

APPLICATION NO: 11/00637/OUT

OUTLINE APPLICATION TO DEMOLISH EXISTING BUNGALOW AND 3NO. COMMERCIAL BUILDINGS AND FOR RESIDENTIAL RE-DEVELOPMENT COMPRISING 3 X 2-BED, 9 X 3-BED AND 1 X 4-BED HOUSES. ACCESS OFF LITTLE WAKERING HALL LANE. ALL MATTERS RESERVED EXCEPT ACCESS, APPEARANCE AND SCALE.

SITE OF AND LAND REAR OF YORK BUNGALOW LITTLE WAKERING HALL LANE GREAT WAKERING

APPLICANT: VENTURE CAPITAL ASSOCIATES LTD

ZONING: RESIDENTIAL

PARISH: GREAT WAKERING

WARD: FOULNESS AND GREAT WAKERING

1 PLANNING APPLICATION DETAILS

- 1.1 Outline planning permission is sought to demolish the existing bungalow and 3 commercial buildings and construct 3 x 2-bed, 9 x 3-bed and 1 x 4-bed houses with associated parking/turning area, including 2 car port buildings and refuse/cycle stores with vehicular access off Little Wakering Hall Lane.
- 1.2 This application is an outline application with access, appearance and scale to be determined at the outline stage, whilst layout and landscaping are reserved for consideration in a reserved matters application, which would follow if outline permission were granted.
- 1.3 The matters for determination are therefore the principle of residential development of the site, the acceptability of the quantum of development proposed, the scale and appearance of buildings proposed and access.
- 1.4 The proposal is for 13 houses and the submitted indicative layout plan shows how this proposal could be achieved with the houses provided as two blocks of terraced properties extending along the northern and eastern boundaries of the site. Each house is shown to be provided with an area of enclosed garden to the rear. The proposed dwellings are shown to face onto an access road and turning area.

- 1.5 The submitted elevations show that the properties would have pitched roofs and undulating façades with changes in roof height and eaves level. Use of a variety of facing materials is also indicated, which in addition to the articulated building lines would serve to break up the continuous frontage of the buildings. The dwellings would all be two storeys save for three of the dwellings located to the middle of the eastern boundary, which would be three storeys with pitched dormer windows.

2 THE SITE

- 2.1 The application site is located in Great Wakering. The site is an irregular shape with a site frontage onto Little Wakering Road of 31m that widens to a 56m wide boundary to the east of the site adjacent to the termination of Moreland Close.
- 2.2 The front of the site is occupied by a detached single storey dwelling known as York Bungalow, beyond which there are two warehouse buildings adjacent to the north and east boundaries and a row of two smaller units adjacent to the southern boundary.
- 2.3 The site is predominantly surrounded by residential dwellings to the north, east and south. In most cases the site adjoins the rear gardens of neighbouring dwellings. However, to the east the site adjoins the side elevation of houses facing Moreland Close and to the south west corner it adjoins the flank of a detached bungalow that is accessed from Little Wakering Hall Lane. Opposite the site entrance there is a pedestrian access onto Little Wakering Hall Lane leading to residential properties in Brougham Close.

3 RELEVANT PLANNING HISTORY

- 3.1 The site has a long planning history in connection with its employment uses, but the planning history of most relevance to the determination of the current application relates to applications 10/00152/OUT and 10/00647/OUT.
- 3.2 In both previous applications much the same form of development as is currently applied for was proposed. Both applications were submitted in outline with access and layout included for determination in 10/00152/OUT and only access included for determination in 10/00647/OUT.
- 3.3 Application 10/00152/OUT was refused for reasons relating to inadequate on-site car parking provision, under-provision of private amenity space throughout the site, both symptomatic of over-development of the site and due to concern relating to the provision of roadside parking spaces at 90 degrees to a 4.8m wide road, an under-sized turning head and the arrangement of a car port and adjacent parking bays which lacked sufficient space for the manoeuvring and parking of vehicles safely within the site.
- 3.4 Application 10/00647/OUT featured several relatively small changes to the earlier refused scheme including a different mix of dwellings and slight change

to the proposed car parking layout. This application was also refused for reasons relating to under-provision of amenity space, lack of visitor parking and because of a lack of manoeuvrability within one of the proposed car parking areas.

3.5 This application was reported to the April 2012 Development Committee and recommended for refusal, but Members agreed to defer the item to a subsequent Development Committee to allow for consideration of revised plans, which had only been received very shortly before the April Development Committee day. It is considered that the applicant has addressed the reasons for refusal, as previously reported, through amendments made to the scheme for the reasons as explained in this report.

3.6 The reasons for refusal of the application reported to the April 2012 Development Committee were as follows:-

- (1) The proposal is considered to amount to over-development harmful to residential and visual amenity contrary to Policy CP1 of the Rochford District Core Strategy 2011 and PPS3 by virtue of the following factors. Given the quantum and scale of development proposed it is not considered that adequate parking provision to meet the Parking Standards Design And Good Practice Supplementary Planning Document (Adopted December 2010) and achieve a high standard of design and appearance and not be overly dominant and harmful to residential and visual amenity could be acceptably achieved. The proposal to accommodate an access road through the site in the manner shown and the inability to provide the required 4.8 metre width is considered symptomatic of a proposal that amounts to over-development. The height of dwellings proposed, particularly given the very compact layout, largely hard landscaped public realm and lack of soft landscaped frontage to the dwellings, is considered to give rise to a scale of development that would be imposing, harmful to visual and residential amenity and would not achieve a high standard of design.
- (2) The proposal does not demonstrate incorporation of a sustainable urban drainage system to control surface water run-off contrary to Policy ENV4 of the Rochford District Core Strategy 2011.

4 CONSULTATIONS AND REPRESENTATIONS

4.1 Great Wakering Parish Council

- The main difference between the first and second application is the reduction of two bedrooms over the entire development which, in our opinion, is insignificant.
- Little Wakering Hall Lane is not suitable for the development and the amount of traffic that the development will generate.

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- It is difficult for two cars to pass in the area of the Lane from High Street to the entrance of the proposed development.
 - Children use the Lane to go to and from school and the recreation ground. The Lane would have to be altered and there is no room for a footpath at the moment. Essex County Council had the Lane as a footpath on the Definitive Footpath Map until 13 years ago and only changed the classification when they discovered that they had adopted the Lane.
 - The splay onto the high street is dangerous and would require altering. Which could mean losing on road parking?
 - A better entrance would be through the strip left for this purpose in Moreland Close, which would require a change to the design.
 - The three storeys would be out of character to the houses and bungalow next door to the development.
 - The proposed play street, which contains a parking bay, is in the entrance road to the site and therefore dangerous for play.
 - The trees in the plans at the entrance will block the line of vision onto the Lane.
 - Dust carts have a problem getting into the site at present and will they have better access and exit onto the proposed development.
 - In line parking could prove difficult and there are no visitor parking spaces.
 - As no stated garden sizes we take it that they comply with Rochford's development policy on size.
 - Despite what the developer states in their application a complete decontamination of site will have to be carried out and this will increase the number of lorry movements to site and cause noise, dust and disturbance to neighbours, therefore a working time would have to be agreed and lorry wheel wash agreed. Also the parking of workers' vehicles will have to be agreed.
 - Sewage pipe would have to be replaced and run checked.
 - Lane used as an overflow car park for British Legion therefore parking regulations will have to be brought in and policed.

4.2 Highways (ECC)

- Essex County Council as Highway Authority does wish to raise an objection to the proposal as submitted for the following reasons:-

1. Little Wakering Hall Lane at its junction with the access road is currently 4.4m wide and therefore of sub-standard width. The Highway Authority requires this to be a minimum of 4.8m wide to ensure vehicles accessing the site can do so in a safe and controlled manner. The increased width of the carriageway shall be provided from the land within the applicant's control.
2. The changes to the carriageway layout and mews court access will require vehicle tracking to ensure all vehicles visiting the site can do so in a safe and controlled manner and ensure no overrunning of junction occurs in the interest of highway safety.
3. The mews court providing access to the proposed development shall be 4.8m wide along its entire length and conclude in a type 3 turning facility.
4. The overhanging structure located between plots 7 and 8 is considered to be a risk to the public, particularly with regard to its future maintenance and therefore should be removed in the interests of highway safety.

REVISED CONSULTATION RESPONSE

- The Highway Authority would not wish to raise an objection to the above application, subject to the following conditions:-
 1. Land under the applicant's control shall be used to provide a minimum carriageway width of 4.8m on Little Wakering Hall Lane along the entire site frontage.
 2. The proposed estate road at its junction with Little Wakering Hall Lane shall be laid out to the appropriate junction geometry and visibility requirements in accordance with the Essex County Council Design Guide.
 3. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
 4. 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.
 5. 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.

6. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
7. 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 in accordance with the Essex Design Guide.
8. The carriageway(s) of the proposed estate road(s) 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(s). 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 upstands 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.
9. The proposed bellmouth junction with the existing highway, inclusive of cleared land necessary to provide the visibility splays, shall be constructed up to and including at least road base level and be available for use prior to the commencement of any other development, including the delivery of materials.
10. 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.
11. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.
12. Each tandem vehicular parking space shall have minimum dimensions of 2.9 metres x 11 metres to accommodate two vehicles.

13. Prior to the commencement of the development the details of the number, location and design of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient and covered and provided prior to occupation and retained at all times.
14. 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 All Essex scratch card tickets (a minimum of 10).
15. No beneficial occupation of the development shall commence until such time as the bus stops located in High Street, Great Wakering, close to the junctions of High Street with Alexandra Road and Brougham Close, have been re-constructed to include appropriate infrastructure provided entirely at the developer's expense.

4.3 Education Provision (ECC)

- We are satisfied that there is likely to be sufficient early years, primary and secondary places to meet the needs of the proposed development. Although the development is over 3 miles from the catchment secondary school no contribution towards school transport is sought.

4.4 Urban Design (ECC)

- The increased garden sizes and number of parking spaces relative to the previous scheme appear to have been achieved by decreasing the space in the public realm and by adopting narrower deeper plan forms for the housing. The front gardens to the units at the end of the cul-de-sac have been omitted resulting in a hard edge to this space but an additional tree has been provided in front of plots 6 and 7. The road and parking spaces are now right up against the southern boundary in places, with little space for landscaping and thought will need to be given to boundary treatment, perhaps using climbing plants. The choice of varied surface materials will be critical to the appearance of the public realm, which is predominantly hard surfacing.
- Unfortunately there are no street elevations showing the relationship of house types linked together. On the site section drawings, the two and a half storey houses with a deep span appear to be quite high in relation to the two storey housing and the space in the public realm. This height ratio and the lack of space for soft landscaping in the public realm, which is especially needed along the southern boundary, appears to be an indication of over-development of the site.

Revised Consultation Comments

Layout

- The 3.7 adoptable widths of the Mews Court are too narrow – normally a minimum width of 4.8m is required. I would suggest that the road is taken to 0.5m away from the frontages of Plots 2 to 5 – trees could be in the carriageway, subject to the appropriate root protection and agreement of ECC Highways [we have adopted trees in carriageways at New Hall so there is a precedent]. This will mean there is a shortfall in the parking and so a unit may have to be lost.
- Along the southern boundary the fencing to the bungalow will be highly visible. This is not an attractive edge and there seems little scope for substantial planting to screen the fence, therefore this boundary should be walled.
- A greater degree of enclosure should be achieved around the turning head. If car ports were orientated to face the main carriageway and wrapped around the turning head this would provide for a better enclosure to the space.
- In terms of the treatment of the carriageway it appears a variety of different colours / materials are proposed. I would suggest some rationalisation of the finishes to avoid the ground surface appearing too much a patchwork of colours / finishes.

House Types

- The house types are reasonably attractive though perhaps there is too much a mixture of façade treatments and detailing for a small site so I would suggest that the rustication on unit seven is omitted.
- I note that there are a number of two and a half storey units. In principle I have no objection to these units provided they are no taller than the roof of the club on the High Street. Sections are provided but I am not certain as to their accuracy as the 2.5 storey houses seem to be the same height as the two storey houses on Plots 4 to 7. As the unit numbers do not correspond with the plot numbers I consider street scenes [at a scale of not less than 1:100] to be essential. Further commentary can then be provided on a number of matters relating to the treatment of the elevation and the relative height of the buildings.
- One other point is that the side elevation of house type one, facing the Mews, has windows placed on both sides of the centre line of the gable. To avoid a problem with duality windows should be centrally placed to reinforce the axis of the gable [see page 93 of the EDG 2005].

4.5 Environment Agency

No objection; the Environment Agency considers that the controlled waters at this site are of low environmental sensitivity, therefore will not be providing site-specific advice or comments with regard to land contamination issues for this site. It is recommended that the requirements of PPS23 are followed.

4.6 Environmental Protection (RDC)

No objection, subject to the following conditions:-

Model Planning Conditions for Development on Land Affected by Contamination:

1. Site Characterisation.
2. Submission of Remediation Scheme.
3. Implementation of Approved Remediation Scheme.
4. Reporting of Unexpected Contamination.
5. Long Term Monitoring and Maintenance.

4.7 Waste and Recycling (RDC)

As long as the new buildings are houses, we can generally accommodate three bins for each property. It is only where flats are proposed that waste storage may become more of an issue.

4.8 Anglian Water

- Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary. The foul drainage from this development is in the catchment of Southend STW that at present has available capacity for these flows.
- The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option. Planning Policy Statement 25: Development and Flood Risk emphasises the role of SUDS and introduces a presumption that they will be used in all developments. Building Regulations 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 water course and then connection to a sewer. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency and that, if minded to approve, the following condition is attached:-

No development shall commence until a surface water strategy/flood risk assessment 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 surface water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

4.9 Historic Buildings (ECC)

- The site is well outside the Conservation Area, but it is close to three Listed Buildings on the High Street. The curtilage of Numbers 194-6 and 198 abut the site. The application is for outline permission only; I would not wish to make a recommendation on this type of application in a conservation situation. My concern is with the actual appearance of the new buildings and how they might affect the setting of the Listed Buildings. However, I would comment that as the site is presently occupied by industrial-type sheds, I do not anticipate a new residential development having a detrimental impact on the setting of the nearby Listed Buildings.

4.10 Engineering (RDC)

- Limited pedestrian access along Little Wakering Hall Lane. Restricted junction Little Wakering Hall Lane and no public foul sewer in the immediate vicinity of the site.

Second Consultation Response

- No public foul sewer immediately available to the site. Public surface water sewer discharges to ditch, therefore spare capacity within ditch system needs to be checked to confirm adequate for receiving discharge from the proposed development.

4.11 Neighbours

8 letters of objection received from the occupants of properties on High Street and Twyford Avenue. Following re-consultation in relation to the receipt of amended plans 4 additional letters of objection received, making comments previously noted and summarised below.

Summary of the Comments Received:-

- Concern about potential for overlooking from the proposed development to the rear of properties on and to properties on High Street.
- Concern regarding demolition of existing buildings and asbestos and soil contamination from the existing car repairs business on the site and old factory workings.
- The proposal would amount to over-development.
- Two previous applications have been refused and little has changed on the current application other than the reduction of 2 bedrooms across the entire

site.

- Grave concerns regarding the road access to and from the site, with the access to the Lane and High Street very dangerous at the best of times, the lane very narrow and concern that street lighting is not good along the lane that would be used to access the site.
- Width of Lane not suitable for traffic likely to come from the site; two vehicles cannot pass safely as well as there being a public footpath in the lane.
- The only suitable access to the site would be through Morelands Close where a gap has been left for future development access.
- The junction with the High Street has no bell-mouth with sight lines limited making it dangerous.
- The lane is already over-used providing access to the football club, allotments and other buildings and traffic would increase with the proposed development.
- The lane has no footways and no space for any making it dangerous for pedestrians, including children, from the proposed development.
- Whilst I do not have objections to a development on this site, my objections are to the access to and from the development. Little Wakering Hall Lane is just a lane, a former cart track. There are not any pavements and not enough space for 2 cars to pass, with no facility to widen this lane. The lane is busy when there is a football tournament at the Football Club and they provide stewards to man the exit. The junction onto the High Street is a blind spot with cars parking either side of the junction and a bus stop approximately 20 metres from the junction. There is not a clear view when turning either left or right from the lane. Even walking from the allotments is hazardous at times. This lane is therefore not suitable as an access road for any development. There have been many minor accidents at this junction. Maybe a survey and visit from a Highways representative would be appropriate.

1 letter of support received from occupants of a property on Rushley Close. Following re-consultation in relation to the receipt of amended plans 1 additional letter of support was received making a comment along the lines of that below.

- As such I have no objection to the planning; it will in any event be better to look over than the overgrown yard we have at the moment.

5 MATERIAL PLANNING CONSIDERATIONS

- 5.1 Since the consideration and determination of the previous proposals at the site, the Council's Core Strategy 2011 has been adopted. Relevant policies within this must now be considered.
- 5.2 The current proposal is the same, in principle, as the two previously refused schemes. The applicant has, however, made further amendments in an attempt to achieve an acceptable form of development. Several of the amendments listed below have occurred throughout the current application process with the submission of revised plans:-
- Increased provision of on-site parking;
 - Slight changes to the positions of some dwellings involving the movement of the dwellings to plots 4 and 5 rearwards by approximately 1.7 metres and the movement of the dwellings to the eastern boundary rearward to allow for a narrow strip of landscaping to the front of these dwellings;
 - Amendment to the parking layout including the provision of disabled bays;
 - Amendment to the position of some bin store areas;
 - Increase in width of the access road;
 - Changes to the external appearance of some dwellings resulting from a reduction in the palette of materials to be used; and
 - Removal of the first floor overhang above the northern part of the turning head.
- 5.3 Although both previous applications were refused the reasons for refusal did not relate to the principle of residential development of the site, which remains acceptable as there have been no policy changes that warrant a different view being taken; the site is allocated for residential development in the adopted Local Plan.

AMENITY SPACE

- 5.4 Each of the 2-bed dwellings proposed would benefit from the required 50 square metres of amenity space. Each of the nine, 3-bed terraced properties would benefit from an area of amenity space that would have a minimum depth of at least 2.5 x the width of the proposed dwelling to a minimum of 50 square metres in compliance with policy. The one 4-bed dwelling would benefit from in excess of 100 square metres, also in accordance with policy. All garden areas would offer a useable amenity space.

PARKING PROVISION

- 5.5 The adopted parking standard requires a minimum parking provision of 2 spaces per dwelling, plus visitor parking provision at 0.25 spaces per dwelling. This would equate to a total parking provision requirement of 30 spaces. Each space must also meet the preferred bay size of 5.5 by 2.9 metres. 30 spaces are shown proposed on the submitted layout plan, each to the required bay size, which would meet this policy requirement. Although two of the visitor spaces are shown to be on-plot, this is not considered problematic as three other visitor spaces would be provided catering adequately for the 11 dwellings, which would otherwise benefit from 2 spaces each.
- 5.6 The parking standard would also require 3 of the visitor spaces to meet the disabled bay space standard of 6.9 by 3.9 metres. 4 disabled bays are proposed.
- 5.7 In an earlier iteration of the layout plan submitted with this application the applicant showed three parking spaces positioned directly in front of the part of the terrace running east-west. Although footpath access to the front doors of all properties within the terrace would have been achieved it was felt that parked cars in these positions would dominate and detract from the amenity of occupiers of these properties and from the street scene close to the entrance to the site and give rise to an awkward arrangement, which would likely impede easy access to these dwellings.
- 5.8 The applicant has amended the plans in the course of the application such that only two parking spaces are now proposed to the front of part of this terrace, directly to the front of three of the dwellings in the terrace.
- 5.9 Only one dwelling in the terrace would, however, have a parking space positioned directly in front of it that would not be for its own use. This parking space would, however, only partly extend across the front elevation and as such this is not considered to be an unreasonable relationship, particularly given the increase in separation between the parking space and the front elevation, which has been achieved by the setting back of the dwellings to plots 4 and 5.
- 5.10 The reduction in the number of spaces positioned directly to the front of dwellings has also helped to overcome the over-dominance of parked cars to the street scene. The landscaped space to the front of plots 2 and 3 would help to soften and make more attractive the appearance to the site.

RELATIONSHIP TO ADJOINING PROPERTIES

- 5.11 Although layout is not a matter for determination, the width and depth of each building proposed is a matter for determination (scale) at this outline stage and it is considered unlikely that a markedly different layout could be achieved at the site from that shown on the submitted layout plan. The positions of the proposed dwellings shown on the submitted layout plan are, however, very

similar to that proposed and considered not to be objectionable in the determination of the earlier proposal 10/00152/OUT.

- 5.12 The positions of the proposed dwellings is such that rear gardens would adjoin existing residential development; the main exception to this being the position of the detached bungalow at Peace Havens, the northern flank of which would fall adjacent to the proposed access road. In the earlier proposal this relationship was considered acceptable, not giving rise to a sufficient degree of harm such as to warrant refusal, given the opportunity to provide a suitable boundary treatment to this property and given the potential existing vehicular use, including delivery lorries, that arises from the existing use of the site.
- 5.13 Although the orientation of the proposed houses is shown to create a back to back relationship with the residential development to the north within Rushley Close, a minimum of 25 metres would be achieved between the new and neighbouring houses, which is considered acceptable.
- 5.14 The separation distance of the proposed dwellings to the boundary with No. 3 Morelands is slightly greater than was shown on the previous scheme and considered adequate. The potential for overlooking to the rear of No. 3 Moreland Close was not considered to be objectionable such as to warrant refusal in the original scheme given that views would be angled at 90 degrees.

SCALE AND APPEARANCE

- 5.15 Scale and appearance were not matters for determination in the previous schemes. The proposal would create a predominantly two storey development with a limited frontage along Little Waking Road. The three storey element would be set back within the site. Whilst the proposal would introduce additional mass and height to some areas of the site compared with the existing commercial buildings, the proposed houses would be positioned significantly further away from the site boundaries in comparison with the existing warehouse buildings, which are of a substantial size and are of a greater height (12.77 metres) than the maximum height of the proposed houses.
- 5.16 The width of individual dwellings would vary between approximately 4.4 metres and 5.8 metres.
- 5.17 The maximum ridge heights of the dwellings proposed had increased progressively over the submitted schemes, from approximately 9 metres to 9.45 metres and then to 9.8 metres in the earlier iteration of the current scheme. It was considered that dwellings at a maximum height of 9.8 metres height would appear high, especially in relation to the space within the public realm provided, which would largely be devoid of soft landscaping. It was considered that the substantial height of the dwellings would be exacerbated by the tightly compact layout and that at the height proposed the development

would feel imposing and out of character with the surrounding area, which includes a bungalow in close proximity to the south-western boundary. The county urban designer had also advised that the height ratio and the lack of space for soft landscaping in the public realm appear to be indications of over-development of the site.

- 5.18 In response to these concerns the applicant has amended the proposal such that the height of dwellings now varies between approximately 8.05 metres to a maximum of 9 metres. At a maximum height of 9 metres the development is considered to be acceptable.
- 5.19 In terms of appearance, the external built form of the development, its architecture and materials are considered acceptable.

HIGHWAYS/ACCESS TO THE SITE

- 5.20 Little Wakering Hall Lane is an adopted unclassified road and the Highway Authority has no objection to the proposed access from it, subject to the appropriate widening of the bell mouth into the site. Access off Little Wakering Hall Lane was not considered objectionable in principle in the determination of the previous scheme and there is no reason to warrant a different view with regard to this in the determination of the current application.
- 5.21 Whilst the Highways Authority has raised an objection to the overhanging structure located between plots 7 and 8 on the basis that this structure is considered to be a risk to the public, particularly with regard to its future maintenance, this was a feature of the first proposal where no objection was raised in relation to it. The applicant has, however, decided to remove this structure from the proposal thus removing the highways concern.
- 5.22 The Highways Authority has no objection to the now proposed width of the access road through the site, which would achieve a 4.8 metre width along the majority narrowing to 4.2 metres for a short section.

SUSTAINABILITY

- 5.23 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 de-centralised and renewable or low carbon sources unless this would not be feasible or viable. Unfortunately no information has been submitted with the application in respect of these matters. However, it is considered that if outline planning permission were granted these requirements could be secured by planning condition.
- 5.24 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. Whilst a concern had been raised that no information had been submitted with the application to demonstrate the use of such a system on the site this has been overcome as the applicant has submitted indicative

drainage information to demonstrate how appropriate drainage could be utilised.

ECOLOGY

- 5.25 No objection was raised to the previous applications with regard to ecology and there has been no change in policy or other material considerations such as to warrant a different view being taken with regard to ecology in the determination of the current proposal.

CONTAMINATION

- 5.26 Given the site's previous uses it is considered likely that there may be soil contaminants present, albeit at a relatively low level. A planning condition could be imposed to require remedial action as necessary following site investigations, which was suggested and accepted in relation to the earlier application.

REFUSE STORAGE

- 5.27 All but five of the proposed dwellings would be able to store refuse bins in the rear garden and have access directly from the rear garden to the street to enable householders to put the bins out for collection easily. Other properties would have use of refuse stores off-plot and this is considered to be an acceptable solution given the relatively small scale of development.

6 CONCLUSION

- 6.1 The principle of re-development of the site for residential purposes at the scale proposed is acceptable. The proposal now demonstrates parking provision to meet the adopted parking standard including disabled bay spaces.
- 6.2 At the quantum and scale of development proposed the overall design of the scheme is considered to be acceptable. The height of dwellings proposed, now reduced to a maximum of 9 metres, is considered acceptable.

7 RECOMMENDATION

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

To **APPROVE** planning permission, subject to the following conditions:-

- 1) Plans and particulars showing precise details of the layout and landscaping of the site, (herein after called the "Reserved Matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. All development at the site shall be carried out in accordance with the 'Reserved Matters' details approved.

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- 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.
 - 3) Prior to the commencement of development details, including a plan showing areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials identified clear of the highway, shall be submitted to and approved in writing by the Local Planning Authority. Development shall commence and be undertaken in accordance with the approved details for the storage of materials.
 - 4) Prior to the commencement of development 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 de-centralised 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 relate and retained thereafter.
 - 5) No development shall commence, before details of all external facing (including windows and doors) and roofing materials to be used in the development, have been submitted to and approved in writing by the Local Planning Authority, including samples where necessary. Such materials as may be agreed in writing by the Local Planning Authority, shall be those used in the development hereby permitted.
 - 6) Prior to commencement of construction details, including plans and materials of the pergolas to cover the parking courts as identified on the plan date stamped 29 MAY 2012, shall be submitted to and agreed in writing by the Local Planning Authority. The pergolas shall be constructed in accordance with the agreed details prior to occupation of any dwelling on the site and retained in the approved form thereafter.
 - 7) As part of the landscaping 'Reserved Matters' application the following details will be submitted for consideration:-
 - schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted;
 - areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;

- paved or otherwise hard surfaced areas and materials for use in such;
- means of enclosure and other boundary treatments;

landscaping as agreed shall be implemented 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.

- 8) Prior to occupation of any dwelling at the site details, including plans of the refuse/cycle stores, shall be submitted and agreed in writing by the Local Planning Authority. The refuse and cycle stores shall be implemented on site, as agreed and retained thereafter in the approved form.
- 9) Land under the applicant's control shall be used to provide a minimum carriageway width of 4.8m on Little Wakering Hall Lane along the entire site frontage. This widening of the carriageway shall take place prior to occupation of any dwelling within the site and retained in this form thereafter.
- 10) The proposed estate road at its junction with Little Wakering Hall Lane shall be laid in accordance with details which shall have been previously submitted to and agreed in writing by the Local Planning Authority to include appropriate junction geometry and visibility requirements.
- 11) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 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 shall be provided at the commencement of the development and maintained during the period of construction.

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- 14) The carriageway(s) of the proposed estate road(s) 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(s). 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 highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands 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) The proposed bellmouth junction with the existing highway, inclusive of cleared land necessary to provide the visibility splays, shall be constructed up to and including at least road base level and be available for use prior to the commencement of any other development including the delivery of materials.
- 16) No development shall commence until a surface water strategy including flood risk assessment 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 surface water strategy so approved unless otherwise approved in writing by the Local Planning Authority.
- 17) Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risk associated with the contamination of the site shall be submitted to and approved in writing by the Local Planning Authority:-
- 1) A preliminary risk assessment which has identified:-
 - a. All previous uses
 - b. Potential contaminants associated with those uses
 - c. A conceptual model of the site including sources, pathways and receptors
 - d. Potentially unacceptable risks arising from contamination of 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 site investigation results and detailed risk assessment (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 (3) are complete and identifying requirements for longer-term monitoring of pollutant lineages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved.

- 18) 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 lineages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.
- 19) Prior to commencement of the development, the road junction at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres to the site boundary to the north and, 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.
- 20) The proposed development shall not be occupied until such time as the vehicle parking area indicated on the site layout plan date stamped 29 MAY 2012 has been hard surfaced, sealed and marked out in parking bays each measuring 2.9 by 5.5 metres save for the disabled bays, which shall be provided to the dimensions as scaled from the aforementioned plan. The vehicle parking areas shall be retained in this form at all times. The vehicle parking spaces across the site shall not be used for any purpose other than the parking of vehicles that are related to the use of the development in perpetuity.
- 21) 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 to each dwelling on the site.



Shaun Scrutton

Head of Planning and Transportation

Relevant Development Plan Policies and Proposals

EB3, HP6, HP10, HP14, Rochford District Replacement Local Plan 2006

T8, T3, T1, ENV8, ENV9, ENV4, H6, H5, Rochford District Core Strategy 2011

National Planning Policy Framework (NPPF)

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

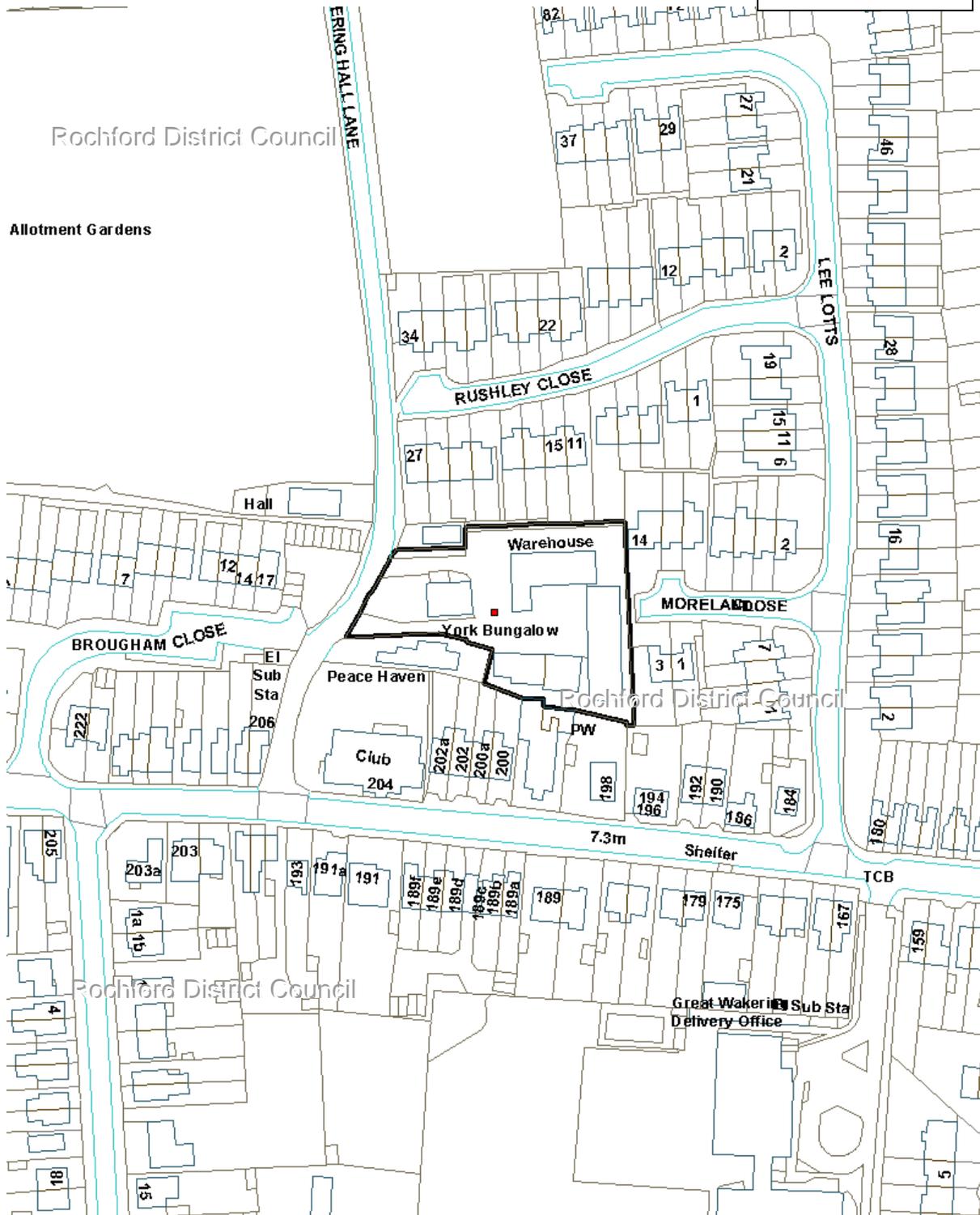
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