012 shall be submitted to and agreed in writing by the LPA. Protection measures as agreed shall be implemented prior to commencement of development and shall remain in place for the duration of the construction at the site.



Shaun Scrutton

Head of Planning and Transportation

Relevant Development Plan Policies and Proposals

HP6, HP10 of the Rochford District Replacement Local Plan 2006.

T8, T6, T3, T1, CLT7, CLT6, CLT5, CLT4, CLT3, CLT2, CLT1, ENV11, ENV9, ENV8, ENV4, ENV3, ENV1, GB1, CP1, H6, H5, H4, H2, H1 of the Rochford District Core Strategy 2011.

National Planning Policy Framework (NPPF)

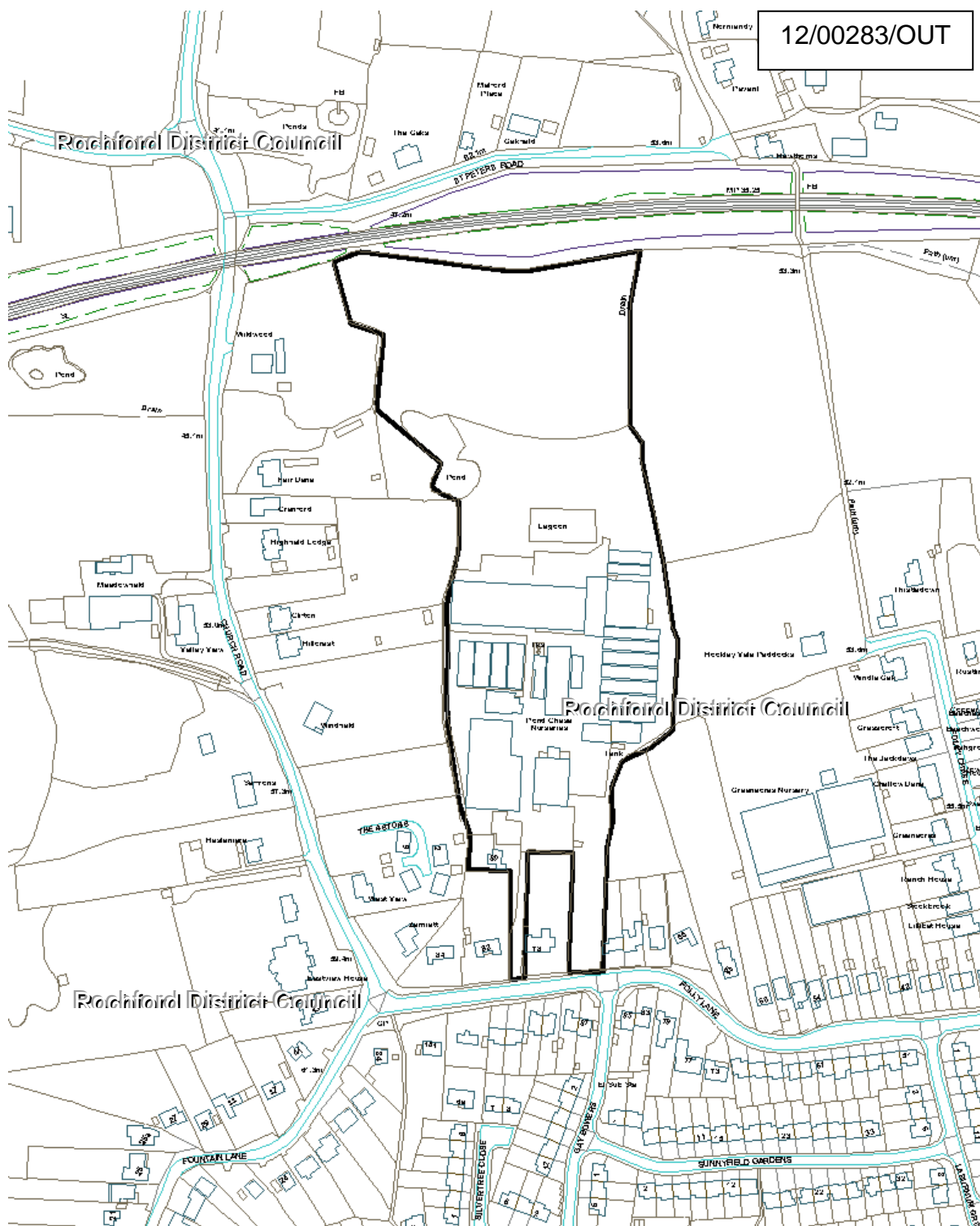
Parking Standards Design And Good Practice Supplementary Planning Document (Adopted December 2010).

For further information please contact Katie Rodgers on:-

Phone: 01702 318094

Email: katie.rodgers@rochford.gov.uk

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



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. This copy is believed to be correct.

Nevertheless Rochford District Council can accept no responsibility for any errors or omissions, changes in the details given or for any expense or loss thereby caused.

Rochford District Council, licence No.LA079138

NTS

