

**16/00668/OUT**

**LAND BETWEEN STAR LANE AND ALEXANDRA ROAD,  
SOUTH OF HIGH STREET, GREAT WAKERING, ESSEX**

**OUTLINE APPLICATION FOR A RESIDENTIAL  
DEVELOPMENT OF UP TO 180 DWELLINGS WITH ALL  
MATTERS RESERVED EXCEPT ACCESS**

**APPLICANT:** **TAYLOR WIMPEY EAST LONDON LTD & SWAN HILL HOMES LTD**

**ZONING:** **ALLOCATED SITE SER9b**

**PARISH:** **GREAT WAKERING PARISH**

**1 INTRODUCTION**

- 1.1 The application site covers a gross area of approximately 8.83ha of arable agricultural land to the south of Great Wakering. The proposed development will amount to up to 180 residential units, of which 63 units will be made available for affordable housing.
- 1.2 The application site is allocated for housing within the adopted Rochford Site Allocations Plan (2014) and it is identified as one of three housing allocations within Great Wakering. The application site is identified within the Allocations Plan as Site SER 9b. The brick works section of the allocation was the subject of a reserved matters approval granted on 26 June 2015, for the development of 116 residential units. The development of the brick works site is currently under construction by Taylor Wimpey East London, once complete, the former brick works development will provide the sole vehicular access/egress to the application site.
- 1.3 The Allocations Plan, which was the subject of extensive consultation, identified the precise locations for all forms of development required, allocating individual sites to meet the Council's housing growth requirements set out in the Core Strategy. In the case of the allocations proposed for Great Wakering, three sites were identified, one being a "brown field" location, namely Star Lane Brick Works and Star Lane Industrial Estate, referenced BFR1. The other two sites were Green Belt releases, Site SER 9a (Land west of Little Wakering Road) and the application site, SER 9b.

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- 1.4 It is expected that Phase 1 of the brick works development will be completed towards the end of 2017 and would, if permissions are granted, roll onto the application site (Phase 2) to commence development in early 2018. An approval for this outline application will then be followed with reserved matters submissions during the course of 2017, in order to meet this programme.
  - 1.5 The applicants commissioned planning consultants to undertake a Housing Land Review of the District to assess the current rates of delivery. This Housing Review is submitted in support of the application and it outlines the evidence in support of the early release of the application site. Whilst this is an outline planning application, it is not expected that development of the site can commence until at least 2018, with projected construction of circa 50 dwellings per year, and it is estimated that the development would not be completed until 2022 at the earliest.
  - 1.6 The current planning application is supported by a number of technical and environmental studies, along with an “Illustrative Layout”, which demonstrates how the site might be developed. The illustrative plan has no legal status, but is submitted as an indicative tool.

## **2 THE APPLICATION SITE**

- 2.1 The application site is irregular in shape and extends to some 8.83 hectares in area. The land is presently in arable agricultural use and is situated on the western edge of the settlement of Great Wakering, directly south of the High Street. To the west, the site is bounded by Star Lane Industrial Estate, beyond which is Star Lane. To the south west is the former Star Lane Brick Works, which is now a housing development, presently under construction by Taylor Wimpey East London.
- 2.2 Directly south of the application site is Star Lane Pits, which are designated as a Local Wildlife Site (LWS) referenced (site R35). The wildlife site is a collection of former clay pits and a mosaic of scrub, rough grassland and aquatic habitats. The pits or lakes are stocked with fish and are a notable site for fishing syndicates.
- 2.3 To the east is an area of scrubland, which is not formally part of the wildlife site, but is understood to be of some ecological value. Beyond the scrub are the gardens and properties of Alexandra Road. Directly north of the application site are the gardens to residential properties, which line the south side of the High Street.
- 2.4 The application site is bounded by strong hedgerow planting on almost all of its boundaries. The hedgerows contain a number of trees and in some cases sections of drainage ditch. These features on the edges of the site are to be retained and where possible enhanced. Additional planting to create dense landscape buffers on the site boundaries will form part of the development proposals, particularly where the site abuts existing residential property and the industrial estate.

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- 2.5 A public footpath runs east to west towards the south of Star Lane Pits, between Star Lane and Alexandra Road. This footpath (route 284) is not directly affected by the proposals and will be maintained and where necessary improved. New public routes will be created within the development and in carefully chosen locations in and around the wildlife site; any new routes in this area will be chosen sensitively with the benefit of ecological advice.
  - 2.6 The application site is presently accessible from the south via Star Lane and to the north, onto the High Street. The development will have a sole vehicular access/egress from Star Lane, through the housing development on the former brick works (Phase 1). The northern access onto the High Street will be formalised and only accessible to emergency vehicles. This route will, however, have an enhanced pedestrian/cycle access, which will allow residents to access the heart of Great Wakering village.

### **3 PLANNING APPLICATION DETAILS**

- 3.1 The planning application is submitted in outline with all matters reserved except access. The applicants are seeking approval in principle to develop the site for up to 180 residential units and for the site access to be granted detailed consent. This will leave the approval of the appearance, final layout, landscape and scale to be decided at a later date, when further applications (the reserved matters) will be submitted to the Council.
- 3.2 As the scheme is submitted in outline, there are few formal plans. However, the applicants have prepared an illustrative layout and submitted some illustrative sections and typical street scenes. The illustrative layout indicates a form of development of the site, which conforms to urban design principles, highway guidance and illustrates each of the 180 homes, with garden and parking provision. The applicants do not seek formal approval of this layout; it is primarily submitted to illustrate that the site area is capable of accommodating the quantum of housing proposed, in a form that will meet parking, garden size, highway and public open space standards and policy requirements.
- 3.3 The layout also illustrates a mix of units from 2-bed to 5-bed. Whilst there is no formal requirement for the submission of detail, the applicants' Design and Access Statement submitted in support of the application provides information relating to how the site will connect to the settlement, the size and types of homes proposed, how the scheme has evolved, the possible design of dwellings and some illustrative street scenes. In addition, it suggests a possible mix of units and provides information in respect of surface water drainage.

#### Affordable Housing

- 3.4 A scheme of 180 residential units means that these proposals will be qualifying development for the provision of affordable housing as required by Policy H4 of the Core Strategy. Policy H4 requires 35% of all developments that exceed 10 units to make provision for affordable homes. In this case, the

development will make provision for some 63 affordable homes across the site, which will be secured via a legally binding Planning Obligation (s106 agreement). Policy H4 also requires that the affordable housing units provided will be split between homes for affordable rent (80%) and homes for shared ownership (20%).

- 3.5 The final mix of units and the type of affordable homes required will need to be agreed with the Council's Housing Officers, in order that they meet up-to-date local housing needs. However, the site can make provision for a wide range of unit sizes and types to match units to the needs of local residents.
- 3.6 The supporting technical and environmental submissions are as follows:-

Design and Access Statement	CMYK Planning and Design
Planning Statement	Pomery Planning Consultants Limited
Archaeological Desk Based Assessment	CGMS
Flood Risk Assessment	Stomor LTD
Sustainable Drainage Strategy	Stomor LTD
Transport Assessment	Stomor LTD
Foul Drainage Strategy	Stomor LTD
Ecology Reports	Middlemarch Environmental
Landscape Strategy	ACD Environmental
Energy Statement	Environmental Economics
Housing Land Review	Barton Wilmore
Arboricultural Assessment	ACD Environmental
Noise Assessment	Cass Allen
Health Impact Assessment	Strutt and Parker
Archaeological Desk Based Assessment	CGMS

Public Engagement and Pre-Application Discussions

- 3.7 The applicants and their advisers attended a briefing with Great Wakering Parish Council, where an indicative scheme of 191 units was tabled (a

reduction from the 201 units originally contemplated). The briefing provided an opportunity to address questions from Parish Councillors in respect of the potential impact of the proposals on the local wildlife site, site access arrangements and how and where s106 funds could be spent<sup>1</sup>.

- 3.8 A formal public consultation event took place on 25 April 2016, at the Great Wakering Memorial Hall, which was attended by some 156 people, of which 88 provided feedback. The nature of the feedback and how it has shaped the final proposals is set out in a Statement of Community Involvement Report, which is submitted as part of the application.
- 3.9 The indicative scheme displayed at the consultation event indicated a scheme of 191 residential units. However, following the consultation exercise, it was further reduced to 180 units. The reduction in the number of dwellings proposed has, therefore, decreased from 201 to 180.

Flood Risk Assessment

- 3.10 Stomor Ltd was been commissioned by Taylor Wimpey East London, a division of Taylor Wimpey UK Limited, to prepare a Flood Risk Assessment (FRA) associated with the development proposals in Great Wakering. It concludes that there is no flood risk to the application site and no increased risk of flooding elsewhere.

Landscape and Ecological Management Issues

- 3.11 The Preliminary Ecological Assessment identified four European statutory sites within 5 km of the application site, one UK statutory site within 2 km and three non-statutory sites within 1 km. The five statutory sites, Foulness Special Protection Area (SPA) and Ramsar Site, Essex Estuaries Special Area of Conservation (SAC), Benfleet and Southern Marshes SPA and Ramsar Site, Crouch and Roach Estuaries SPA and Ramsar Site, and Foulness Site of Special Scientific Interest (SSSI) are situated 1.30 km north, 1.30 km north, 2.8 km south west, 3.2 km north west and 1.3 km north of the proposed development site, respectively. Of the three non-statutory sites within 1 km of the site, the closest is Star Lane Pits Local Wildlife Site (LWS), which is located adjacent to the site boundary.
- 3.12 The applicants commissioned ecologists, Middlemarch Environmental Ltd, to assess the proposal in relation to the possible impact of the development on the LWS. Middlemarch has produced an Outline Landscape and Ecological Management Plan (LEMP) in order to ensure the long-term biodiversity value of the LWS is maintained. This information was submitted to support the planning application associated with the re-development of the site for housing. The illustrative master plan indicates that the site will mainly comprise residential housing, and that Star Lane Pits Local Wildlife Site

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<sup>1</sup> It is a matter for the Local Planning Authority to determine how mitigation funds arising from a Section 106 Agreement should be allocated. The views of the local community will help inform that decision.

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(LWS) adjacent to the south of the site boundary will be retained. The drainage plans indicate that drainage from the site will run into the ponds within the LWS to the south of the site, and that a balancing pond will be constructed to the south of the LWS.

3.13 Middlemarch Environmental Ltd has previously carried out a Preliminary Ecological Assessment at the site in 2012:-

- Preliminary Ecological Assessment (Report RT-MME-119852-01);
- Initial Badger Survey (Report RT-MME-119852-02);
- Water Vole Survey (Report RT-MME-119852-03);
- Invertebrate Survey (Report RT-MME-119852-04);
- Reptile Survey (Report RT-MME-119852-05);
- Great Crested Newt Habitat Assessment and eDNA Sampling (Report RT-MME-119852-06);
- Breeding Bird Survey (Report RT-MME-119852-07);
- Winter Bird Survey (Report RT-MME-119852-08);
- Daytime Bat Survey and Nocturnal Emergence Survey (Report RT-MME-120478);
- Preliminary Bat Roost Assessment, Report RT-MME-122103-01; and,
- Habitat Regulations Assessment: Stage 1 Screening Report (Report RT-MME-121553).

3.14 A Draft Management Plan was produced in September 2016 and meetings held with the applicants and the local Angling Club in order to consider the management proposals and to discuss future management options for the Star Lane Pits LWS area. The Final Management Plan was produced taking into account the views of the local Angling Club, which has since agreed to take responsibility for the continued management of the LWS, in accordance with the Plan.

3.15 The aim of the Management Plan is to ensure protection and appropriate management of existing areas of dense scrub and neutral semi-improved grass land within the LWS to ensure that the LWS continues to provide diverse habitats of value to a range of faunal species. Specific objectives were drawn up in order to direct the future management of the space:-

1. Protect and enhance the scrub and grass land habitats within the LWS.
2. Avoid disturbance to nesting birds during habitat management.
3. Provide suitable habitat for a range of mammal, invertebrate, bird and bat species.
4. Manage the LWS whilst accounting for increased visitor numbers resulting from the proposed residential development.

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5. The management plan will ensure that the proposed development does not have an adverse effect on the habitats within the LWS.
- 3.16 The Management Plan also aims to enhance the LWS, and the site in general, for a wide range of faunal species, including bats, birds, invertebrates, water voles, hedgehog and herpetofauna; the following measures are recommended:-
- Installation and maintenance of 12 bat boxes and 12 bird boxes;
  - Installation and maintenance of 4 invertebrate boxes;
  - Creation of gaps in impenetrable boundaries to allow hedgehog movement and the installation of two hedgehog boxes for breeding and hibernation;
  - Creation of a hibernaculum for herpetofauna;
  - Creation of a more suitable habitat for water voles within the LWS by thinning marginal vegetation around the ponds not used for fishing, planting a pond bank grass land seed mix along the banks of these ponds, and installing a number coir rolls (length and location to be agreed at a later date); and
  - Creation of a log pile for invertebrates.
- 3.17 The Management Plan proposes measures, which will ensure protection of existing trees and provide and maintain native tree habitat to provide a diverse habitat of value to a range of faunal species. These measures include:-
1. Protecting mature trees at the site
  2. Avoiding disturbance to nesting birds during habitat management
  3. Providing suitable habitat for a range of invertebrate, bird and bat species
- 3.18 This management plan will help to ensure the long term health of trees on the site, as well as providing suitable habitat for a range of bird and invertebrate species, and potential roosting habitat for bats.

#### **4 CONSULTATION**

##### **RDC Tree Officer**

- 4.1 No observations.

**4.2 Great Wakering Parish Council**

Surface Water

- 4.3 "Much of the site stands on land that has been excavated to remove brick earth. There is therefore a considerable drop compared to the level with High Street and Star Lane. We are aware that this area is subject to surface water flooding, particularly in winter. The northern ditch is to be retained and a 1 metre pedestrian maintenance access is to be created on the south side of the ditch; this should be gated and secured.
- 4.4 It is proposed that the surface water from this estate runs into ponds and swales within the estate and then discharges into lakes in the wildlife site and thence to a "balancing pond" south of the wildlife site, which would discharge into the ditch that runs between the fields south of the wildlife site and we believe eventually runs to Friars Park. This will be very difficult with existing adverse levels between ground and ponds.
- 4.5 The flow of surface water from the proposed residential area needs to be controlled to ensure a satisfactory drain off into the wildlife ponds. At time of heavy rain fall or severe flooding there needs to be an emergency back up or bypass system to divert extra surface water from these ponds.
- 4.6 We note that ECC has stated that heavily restricted run off rate into the down stream water course should be provided. Extract from the Flood Risk Assessment Paragraph 6.3.2. "The existing lakes...Essex County Council Flood & Water Management has identified that long term storage should be provided, resulting in a heavily restricted run off rate into the down stream water course". The means of which have not been identified.
- 4.7 The west part of Milton Hall Close is lower than the rest of this estate as it was built on land from which brick earth had been extracted. Some properties are standing on land of a similar height to that where the proposed balancing pond is to be constructed. It is noted that Nos. 29, 31 and 33 could be affected and possibly more.
- 4.8 Some of these rear gardens are higher where they meet the field and give a false impression of the lie of the land. The measurement relative to Ordinance Datum of the houses needs to be assessed and taken into account in the design/plan of the balancing pond, or it may be necessary to site the balancing pond elsewhere.
- 4.9 The bank level of pond 11 (balancing pond) is 8.15 metres but there is no indication of measurement relative to Ordinance Datum of the houses 29, 31 or 33 in Milton Hall Close; are they above or below the balancing pond? More measurements relative to Ordinance Datum should be taken throughout the area south to Poynters Lane and west to Star Lane to assess the relative contours of this area.

- 4.10 The occupants are concerned that should the balancing pond become full, water from it could flood part of Milton Hall Close or their homes. They need to know that there is no possibility that this new pond will cause flooding to their homes".

**Ecology**

- 4.11 "The composition of the surface water from the estate will be very different to that from the existing arable land. We need to be sure that this will not have a detrimental impact on the wildlife site and the wildlife. There was a lot of concern that the wildlife will suffer as a result of chemicals used by residents of the new estate, which would seep into the wildlife area/ponds and adversely affect the wild plants, including orchids. Wildlife including badgers, water voles, other animals, invertebrates, bats, birds and reptiles may also be affected.
- 4.12 It may be that taking the surface water direct to the balancing pond and then to the ditch may reduce the chance of contaminating the wildlife ponds.
- 4.13 How will the traffic fumes affect the wildlife site? There needs to be a buffer larger than 5 metres between the wildlife site and the east/west road at the south of the estate. Traffic to the wildlife site needs to be carefully controlled to prevent joy riders dumping vehicles in the lakes or fly tipping.
- 4.14 The wildlife site should be an oasis of peace and tranquillity where wildlife and people co-exist, not a manicured noisy park. It cannot take loads of visitors without disturbing the wildlife and fragile eco system.
- 4.15 Who will be responsible for maintaining the SuDS system in good order, including suction sweeping of permeable paving in autumn after leaf fall? The future ownership and maintenance of water courses on the development needs to be established to ensure that riparian responsibilities are attributed correctly. Failure to notify property owners of their riparian responsibilities may lead to degradation of the existing water courses which in turn could jeopardise the drainage strategy for this site and possibly the wildlife.
- 4.16 Turtle doves were seen and photographed in 2012 but not noticed for the next couple of years. One was heard by the fisher men this year (2016) when on the syndicate lake. Kingfishers (have been) seen this year, also on the syndicate lake. Water voles which had not been seen during the last couple of years are back in the southern most lake; pictures were taken and are available".

**Chairman of Great Wakering Parish Council**

- 4.17 "In addition to the deep gravel pits and ponds at the adjacent wild life area there are no less than eleven ponds within SER9b (Phase 2). Is this widely known? Will this become the Venice of Wakering? Unless this water is pumped, how will this water be raised to the normal ground level?

- 4.18 Land surface heights are expressed as heights above Mean Sea Level in ordnance survey terms, which are not necessarily the same as the Ordnance Datum. It is widely known locally that this area is very unstable in water content terms. The water table is not far down. Will these new houses have traditional foundations or will they be piled or built on rafts? It would be helpful to know”.

**Sport England**

- 4.19 The proposed development is not considered to fall either within our statutory remit (Statutory Instrument 2015/595), or non statutory remit (National Planning Policy Guidance Paragraph 003 Reference ID: 37-003-20140306) upon which we would wish to comment, therefore Sport England has not provided a detailed response.

**ECC Archaeological Assessment**

- 4.20 The proposed development lies within an area of archaeological potential. The Historic Environment Characterisation for Rochford highlights the high potential of unquarried areas of brick earth for archaeological remains from the Late Bronze Age onwards. Although the Archaeological Desk Based Assessment recognises potential in this area, it assumes that the whole area has been quarried, for which we have no evidence. Aerial images from 2009 on Google Earth show clearly natural and potentially other features and not restored land. In view of this the following recommendation is made in line with the National Planning Policy Framework.

**4.21 Recommendation: Full Condition**

'No development or preliminary ground works of any kind shall take place until the applicants have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicants and approved by the local planning authority'. The archaeological work will comprise evaluation trenches followed by excavation if features are identified. A professional archaeological contracting team should undertake any archaeological work.

An archaeological brief outlining the methods of investigation can be issued from this office (on request).

**NHS England**

- 4.22 NHS England would not wish to raise an objection to the proposed development, subject to appropriate mitigation.
- 4.23 In its capacity as the primary health care commissioner, NHS England has identified that the development will give rise to a need for additional primary health care provision to mitigate impacts arising from the development.

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- 4.24 The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development. NHS England and the CCG look forward to working with the applicants and the Council to satisfactorily address the issues raised in this consultation response.

### **Natural England**

- 4.25 Natural England acknowledges the applicants have had pre-application discussions with us and we welcome the Habitats Regulations Assessment Screening Report supplied with the submission. Natural England, however, considers that this development as currently proposed has the potential to increase levels of bird disturbance from recreational walkers, cyclists and in particular dogs off leads once the dwellings are occupied. It is our advice that additional information should be provided to determine whether the likelihood of significant effects can be ruled out (the initial screening test of the Habitats Regulations). At the time of writing this report, the applicants were in dialogue with Natural England with the intention of providing the additional information requested. The revised response from Natural England will be reported at Committee.
- 4.26 The site is also in close proximity to Essex Estuaries Special Area of Conservation (SAC). For avoidance of doubt we advise that there is not likely to be a significant effect from the proposal on the qualifying features of this SAC.
- 4.27 For context we refer you to the advice provided in our consultation response of 25 April 2016 (our reference: 183289) regarding EIA screening. We advised that the proposed development would not have a likely significant effect on Crouch and Roach Estuaries and Benfleet and Southend Marshes SPAs and Ramsar Sites, or Essex Estuaries Special Area of Conservation. Any mitigation strategy should focus on the provision of on site open green space in sufficient quality and quantity, such that it would divert any recreational pressure from designated sites.
- 4.28 Natural England notes that the ‘HRA Report’ titled “Habitat Regulations Assessment: Stage 1 Screening Report” (Report No: RT-MME-121553-RevA, dated: July 2016) amounts to a Habitats Regulations Assessment (HRA). This HRA Report has not been produced by your authority, but by the applicants. As competent authority, it is your responsibility to produce the HRA. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

### **RDC Street Scene**

- 4.29 Refer to waste requirements in Appendix 1 of the Local Development Framework, Development Management Submission Document April 2013.

### **RDC Engineering**

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- 4.30 No observations.

### **RDC Environmental Services**

- 4.31 No observations.

### **RDC Strategic Housing**

- 4.32 Strategic Housing is in favour of this development as long as it provides much needed affordable housing (63 units based on 35% quota).

### **ECC Highways**

- 4.33 A Transport Assessment was submitted in support of a planning application for proposed development in Great Wakering, Essex.
- 4.34 The Transport Assessment followed the principles of the current Government guidance. The proposed trip generation and distribution from the site has been incorporated into the study area. All assessed junctions within Essex operate within capacity, with the impact of the proposed development being accommodated on the surrounding highway network.
- 4.35 The details within the Transport Assessment have all been agreed with Essex County Council in pre application discussions. The proposal also complies with the Development Management policies and is therefore considered acceptable to the Highway Authority.
- 4.36 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.
- 4.37 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority for the following reasons:-
1. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.  
REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
  2. There shall be no discharge of surface water onto the highway.

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

3. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide areas within the curtilage of the site for the purpose of:-
  - i. the parking of the vehicles of site operatives and visitors
  - ii. the loading and unloading of plant and materials
  - iii. the storage of plant and materials used in constructing the development
  - iv. wheel and underbody washing facilities.

REASON: To ensure that on street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway and to ensure that appropriate loading/unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

4. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

REASON: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

5. The parking shall be provided in accordance with the EPOA Parking Standards.

REASON: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

6. Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by

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Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator

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

7. Prior to occupation of development, the developer shall provide infrastructure improvements to the existing bus stops adjacent to the site on both sides of the High Street. This shall include the provision of Real Time information boards and associated works as deemed necessary.

REASON: To make adequate provision within the highway for additional public transport users generated as a result of the proposed development.

8. Prior to occupation of the development, improvements to the junction of Alexandra Avenue with High Street to provide enhanced facilities to facilitate pedestrian movements with appropriate dropped kerbs and tactile paving.

REASON: To make adequate provision within the highway for additional pedestrian movements to the village centre and primary school generated as a result of the proposed development.

### **Informatics**

- All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.
- The Highway Authority cannot accept any liability for costs associated with the developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.
- 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
- The above is required to ensure the proposal complies with the County Council's Highways and Transportation Development Control policies, as originally contained in Appendix G of the Local Transport Plan 2006/2011 and refreshed by Cabinet Member Decision dated 19 October 2007.

- The requirements above should be imposed by way of negative planning condition or planning obligation as appropriate.
- Prior to any works taking place in the public highway the developer shall enter into the appropriate legal agreement with the Highway Authority under the Highways Act 1980 to regulate the construction of the highway works.
- Prior to occupation, the development shall be served by a system of operational street lighting which shall thereafter be maintained in good repair.
- In all cases where spoil is unavoidably brought out onto the highway, the applicant/developer must be reminded of their responsibility to promptly remove such spoil at their own expense and to the satisfaction of the Highway Authority.
- Full details of SUDS should be provided and agreed

### **Public Rights of Way**

- 4.38 It is noted that this proposal involves the construction of up to 180 dwellings with all matters reserved except access and that the applicants state ']] that (a) no diversions/extinguishments and/or creation of rights of way are required by the proposal and (b) that new public rights of way are to be provided within or adjacent to the site.
- 4.39 In respect of (a) above I can advise that no public rights of way are shown on the Definitive Map of Public Rights of Way as crossing the site, that is the site shown edged red on plan number 1571/P/10-01.
- 4.40 In respect of (b) above, since the application is with all matters reserved except access, I am unable to comment further until any proposals for new public rights of way are submitted by the developer for consideration in relation to the existing public rights of way network.

### **ECC Flood and Water Management**

- 4.41 Consultation Response – 16/00668/OUT – Land Between Star Lane And Alexandra Road South Of High Street Great Wakering Essex
- 4.42 As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since 15 April 2015.
- 4.43 In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:-

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

### **Lead Local Flood Authority Position**

- 4.44 Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission.
- 4.45 The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the FRA and the above mentioned documents submitted with this application are implemented and secured by way of a planning condition on any planning permission.

#### Condition 1

No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation and should include but not be limited to:-

- Restrict discharge rates from the site to no more than 17l/s to replicate the green field 1 in 1 year run off rate for all events up to the 1 in 100 year plus 40% climate change.
- Restrict discharge rates from pond 11 to no more than 40l/s to replicate the green field 1 in 1 year run off rate for contributing catchments up to the 1 in 100 year plus 40% climate change event.
- Provide sufficient storage to manage water on site with the above discharge restrictions in place during the 1 in 100 year event plus 40% climate change.
- Provide sufficient treatment to manage pollution risk for all elements of the site in line with the CIRIA SuDS Manual (C753).

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS

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features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Condition 2

No works shall take place until a scheme to minimise the risk of off site flooding caused by surface water run off and ground water during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented. The scheme shall be implemented as approved.

**REASON:** The National Planning Policy Framework paragraph 103 states that local planning authorities should ensure flood risk is not increased elsewhere by development. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below ground water level, this will cause additional water to be discharged. Furthermore the removal of top soils during construction may limit the ability of the site to intercept rainfall and may lead to increased run off rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Condition 3

No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

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

Condition 4

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

Condition 5

The development hereby permitted shall not be commenced until the ditches in and to the south of the development, within the ownership of the developer, are cleared of any blockage and are restored to a fully working condition.

REASON: To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site. Failure to carry out the required maintenance before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

**ECC Education**

- 4.46 The County Council has assessed jointly the educational needs arising from both this application and the other planning application in respect of 180 units at Star Lane, Great Wakering.
- 4.47 It is recommended that in the event of planning permission for the developments being granted, it should be subject to a Section 106 Agreement, to ensure a contribution towards child care, education and school transport.
- 4.48 Having reviewed the proximity of the site to the nearest secondary school, it was concluded the school is in excess of the statutory walking distance from the proposed development and, therefore, ECC is obligated to provide free transport to the school, resulting in a long term cost to local tax payers.
- 4.49 ECC's standard Section 106 Agreement formula relates in scale and kind to the proposed development, and generates a sum based on the unit mix for the proposed development. Using the proposed unit mix you have supplied and the above factors and costs table the education contribution for application 16/00688/OUT is:-

Early Years & Child Care	£225,666
Primary	£659,772
Secondary	£668,196
<b>Total</b>	<b>£1,553,634</b>

**NHS England** (comments received November 2016)

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- 4.50 "I refer to the above planning application and advise that, further to a review of the applicants' submission, the following comments are with regard to the primary healthcare provision on behalf of NHS England Midlands and East (East) (NHS England), incorporating Castle Point and Rochford Clinical Commissioning Group (CCG)."
  - 4.51 The proposed development is likely to have an impact on the services of 1 GP practice operating within the vicinity of the application site. The GP practice does not have capacity for the additional growth resulting from this development.
  - 4.52 The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. NHS England would therefore expect these impacts to be fully assessed and mitigated.
  - 4.53 A Healthcare Impact Assessment (HIA) has been prepared by NHS England to provide the basis for a developer contribution towards capital funding to increase capacity within the GP Catchment Area.
  - 4.54 The development could generate approximately 450 residents and subsequently increase demand upon existing constrained services. The weighted list size of the GP Practice based on the Carr-Hill formula; this figure accurately reflects the need of a practice in terms of resource and space.
  - 4.55 The development would have an impact on primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. The proposed development must therefore, in order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.
  - 4.56 The development would give rise to a need for improvements to capacity, in line with emerging CCG Estates Strategy, by way of extension, refurbishment or reconfiguration at Great Wakering Medical Centre; a proportion of the cost of which would need to be met by the developer.
  - 4.57 The Capital Cost Calculation of additional primary healthcare services arising from the proposed development was undertaken.
  - 4.58 A developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be £70,978. Payment should be made before the development commences. NHS England therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

| **Anglian Water**

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- 4.59 AW records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

**Foul Drainage**

- 4.60 The foul drainage from this development is in the catchment of Southend Water Recycling Centre that will have available capacity for these flows. Development may lead to an unacceptable risk of flooding down stream, however a drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures. We will request a condition requiring the drainage strategy covering the issue(s) to be agreed. Prior to the submission of the application, the applicant had pre-planning discussions with Anglian Water and some hydraulic modelling was undertaken. The results of that modelling predicted that the flows from the proposed development, (which was modelled at 250, rather than 180 units) will not cause detriment to the capacity of the sewer system, if the connection point as proposed is used. It is clear therefore, that a foul drainage system can be designed, the final details of which to be the subject of a condition.

**Surface Water Disposal**

- 4.61 From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a water course. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

**Suggested Planning Conditions**

- 4.62 Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.
- 4.63 No development shall commence until a foul water strategy 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.

**Environment Agency**

4.64 No observations.

### **Neighbour Letters**

4.65 Consultation responses were received from 65 local residents, many of which were standard letters making the same points. Some of the comments made multiple points in respect of the proposed development.

<b>Comments</b>	<b>Officer comments</b>
Inadequate infrastructure (21)	This is addressed by mitigation proposals to contribute to the health and educational infrastructure
Would result in increased traffic (15)	The submitted Traffic Assessment has been scrutinised by the Local Highway Authority – it concluded that the proposed development would be acceptable from a highway safety point of view, subject to appropriate conditions.
The proposed development would change the 'village' character of GW (22)	This is a planning application for outline permission, which does not deal with design issues. Members are asked to consider the principle of development and the proposed access to the application site.
As many of the existing trees and vegetation should be retained (4)	Members are referred to a Draft Landscape and Ecology Management Plan.
Light pollution (1)	This is an outline planning application. No detailed designs have been submitted for consideration, and so there is no basis for such an objection.
Disruption during construction phase (2)	A Construction Management Agreement will be required by the LPA at the appropriate time.
Premature (1)	See paragraphs 7.8 to 7.14 below.
Drainage – would result in flooding (2)	Not supported by the submitted evidence which has been verified by the Lead Local Flood Authority.

Insufficient mitigation (1)	The scale of the mitigation was not known when this comment was made. NHS England and the Local Education Authority are satisfied that the level of mitigation via the legal obligation is adequate to support the expansion of the infrastructure accordingly.
Disruption to Wildlife (12)	Natural England does not object to the application and it has been adopted the competent authority under the Habitat Regulations Assessment: Stage 1 screening report" (Report No: RT-MME-121553-RevA, dated: July 2016 (HRA). Members are referred to the comprehensive Landscape and Ecological Management Plan.
May result in an increase in crime (3)	There is no evidence to substantiate this contention.
Loss of privacy (1)	This is an outline planning application. No detailed designs have been submitted for consideration, and so there is no basis for such an objection.

#### Pre-application Discussion

- 4.66 The applicants held a number of meetings with senior Planning Officers in order to discuss the proposals prior to the submission of the application. A key issue for discussion was the potential to bring forward the submission of the application prior to 2021. In a written response to this particular issue dated 13 November 2015, officers advised the applicants that:-

“The principle of residential development of this site would accord with site allocation SER 9b of the Site Allocations Document adopted in December 2014, however this site is safeguarded for development until 2021, unless required in order to maintain a five year supply of deliverable housing land.

..... the general view is that at present, the Council would not seek to resist an application for development of the SER 9b site pre-2021”.

- 4.67 The applicants' Housing Land Review (Appendix A), submitted with the application, clearly makes the case that the application site will need to come forward to contribute to the Council's 5-year housing land supply.

#### **5 PLANNING HISTORY**

- 5.1 12/00044/OUT - Development of the Site to Provide 250 Dwellings With New Vehicular and Pedestrian Accesses From High Street and Star Lane.  
Withdrawn prior to validation 22 February, 2012

**6 PLANNING POLICY**

- 6.1 Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, determination must be made in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Framework

- 6.2 The Framework was published in March 2012 and provides an overarching framework for the production of local policy. The primary objective of the Framework is to increase the delivery of sustainable growth and development.

- 6.3 The key themes of the NPPF relevant to this application are set out below:-
- Boost significantly the supply of housing
  - Deliver a wide choice of high quality homes
  - Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups
  - Meet the full objectively assessed housing needs of the area and identify key sites that are critical to delivery of the housing strategy over the plan period
  - Identify a supply of specific deliverable sites sufficient to provide five years' worth of housing
  - Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand
  - Presumption in favour of sustainable development
  - Seek to secure high quality design and good standard of amenity for all.

National Planning Practice Guidance (NPPG)

- 6.4 The Department for Communities and Local Government (DCLG) launched the Planning Practice Guidance web-based resource which complements the NPPF.
- 6.5 The identification of need should quantify the total number of homes needed based on quantitative assessments that is based on facts and unbiased evidence. Household projections published by the Department for Communities and Local Government estimates of overall housing need and, wherever possible, local needs assessments should be informed by the latest available information. The Council's housing land supply calculation is based

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upon the most recent Housing Land Supply Position Statement of July 2016.

**Core Strategy**

6.6 The Rochford Core Strategy (RCS) was adopted in December 2011 prior to the publication of the National Planning Policy Framework. The strategy explains how the Council will deliver the spatial aspects of the vision set out in the Sustainable Community Strategy and the Council's Corporate Plan, as well as in national and (now revoked) regional policies. The following policies of the RCS, as summarised, are considered to be of relevance to the planning application:-

- Policy H3 identifies that the sites in the Great Wakering location should have the capacity to accommodate a minimum of 250 dwellings during the plan period;
- Policy H4 seeks at least 35% of dwellings on all developments of 15 or more, or on sites greater than 0.5 hectares, as affordable housing to be provided with an 80% social rented and 20% intermediate housing split;
- Policy H6 requires all new homes to be Lifetime Homes, and 3% of homes to be built to full wheelchair accessibility on schemes of 30 or more units;
- Policy CP1 seeks high standards of design and use of design briefs;
- Policy CLT5 requires open space provision as part of major new developments;
- Policy ENV8 requires developments of 5 units or more to secure at least 10% of their energy from decentralised and renewable or low carbon sources.

**Allocations Plan**

6.7 The Allocations Plan was adopted in February 2014. The document identifies the application site as part of Allocation SER9, which identifies two sites on agricultural land to the south of the High Street and to the west of Little Wakering Road. Under policy SER9, a 'Concept Statement' identifies a series of site specific requirements and issues which the Council seeks to have addressed as part of any planning application for the overall site. These include the following:-

- Development of this site should provide 250 dwellings, of which at least 87 should be provided as 'tenure blind' affordable housing units;
- The sites will be safeguarded until post-2021 unless it can be demonstrated that they are required to be brought forward to contribute towards the District's five-year housing land supply;

- At least 1.8 hectares of natural/ semi-natural green space and a minimum of 0.2 hectares of amenity green space should be provided across the sites;
- This open space should be primarily located between the site to the west of Little Wakering Road and the temporary road to the west to act as a green buffer;
- Trees and hedges should be developed in garden areas and along the eastern and southern boundaries of the site to the west of Little Wakering Road;
- Across the sites, a minimum of 0.03 hectares should accommodate play space, although the exact quantum may depend on the type of play space provided. These areas should be appropriately distributed across the sites to enable the local community to easily access them;
- Attenuation and source control SUDS of a size proportionate to the development should be used such as balancing ponds, swales, detention basins and green roofs. These could be incorporated into the green space provided on – and/or adjacent to the site.

Development Management Plan

- 6.8 The Development Management Plan was adopted in December 2014. The policies relating to the provision of housing development in the District are:-
- Policy DM1 provides details on requirements relating to the design of new development. These include the need for schemes to promote sustainable transport, provide adequate landscaping and boundary treatment, provide sufficient car parking, be of an appropriate density, and respect residential amenity and townscape context;
  - Policy DM2 requires new residential development to make efficient use of land in a manner which is appropriate for the site's context. The density across a site should be a minimum of 30 dwellings per hectare;
  - Policy DM25 states that development should conserve and enhance existing trees and woodlands, and should include appropriate mitigation measures where unavoidable loss or deterioration would result;
  - Policy DM31 states that all new major developments must include appropriate traffic management measures to facilitate the safe and efficient movement of people and goods by all modes whilst protecting and enhancing the quality of life within communities.

**7 MATERIAL CONSIDERATIONS**

- 7.1 The key matters for determination at the outline stage are:-
- The acceptability of the principle of residential development of the site;
  - The quantum of residential development proposed and affordable housing;
  - Traffic and Transport; and
  - Other planning considerations including flood risk, ecology, health and education provision.

**Principle Of Development**

- 7.2 Policy SER9 allocates two separate sites within West Great Wakering for residential development. One is the land subject to this application, whilst the other is located on land west of Little Wakering Road, and south of Barrow Hall Road, which was approved by Members for 120 units at their meeting on 15 December 2016. Policy SER9 envisages that the two sites together have the capacity to accommodate a minimum of 250 dwellings. If the total maximum number of dwellings being applied for was delivered on the application site, namely 180, this would result in a total of 300 dwellings provided at the SE9 sites to meet the minimum policy requirement and this number could readily be accommodated. In December 2006, an outline application for 120 dwellings was approved on site SER9a. If both sites were to be granted outline consent for, and the maximum number of dwellings delivered on each, the total number of dwellings across the two sites would be 300.
- 7.3 The site offers an appropriate balance in terms of providing much needed new housing in the area (including affordable) and providing generous open space for both the existing and new community, and contributions towards necessary infrastructure. The key principles of the site which will ensure the development provides new residents with a pleasant environment in which to live, whilst contributing in a positive manner to the existing community, was outlined in the Sustainability Appraisal supporting the adopted Core Strategy.
- 7.4 The following positive attributes of the locations identified within Policy SER9 in Great Wakering are identified within it as follows:-
- well located relative to the existing settlement providing access to local services and facilities;
  - well related to public open space and areas of wildlife value;
  - particularly well located relative to the employment site NEL3 to the south of Great Wakering;
  - in proximity to local services;

**The Quantum Of Residential Proposed**

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### **Housing Delivery**

- 7.5 The Core Strategy distributes the housing allocation across the District through the identification of nine general locations (Policy H2 and H3). The site is allocated for housing as part of the wider SER9 allocation within RDC's Sites Allocations DPD.
- 7.6 Within the SADPD the site is currently phased for development from 2021, unless required in order to maintain a five-year supply of housing. Furthermore, as set out in further detail above, the Sustainability Appraisal which accompanies the Core Strategy identifies the site as a good location for development:
- 7.7 The informal pre-application meeting with the applicants advised that Council would not seek to resist an application for development of the SER9b site pre-2021. However, it was stated that the Council would require the applicants to set out the rationale for bringing the site forward in advance of 2021. The applicants have produced a comprehensive Housing Assessment, which outlines the reasons why the site is being brought forward prior to 2021.
- 7.8 The Council acknowledges at paragraph 1.19 of their Housing Land Supply Position Statement (July 2016) that the unmet shortfall could be satisfied by bringing forwarded identified strategic sites:-
- “Despite the caution which is recommended when considering the untested and unconstrained OAN figures; the potential shortfall in supply does not, however, take into consideration strategic sites from later on in the plan period, which could be delivered earlier than currently predicted. Such sites include, for example, land at South West Hullbridge, South East Ashingdon and West of Great Wakering, which are currently further back in the trajectory, as they have been identified in the adopted Core Strategy for delivery post 2021. When taking such sites from later on in the plan period into account, these could deliver a further 750 dwellings as a conservative estimate if delivery between the years 2020 to 2022 were brought forward”.
- 7.9 The Council acknowledges in the Housing Land Supply Position Statement (July 2016) that there have been delays to delivering development at key strategic sites. Specific reference is made to delivery delays at land west of Oak Road and to the north of Hall Road, Rochford (reference: 10/00234/OUT) whereby outline planning permission for residential development of 600 dwellings, associated access and a new primary school was approved on 1 July 2013. The first reserved matters (reference: 13/00552/REM) was approved on 10 January 2014 for 293 units out of the total 600 units. Construction on site has been delayed and only started in mid-January 2016, meaning the rate of delivery has been far slower than expected.
- 7.10 The land west of Oak Road and to the north of Hall Road scheme provides an example where the Council has relied on the delivery of large development sites to meet its housing supply in the short term. However, in terms of delivery, there have been low levels of completions in the previous AMR

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2013/2014 and only 426 completions in the period 2010-2014. The Housing Trajectory at Appendix A of the Housing Land Supply Position Statement (July 2016) shows reduced delivery at Hall Road with first occupations now in 2017/18

- 7.11 There has also been reliance on Land north of London Road and south of Rawreth Lane and west of Rawreth Industrial Estate, Rawreth Lane, Rayleigh (reference: 15/00362/OUT) for the delivery of 300 dwellings by 2019-20 However, this target appears somewhat optimistic given that development has not yet commenced on site and there are no pending reserved matters applications to date.
- 7.12 It should be noted that construction delays fall outside the Council's control, particularly in respect of completion rates, which must be factored into the five-year land supply.
- 7.13 In meeting housing targets it is evident that more flexibility is required to ensure there is no over reliance on key strategic sites and other allocated sites, so that SER9b can be brought further forward in the housing trajectory to boost supply and to ensure housing targets are met.
- 7.14 Paragraph 3.262 of Policy SER9 states that the sites will accommodate no more than 250 dwellings unless the additional number of dwellings are required to maintain a 5-year land supply and the additional number of dwellings to be provided on the site is required to compensate for a short fall of dwellings that had been projected to be delivered within the location identified in the adopted Core Strategy.
- 7.15 The additional number of dwellings proposed for the two sites within the SER9 allocation is relatively modest. The Concept Statement to Policy SER9 is clear that it should not be applied too stringently with regard to total dwelling numbers, if this leads to the site moving forward and producing a quality outcome.
- 7.16 Maximisation of dwelling numbers on the allocated sites reduces pressure on Green Belt sites but would only be acceptable where the numbers proposed could be satisfactorily accommodated and achieve the high standard of design and layout required, alongside provision of the entire necessary infrastructure, as outlined in policy SER9. Detailed consideration of infrastructure provision is provided in the body of the report below, but in conclusion it is considered that the proposed maximum 180 dwellings at this site could be satisfactorily accommodated whilst achieving a high standard of design and all of the necessary infrastructure provision. It should be noted that the proposals will have a density of just 20 dwellings per hectare (DPH), which is significantly lower than the minimum density of 30 DPH, envisaged in the Core Strategy. By way of contrast, the phase 1 site (brick works) has a density of 35 DPH) As the proposed number of dwellings is considered acceptable in this regard, it is considered that the Council could not be

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justified in refusing the application on the basis of the number of dwellings across the two SER9 sites, together exceeding 250 dwellings.

- 7.17 The Council recently granted planning permission (15/00599/FUL) for a greater number of dwellings than the Allocation Plan envisaged at the Pond Chase Nursery site in Hockley. In this case planning permission was granted for 75 dwellings against the policy stated maximum of 50 dwellings. The same reasoning as above applied in this case - the design and all other housing requirements such as garden areas, parking standards, etc. and all necessary infrastructure was provided by the 75 dwellings proposal and there was therefore no planning reason to refuse permission solely based on the total number of dwellings exceeding that as set out in the relevant allocations plan policy.

**The Significance of the Council Having a Five-Year Housing Land Supply**

- 7.18 Paragraph 49 of the NPPF states:-

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

- 7.19 To help with boosting the supply of housing, the National Planning Policy Framework (NPPF) requires local planning authorities to identify and keep up-to-date a deliverable five-year housing land supply. Without this, even recently adopted planning policies for the supply of housing will be considered out of date. This has been upheld at the Court of Appeal.
- 7.20 Without an up-to-date and demonstrable housing land supply, the total number of houses to be developed in a Council area can be taken out of its hands. A local authority decision to reject housing on green field sites can be overturned by a Government Inspector, undermining local decision-making. A Local Plan can also be disregarded if it doesn't show 'a supply of specific deliverable sites sufficient to provide five years' worth of housing.' The consequences are proving catastrophic for the countryside, and in the past two years 26,840 houses on green field sites have been given planning permission at appeal when the local authority was not found to have enough housing land supply to meet requirements.
- 7.21 So the need to ensure a five-year supply of housing land is of significant importance. If such a supply cannot be demonstrated, relevant policies are to be regarded as out of date, and therefore of little weight, and there is a presumption in favour of the grant of planning permission.
- 7.22 Authorities which are not in a position to demonstrate a five-year supply of housing land should be aware that there is a real risk that appeals against the refusal of planning permission will be granted, and the award of costs against the Council could follow.

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### **Affordable Housing**

- 7.23 The adopted Core Strategy (2011) outlines the Council's current requirements with regard to affordable housing. Policy H4: Affordable Housing seeks a minimum of 35% affordable housing on all developments of 15 or more units. The current policy also aims for 80 per cent of affordable housing to be social housing, 20 per cent intermediate housing. The supporting text of the policy also states that it is important that a mix of house types is provided on larger sites in order to deliver mixed communities, as opposed to developments which cater entirely for one demographic group.
- 7.24 The application proposal indicates that there will be provision for 35% affordable homes, which would provide up to 63 affordable units out of a total 180 proposed dwellings. These will be provided in accordance with the Core Strategy Policy Target (H4) appropriate mix of 80% social housing and 20% intermediate housing.
- 7.25 In order to create mixed, inclusive and sustainable communities, the affordable housing units will be distributed across the development site where possible, to be discussed and agreed with the registered provider during the detailed design stage. Considerable weight can be attributed to the provision of a policy compliant affordable housing element, particularly in the context that levels of affordable housing have been historically low in the District according to the most recent AMR (2016). On this basis, it is considered that the delivery of affordable homes should be viewed favourably in the determination of this planning application.
- 7.26 It is anticipated that the provision of affordable housing will be secured through the Section 106 Agreement mechanism.

### **Traffic And Transport**

- 7.27 The principal pedestrian and vehicular access will be formed off the approved Star Lane development BFR1. There will also be a secondary access off the High Street for pedestrians, cyclists and emergency vehicles only (removable bollards to be provided).
- 7.28 The Local Development Framework Allocations Document requires that, in terms of access and connectivity, the application site should be appropriately integrated with the land identified within policy BFR1 so that access/egress from Star Lane to the west serving the development of BFR1 also provides access/ egress to the land identified as SER9b. As such, the principal vehicular access to the development is proposed accordingly.
- 7.29 Following extensive public consultation, it was agreed that the main access to the application site would be via Star Lane, as opposed directly onto the High Street, which was considered by the community to be already congested. Following further consultation, it was agreed that a pedestrian/cycle access in this location should be provided to aid connectivity, with emergency only vehicular access enabled by means of droppable bollards.

- 7.30 By adopting this approach vehicles leaving the site will predominantly turn left onto Star lane; as most journeys are expected to be in this direction, thus minimising the potential for additional traffic on the High Street.
- 7.31 The roads within the development are intended to be informal and pedestrian friendly so as not to dominate the space. The layout and design of these roads are such that vehicle speeds will be calmed by a combination of the alignment of the roads, different surface materials, visual ‘gateways’ and the overall sense of entering areas where cars do not take priority.
- 7.32 The likely traffic generation resulting from the proposed development and from other sites, which are likely to emerge in future, has been modelled within a traffic study. The results of the modelling are set out in the joint applicants’ Transport Assessment (TA). The model has considered the impact of the development on the existing highway network and has assessed 7 local junctions to determine where, if at all, congestion may occur as a result of the increased traffic generated by the development. Of the 7 junctions, 5 were found to be capable of operating within capacity with the projected traffic. However, 2 junctions were recorded as being at or above capacity, in both the present and future traffic scenarios. In order to alleviate the impact of the development at these junctions, improvements shall be carried out in consultation with the highway authority to increase junction capacity. These improvements will be funded by the development and carried out prior to the development being fully occupied.
- 7.33 Overall, the TA can demonstrate that the proposed development traffic can be accommodated successfully onto the local highway network, subject to some junction improvement.

#### **Wider Connectivity**

- 7.34 The layout of the proposed development is a reserved matter, which is not under consideration in this application. However, the illustrative plan shows how safe, varied and direct walking and cycling routes between the proposed housing site and the existing village of Great Wakering can be achieved.
- 7.35 The illustrative site layout shows how the proposal can be connected to surrounding streets and areas in order to:-
- Provide for the optimum variety of journeys;
  - Promote more sustainable forms of movement; and
  - Provide access to local services, amenities and public transport.
- 7.36 The movement network would be designed to enable pedestrians and cyclists to move freely between all parts of the layout, both locally and on a wider scale. Pedestrian and cycle links to the north of the land should be provided to enhance connectivity to the High Street, as well as to the local pedestrian/cycleway and bridleway networks.

- 7.37 The relationship of the residential development to the Star Lane Pits Local Wildlife Area to the South is fundamental to the integration of the scheme within the surrounding area and the opportunity to sensitively provide pedestrian connections should be investigated as part of this application.

Other Planning Considerations Including Flood Risk, Ecology Impacts, Health and Education Impacts

**Flood Risk and Drainage**

- 7.38 The evidence suggests that the site would not be at risk of flooding from fluvial, land (surface water), ground water, sewers or artificial sources.
- 7.39 A FRA has been prepared in accordance with relevant national, regional and local planning policy and guidance on flooding as follows:-
- The National Planning Policy Framework (NPPF) published in March 2012 by the Department for Communities and Local Government (DCLG), and the accompanying National Planning Practice Guidance (NPPG);
  - The Department for Environment, Food and Rural Affairs (DEFRA) and the Environment Agency (EA) published Guidance for Planning Applications: Assessing Flood Risk (March 2014);
  - The EA Flood Risk Standing Advice (FRSA) version 3.1 (April 2012);
  - EA Ground Water Protection: Principles and Practice (GP3) version 1.1 (August 2013); and
  - The FRA follows the methodology prescribed in Construction Industry Research and Information Association (CIRIA) document C624: Development and Flood Risk (2004), Guidance for the Construction Industry.
- 7.40 The Indicative Floodplain Map obtained from the EA shows that the application site lies within Flood Zone 1, which is the category which has the least probability of flooding.
- 7.41 Alternative methods of surface water disposal will need to be investigated, such as infiltration techniques or discharge to a water course in accordance with the surface water management hierarchy as outlined in Building Regulations Part H.
- 7.42 Micro drainage modelling has been carried out to determine the volume of storage required to accommodate the restricted run off within the Phase 2 development itself. This modelling has been tied into the Phase 1 (brick works) detailed micro drainage model, and modelled to incorporate the lakes themselves, to ensure that sufficient storage is provided across the site and to ensure that peak run off into the down stream water course does not exceed

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existing run off rates and ensure that long term storage is provided to minimise the flood risk to areas down stream.

- 7.43 Porous paving is proposed across the site, to treat run off from parking areas and private drive ways. Some of these areas are incorporated into the drainage model. Other areas not currently incorporated in the model will provide additional attenuation, which should counteract the breaks in conveyance routes associated with drive way crossings.
- 7.44 A proposed drainage strategy for surface water has been prepared to identify potential SuDS measures, which are considered feasible. The strategy demonstrates a proposed layout of flow control and attenuation features to control run off to a discharge rate of no greater than 17/s during the 1 in 100 year storm event + 40% allowance for climate change.
- 7.45 Analysis has also been carried out to provide long term storage for the site, ensuring that run off into the down stream sewer network is balanced with existing green field run off rates associated with phase 1, the existing lakes to the south and the phase 2 development. This has resulted in proposals for a new lake/pond to be constructed to the south of existing lakes, which will enable flows into the down stream water course to be restricted to a maximum of 40l/s.
- 7.46 The proposed drainage systems have been modelled on a conceptual basis using micro drainage. The model identifies that the main pond features across the site will store water with a maximum level of 8.213m AOD. On this basis, it is recommended that the minimum Finished Flood Level across the site should be 8.5m AOD.
- 7.47 The proposed SuDS solutions will need to have clear, enforceable maintenance regimes in place so that they provide effective flood protection and water treatment for the long term. Over land flow paths will be taken into account in design of levels for the proposed development to direct overland flows away from buildings during extreme storm events.

### **Ecology Impacts**

- 7.48 Whilst the development will most likely lead to increased recreational pressure at the LWS, the prescriptive management regime can be secured through a Section 106 legal agreement. The Management Plan should ensure that any proposed management and access are compatible with the aims and objectives of the Management Plan. There is potential for the Essex Wildlife Trust to become involved in the management work, subject to agreement with the land owners.
- 7.49 The applicants have been engaged in discussions with the angling club and Middlemarch Ecology in respect of the long term management of the lakes and how public access can be incorporated for the first time, including activities on the lakes. A landscape and ecological Management Plan

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produced by ecologists Middlemarch has been available for public viewing on the Council's web site. The comprehensive document proposes measures which are geared towards protecting the integrity of the site. An email in support of the proposal is also available on the Council's web site; this support is from the fishing club which is committed to managing the local wildlife site in accordance with the Management Plan going forward.

- 7.50 Middlemarch Ecology has consulted closely with Natural England, with a view to ensuring the biodiversity of the site. The management objectives have been designed so as to minimise the impact of visitors and those who wish to use the site for informal recreational purposes.
- 7.51 Landscape and ecological management works will be carried out in accordance with the following principles:-
- Land ownership of Star Lane Pits LWS will be retained by applicant;
  - Ecological supervision of habitat management works and revisions to the LEMP will be carried out by Middlemarch Environmental;
  - Practical habitat management works of the ponds and land within the LWS will be carried out by the local angling club, who has had this role for the last 15-20 years;
  - Practical habitat management works of land within the site boundary (i.e. the residential development) will be carried out by Taylor Wimpey's management company;
  - Should any of the organisations highlighted above no longer be involved in the project Taylor Wimpey will be required to identify an alternative organisation with suitable competence and experience to fulfil the necessary role; and
  - Any new bodies taking over responsibility for the site will need to agree to implement the Local Planning Authority conditions.
- 7.52 The results of ongoing surveys and reviews will be used to inform any modifications to the management plan. The plan is intended to be a rolling 10-year plan. Advice regarding any modifications to the plan should be sought from the local County Ecologist or Middlemarch Environmental Ltd. The Local Planning Authority will be the final arbiters with regard to the scope of the management works.
- 7.53 To fulfil its duty as a 'competent authority', RDC has adopted the submitted "Habitat Regulations Assessment: Stage 1 Screening Report" (Report No: RT-MME-121553-RevA, dated: July 2016 (HRA).

### **Health Impacts**

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- 7.54 The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development.
  - 7.55 The Healthcare Impact Assessment (HIA) prepared by NHS England provides the basis for a developer contribution towards capital funding to increase capacity within the GP Catchment Area.
  - 7.56 The assessment of development Impact on existing healthcare provision concludes that the development could generate approximately 450 residents and subsequently increase demand upon existing constrained services. The weighted list size of the GP Practice based on the Carr-Hill formula; this figure accurately reflects the need of a practice in terms of resource and space
  - 7.57 The development would have an impact on primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. The proposed development must therefore, in order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.
  - 7.58 The development would give rise to a need for improvements to capacity, in line with emerging CCG Estates Strategy, by way of extension, refurbishment or reconfiguration at Great Wakering Medical Centre; a proportion of the cost of which would need to be met by the developer.
  - 7.59 The Capital Cost Calculation of additional primary healthcare services arising from the proposed development was undertaken.
  - 7.60 A developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be £70,978. Payment should be made before the development commences. NHS England therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.
  - 7.61 In its capacity as the primary healthcare commissioner, NHS England has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.
  - 7.62 NHS England is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

#### **Education Impacts**

- 7.63 The development would have an impact on the capacity of local education provision unless appropriate mitigation measures are introduced. The proposed development must therefore, in order to be considered under the

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'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.

- 7.64 ECC's standard Section 106 Agreement formula relates in scale and kind to the proposed development, and generates a sum based on the unit mix for the proposed development. The sum calculated to mitigate the potential educational impacts amounts is designed to contribute to mitigate any potential impacts.
- 7.65 Using the unit mix proposed and other relevant factors such as cost tables and formulae, the education contribution for application 16/00688/OUT is £1,553,634.00.
- 7.66 The applicants appointed architects to undertake an independent short study of the existing school accommodation in relation to the existing numbers and a potential increase of numbers arising from residential developments.
- 7.67 The construction of 180 new residential units would result in approximately 50 children of primary school age, and the study explored the possibility of improving Great Wakering Primary School. It should be noted that it is entirely a matter for the Local Education Authority as to how the mitigation funds are spent and how local education is managed.

### **Economic Impact**

- 7.68 The NPPF defines this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and co-ordinating development requirements, including the provision of infrastructure. The development will provide much needed new housing to accommodate the projected growth of the population of Rochford and the anticipated job creation for the District.
- 7.69 The proposals would create significant economic benefits for the construction sector during the course of the development, and based upon statistical evidence of ("OFFPAT") a ratio of 19 FTE jobs per £1 million construction expenditure would equate to 500 jobs for the construction of up to 180 homes in Great Wakering over the course of the build (based on a construction cost of some £26.5million).

## **8 PLANNING OBLIGATION – SECTION 106 AGREEMENT**

- 8.1 Planning obligations assist in mitigating the impact of unacceptable developments to make them acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests

in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework.

- 8.2 A planning obligation is a legal agreement entered into by a developer to provide infrastructure and services. The infrastructure and services may be on or off the site, and may involve paying sums of money. A planning obligation covers legal agreements to provide infrastructure and services that cannot be covered by planning conditions.
- 8.3 A Section 106 Agreement is a method for setting up planning obligations related to affordable housing and site-specific infrastructure.
- 8.4 The following Heads of Terms comply with the statutory tests contained in the Community Infrastructure Levy Regulations 2010 and the policy tests contained in the National Planning Policy Framework (NPPF):-

### **Section 106 Agreement Heads of Terms**

<b>Planning Obligation</b>	<b>Contribution</b>
Affordable housing	35% of the units will be affordable – i.e. 63 dwellings
Health contribution (NHS)	£70,978 to NHS Primary Care Trust towards mitigating the impact of the development
Education (ECC)	£1,553,634.00 towards increasing educational facilities in Great Wakering
Highways contribution	£tba Towards junction improvements

- 8.5 Whilst the obligation Heads of Terms address the mitigation required in respect of the current outline application, contributions may be required in respect of the subsequent reserved matters application for the following:
  - On site public open space and management;
  - waste receptacles;
  - public transport; and
  - youth and community facilities.
- 8.6 Those obligations not included at this stage would be considered for inclusion in the reserved matters stage.

## **9 CONCLUSION**

- 9.1 The Planning and Compensation Act 2004 (Section 38(6)) requires planning applications to be determined in accordance with the development plan

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unless material considerations indicate otherwise. In summary, the site has been identified for development in the adopted Local Plan; the proposals accord fully with the details established by the Council's Allocations Plan (adopted in 2014, and the development is entirely consistent with the thrust of the NPPF.

- 9.2 The proposed development accords with the principle of development that has been established in the adopted Development Plan and will:-
- Contribute positively environmentally, socially and economically to the local area;
  - Provide new homes in a sustainable location, in close proximity to Great Wakering village centre and a wide range of services and local facilities;
  - Provide a large proportion of family homes in recognition of local housing needs;
  - Provide up to 1.87 hectares of publicly accessible open space and improved connectivity;
  - Provide up to 35% affordable housing in accordance with local planning policy;
  - Be sustainable in terms of flood risk and benefit from Sustainable Drainage Systems Design; and
  - Create 500 jobs during the construction period.

## **10 RECOMMENDATION**

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

That the application be approved, subject to the applicants and owners entering into an agreement under section 106 of The Act to provide the heads of terms and associated contributions set out at section 8.4 to this report and subject to the following conditions:-

### **Conditions**

#### Commencement of Works

- (1) No development shall commence until approval of the details (as appropriate) of the appearance, landscaping, layout and scale (hereinafter called the reserved matters) has been obtained from the local planning authority in writing. The development shall be carried out as approved.

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REASON: To ensure that all necessary details are acceptable In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

Reserved Matters

- (2) The first application for approval of reserved matters shall be made to the Local Planning Authority no later than three years from the date of this permission.

REASON: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

- (3) The commencement of development pursuant to this outline consent shall begin before the expiration of two years from the date of the last reserved matter of that parcel to be approved.

REASON: To prevent the accumulation of unimplemented planning permissions and in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

- (4) The development, hereby permitted shall be carried out in accordance with the following approved plans unless otherwise agreed in writing by the Local Planning Authority:
- a. Site Location Plan - Drawing No: 1571/P/10-1
  - b Application site - Drawing No: 1571/P/10-1
  - c. Access details – Drawing No: ST-2488-04-A/ 1:500

Phasing

- (5) No development shall commence, apart from enabling works, earth works and strategic engineering elements, unless agreed in writing by the Local Planning Authority until such time as a Phasing Plan for the application site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing contained within the phasing plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To clarify how the site is to be phased to assist with the determination of subsequent reserved matters applications and in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development.

Design Code

- (6) Prior to or concurrent with the submission of the first of the reserved matters applications for the development, a Design Code shall be submitted to and approved in writing by the Local Planning Authority.

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The Design Code shall address all pertinent matters associated with the following subject areas:-

- a. The overall vision and character of the development and its setting;
- b. The conceptual design and approach to the public realm, including enclosure, natural surveillance, materials, street furniture and signage, sustainable drainage, the incorporation of utilities and landscaping;
- c. The design of the transport network hierarchy, streets, cycle routes, footpaths and public spaces, providing typical street cross-sections, which should include details of tree planting and tree species, underground utility/service trench routes type and specification, and on street parking, including construction design details;
- d. The principles addressing building form, massing, height, scale and legibility, building typologies, density and use. This shall include the design principles addressing primary frontages, fronts and backs, pedestrian and vehicular access points, threshold definition and surveillance of public realm areas, building materials and performance standards and design features;
- e. Approach to incorporation of ancillary infrastructure/buildings such as sub-stations, pumping stations, waste and recycling provision for all building types. Approach to the provision of electric vehicle charging points/infrastructure, pipes, flues, vents, meter boxes, external letter boxes, fibres, wires and cables required by statutory undertakers as part of building design;
- f. Details of the approach to vehicular parking across the entire site, including the amount of parking, location and layout of parking for people with disabilities;
- g. Details of the approach to cycle parking for all uses, including the distribution (resident/visitor parking and location in the development), type of rack, spacing and any secure or non-secure structures associated with the storage of cycles;
- h. The hard and soft landscape design principles, including approach to the character and treatment of each of the elements, landscape typologies, a palette of materials for hard and soft landscaping and furnishings;
- i. The approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs, so as to maximise energy efficiency, minimise light pollution and avoid street clutter;

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- j. Measures to demonstrate how the design can maximise resource efficiency and climate change adaptation through external, passive means, such as landscaping, orientation, massing, and external building features;
  - k. Details of measures to minimise opportunities for crime; and
  - l. Statement of Community Safety.

The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code will apply, who should use the Design Code and how to use the Design Code.

All subsequent reserved matter applications shall accord with the details of the approved Design Code, and be accompanied by a statement which demonstrates compliance with the code.

REASON: To ensure high quality design and coordinated development.

**Fire Hydrants**

- (7) Unless otherwise agreed in writing by the local planning authority, a scheme for the provision of fire hydrants shall be submitted to the local planning authority for approval with all reserved matters applications for layout in relation to the development, and shall be carried out in accordance with the approved details and the approved scheme shall be fully operational prior to the first occupation of that development parcel.

REASON: To ensure the provision of adequate water supply infrastructure to protect the safe living and working environment for all users and visitors.

**Housing – Market Mix**

- (8) The submission of any reserved matters application relating to the development for residential development, pursuant to this outline permission, shall include a schedule of the mix of market dwellings proposed, taking into account local knowledge of market demand.

REASON: To ensure that the overall mix of dwellings across the site as a whole is based on the indicative housing mix stated in the Planning Statement, which seeks to ensure development contains a mix of residential units providing accommodation in a range of types, sizes and affordability, to meet local needs.

Housing – Room Sizes

- (9) The Reserved Matters application in relation to the development for residential development (and whether for affordable or market housing or a combination of the two) shall provide minimum room sizes and minimum gross internal floor areas in accordance with national guidelines.

REASON: To ensure adequate dwelling sizes in accordance with paragraph 50 of the National Planning Policy Framework.

Ground Water and Contamination

- (10) No development approved by this planning permission shall take place until a remediation strategy that includes the following components 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:-
- a. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
  - b. The results of a site investigation based on (a) and a detailed risk assessment, including a revised CSM.
  - c. Based on the risk assessment in (b) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.
  - d. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (c). The long term monitoring and maintenance plan in (c) shall be updated and be implemented as approved.

REASON: To ensure that risks from land contamination associated with current and previous land uses to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to the health of future users of the land, workers, neighbours and other off site receptors and the natural environment or general amenity in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

Ground Water and Contamination

- (11) 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 a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

Drainage – Surface Water Drainage Strategy

- (12) No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation and should include but not be limited to:-
- Restrict discharge rates from the site to no more than 17l/s to replicate the green field 1 in 1 year run off rate for all events up to the 1 in 100 year plus 40% climate change.
  - Restrict discharge rates from pond 11 to no more than 40l/s to replicate the green field 1 in 1 year run off rate for contributing catchments up to the 1 in 100 year plus 40% climate change event.
  - Provide sufficient storage to manage water on site with the above discharge restrictions in place during the 1 in 100 year event plus 40% climate change.
  - Provide sufficient treatment to manage pollution risk for all elements of the site in line with the CIRIA SuDS Manual (C753).

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

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

**REASON:** The National Planning Policy Framework paragraph 103 states that local planning authorities should ensure flood risk is not increased elsewhere by development. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore, the removal of top soils during construction may limit the ability of the site to intercept rain fall and may lead to increased run off rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and ground water which needs to be agreed before commencement of the development.

- (14) No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

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

- (15) The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

**REASON:** To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

Drainage – Adoption of SUDS Infrastructure

- (16) Prior to or concurrent with the first reserved matters application a scheme relating to the management and maintenance of the Sustainable Drainage System (SuDS) including Award Drains shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the following:-

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- (i) details of the management regime which shall set out the responsibility for the maintenance of the SuDS in accordance with the approved Maintenance Scheme, following their provision;
  - (ii) details of a maintenance scheme in respect of the repair and maintenance of the SuDS (the Maintenance Scheme);
  - (iii) details of a monitoring and review scheme.

The SuDS shall thereafter be maintained in accordance with the approved scheme.

REASON: To ensure the satisfactory management of the surface water scheme in perpetuity with the development.

**Drainage – Reserved Matters**

- (17) Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developer's cost under Section 185 of the Water Industry Act 1991, or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

REASON: In order to safeguard drainage infrastructure assets.

- (18) Any reserved matters application shall include a detailed surface water strategy pursuant to the reserved matters site for which approval is sought.

The strategy shall include details of the design, location and capacity of all such SUDS features and shall include ownership, long-term management/maintenance and monitoring arrangements/responsibilities, including detailed calculations to demonstrate the capacity of receiving on site strategic water retention features without the risk of flooding to land or buildings. The strategy should also demonstrate that the exceedance of the designed system has been considered through the provision of overland flow routes. The development shall be carried out in accordance with the approved details and no building pursuant to the particular reserved matters for which approval is being sought shall be occupied or used until such time as the approved detailed surface water measures have been fully completed in accordance with the approved details.

REASON: In order to safeguard against the risk of flooding to ensure adequate flood control, maintenance and efficient use and management of

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water within the site, to ensure the quality of the water entering the receiving water course is appropriate and monitored and to promote the use of sustainable urban drainage systems to limit the volume and pace of water leaving the site.

**Drainage – Surface Water Management**

- (19) A detailed scheme for the future responsibilities for the management of the surface water drainage scheme for the development shall be submitted to, and approved in writing by the LPA, prior to occupation of that Development Phase to which the drainage relates. The relevant area shall thereafter be managed in accordance with the approved scheme unless otherwise approved in writing by the LPA.

REASON: To ensure the satisfactory management of the surface water scheme in perpetuity with the development.

- (20) The development hereby permitted shall not be commenced until the ditches in and to the south of the development, within the ownership of the developer, are cleared of any blockage and are restored to a fully working condition.

REASON: To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site. Failure to carry out the required maintenance before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

**Drainage – Foul**

- (21) No development shall commence until a foul water strategy 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.

**Trees**

- (22) The development is to be carried out in strict accordance with the recommendations provided within the arboricultural impact assessment supplied by SJA trees, ref SJA air-15319-01c, dated July 2016, in order to protect the retained tree amenity.

REASON: In order to safeguard the existing trees.

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- (23) No development or any preliminary ground works shall take place until:-
- a. All trees to be retained during the construction works have been protected by fencing of the 'HERAS' type or similar. The fencing shall be erected around the trees and positioned in accordance with British Standard 5837:2012, and;
  - b. All weather notices prohibiting accesses have been erected on the fencing demarcating a construction exclusion zone as detailed in BS5837:2012.

REASON: In order to safeguard the existing trees.

- (24) Notwithstanding the above, no materials shall be stored or activity shall take place within the area enclosed by the fencing. No alteration, removal or repositioning of the fencing shall take place during the construction period without the prior written consent of the Local Planning Authority.

REASON: In order to safeguard the existing trees.

- (25) Unless otherwise approved in writing by the Local Planning Authority, no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree's branches, stems or roots be pruned.

REASON: In order to safeguard the existing trees.

- (26) No works or development shall take place until a scheme of supervision for the arboricultural protection measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be appropriate to the scale and duration of the development hereby permitted and shall include details of:-
- a) an induction and personnel awareness of arboricultural matters;
  - b) identification of individual responsibilities and key personnel;
  - c) a statement of delegated powers;
  - d) timing and methods of site visiting and record keeping, including updates;
  - e) procedures for dealing with variations and incidents.

The development shall be implemented in accordance with the approved scheme.

REASON: In order to safeguard the existing trees.

Landscape Design Proposals

- (27) No development shall commence until full details of hard and soft landscape proposals have been submitted and approved in writing by the Local Planning Authority.

REASON: In the interest of amenity.

Hard Landscape Details Shall Include:-

- Proposed finished levels and contours;
- Works to existing water courses (culverts, headwalls, etc);
- Proposals for new water bodies, attenuation ponds etc;
- Pedestrian/cycle /equestrian paths and circulation spaces;
- Hard surface details;
- Boundary treatments;
- Minor artefacts and structures (street furniture, signage etc);
- Retained landscape features and proposals for restoration where relevant.

Soft landscape Details Shall Include:-

- Retained trees, hedgerows and areas of soft landscape and proposals for their protection during construction and restoration where relevant;
- Planting plans;
- Schedule of plants (Trees, shrubs, herbaceous plants, turf and seed mixtures) including species, sizes, numbers, and planting and seeding densities;
- Written specification including cultivation, planting operations and landscape sundries (tree stakes, plant shelters, mulch, fertilisers etc);
- A landscape management and maintenance specification describing how the landscape will be established and managed throughout the maintenance period; and
- A timetable for the implementation of landscape works.

REASON: In the interest of amenity.

Landscape Works Implementation

- (28) All hard and soft landscape works shall be carried out in accordance with the approved details and in accordance with the relevant British Standards or codes of good practice. Landscape works shall be implemented in accordance with a timetable agreed in writing with the local Planning Authority. Any tree or plant that within a period of 10 years after planting is removed, dies, or becomes in the opinion of the Local Planning Authority significantly damaged or diseased, shall be replaced during the next planting season with others of the same species and size, unless the Local Planning Authority gives its written approval for a variation.

REASON: In the interest of amenity.

Landscape Management and Maintenance Plan

29. The Landscape Management Plan shall state the long term vision for the landscape and shall describe the relevant landscape operations to achieve this through landscape maintenance and management before, during and after construction. The Landscape Maintenance Strategy shall specify the maintenance procedures, operations, and their frequency, and maintenance standards that will be implemented to ensure the successful establishment and longevity of all hard and soft landscape areas, before, during and after construction.

REASON: In the interest of amenity.

Landscaping Implementation

30. All planting, seeding or turfing in the approved soft landscape details for the relevant development parcels, shall be carried out in the first planting season following the completion of the appropriate element of development. Any trees, plants, turf or seeded areas which within a period of 10 years for strategic planting and 5 years for all other planting are removed or are noticeably damaged or diseased, or have failed to establish or make reasonable growth, shall be replaced in the next planting season with others of the same size and species, unless the LPA gives written approval of a variation of the first planting.

REASON: In the interests of accurately establishing the quality and value of trees and hedges on or adjacent to the site and the implications for development.

Tree Protection

- (31) No demolition, site clearance or building operations shall commence in respect of any earth works, each development parcel or any part of the engineering elements until details of physical tree protection for that

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part of the development has been installed in accordance with tree protection details specified in an Arboricultural Survey and Assessment.

REASON: To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area.

- (32) No trees shall be removed during the course of site preparation or construction until completion unless otherwise agreed in writing by the local planning authority.

REASON: To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area.

Low Carbon Strategy

- (33) Prior to or concurrently with the submission of reserved matters application for any development parcel containing residential units, pursuant to this outline permission, shall be accompanied by a statement demonstrating compliance with the low carbon strategy (as set out in the Energy Strategy, August 2014 and Sustainability Statement, August 2014). The development of each development parcel shall then be carried out in accordance with the details.

REASON: To ensure an energy efficient and sustainable development.

Fibre Optic Telecommunication Infrastructure

- (34) Prior to the commencement of each development parcel, pursuant to this outline permission, a scheme detailing the provision of open access ducting for fibre optic cable to serve a range of telecommunication services, shall be submitted to and approved in writing by the Local Planning Authority, including site infrastructure plans. The scheme shall ensure that a) a site-wide network is in place and provided as part of the strategic engineering works; and b) that the developers of each development parcel are required to complete the infrastructure to facilitate the provision of fibre optic cable to each dwelling and commercial premises upon the occupation of each building. The development of the site hereby permitted shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the needs of future residents to connect to the internet does not necessarily entail engineering works to an otherwise finished and high quality living environment.

Construction Environmental Management Plan

- (35) Prior to the commencement of any development, pursuant to this outline permission, a site wide Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The site wide CEMP shall include:-
- a) Contractor's access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
  - b) Details of haul routes within the relevant parts of the site;
  - c) A plan specifying the area and siting of land to be provided for parking, turning, loading and unloading of all vehicles visiting the relevant parts of the site and siting of the contractors compound during the construction period to be agreed on a phased basis;
  - d) Dust management and wheel washing or other suitable mitigation measures such as lorry sheeting, including the consideration of construction/engineering related emissions to air, to include dust and particulate monitoring and review and the use of low emissions vehicles and plant/equipment;
  - e) Noise and vibration (including piling) impact/prediction assessment, monitoring and recording protocols/statements and consideration of mitigation measures in accordance with the provisions of BS5228 (2009): Code of practice for noise and vibration control on construction and open site – Part 1 and 2 (or as superseded);
  - f) Details of best practice measures to be applied to prevent contamination of the water environment during construction;
  - g) Measures for soil handling and management including soil that is potentially contaminated;
  - h) Details of concrete crusher if required or alternative procedure;
  - i) Details of odour control systems including maintenance and manufacture specifications;
  - j) Maximum noise mitigation levels for construction equipment, plant and vehicles;
  - k) Site lighting for the relevant part of the site;
  - l) Screening and hoarding details;

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- m) Liaison, consultation and publicity arrangements, including dedicated points of contact;
  - n) Complaints procedures, including complaints response procedures;
  - o) Membership of the considerate contractors' scheme;
  - p) Archaeological protection and mitigation measures to be implemented during the construction process.

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

**Construction Working and Construction Deliveries/Collection Permitted Hours**

- (36) All construction, demolition, enabling and earth works are only permitted between 0800 hours to 1800 hours Monday to Friday and 0800 hours to 1300 hours on Saturday. No works are permitted at any time on Sundays, Bank or Public Holidays, unless agreed in writing by the local planning authority or in accordance with agreed emergency procedures for deviation.

No deliveries of construction materials or plant and machinery and no removal of any spoil from the site or similar collections from the site shall take place before 0700 hours or after 1900 hours on Mondays to Fridays, before 0800 hours or after 1400 hours on Saturdays, and not at all on Sundays or recognised public holidays.

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

**External Artificial Lighting**

- (37) Within each reserved matters application that includes any form of external lighting illumination an artificial lighting scheme to include details of the height, type, position and angle of glare of any final site lighting/flood lights , the intensity of illumination and predicted horizontal and vertical isolux lighting contours and an assessment of artificial lighting impact on any sensitive residential premises on and off site shall be submitted to and approved in writing by the Local Planning Authority. The details and measures so approved shall be carried out and maintained thereafter in accordance with the approved details.

REASON: To protect the character and appearance of the area and the amenity of existing and future residential properties in accordance with National Planning Policy Framework (NPPF) paragraphs 120, 125.

Waste and Recycling Management Strategy

- (38) Unless otherwise agreed in writing by the local planning authority, any reserved matters application for layout in relation to each development parcel shall be accompanied by a Waste Management and Minimisation Strategy. The WMMS should include:-
- a. A detailed Waste Audit to include anticipated waste type, source, volume, weight etc. of municipal waste generation during the occupation stage of the development;
  - b. Proposals for the management of municipal waste generated during the occupation stage of the development, to include:-
    - the design, provision, management, maintenance and renewal of internal and external waste systems for the segregation, storage and collection of recyclables, non-recyclables and compostable materials, e.g., internal storage caddies, external underground waste systems, wheeled bin system etc.
    - access to storage and/or collection points by users and waste collection vehicles Arrangements for the provision, on-site storage, delivery and installation of waste containers prior to occupation of any dwelling

REASON: To ensure that waste is managed sustainably during the occupation of the development in accordance with National Planning Policy.

Transport

Transport/Highways - General

- (39) No means of access shall be formed between the site and the existing highway until the detailed access design (including but not limited to construction details, drainage and visibility splay) has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of highway safety.

- (40) Dwellings shall only be occupied when the vehicular accesses, driveways, parking areas and turning areas serving that residential unit have been constructed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of highway safety.

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

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

- (42) There shall be no discharge of surface water onto the Highway.

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

- (43) No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide areas within the curtilage of the site for the purpose:-

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities.

REASON: To ensure that on street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway and to ensure that appropriate loading/unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

- (44) Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

REASON: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- (45) The parking shall be provided in accordance with the EPOA Parking Standards.

REASON: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the

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Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- (46) Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator

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

- (47) Prior to occupation of development, the developer shall provide infrastructure improvements to the existing bus stops adjacent the site on both sides of High Street. This shall include the provision of Real Time information boards and associated works as deemed necessary.

REASON: To make adequate provision within the highway for additional public transport users generated as a result of the proposed development.

- (48) Prior to occupation of the development, improvements to the junction of Alexandra Avenue with High Street to provide enhanced facilities to facilitate pedestrian movements with appropriate dropped kerbs and tactile paving.

Reason: To make adequate provision within the highway for additional pedestrian movements to the village centre and primary school generated as a result of the proposed development.

#### Transport – Adoption Strategy

- (49) Prior to the first occupation of any buildings in respect to any development parcel, pursuant to this outline permission, an Adoption Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Adoption Strategy shall set out:-
- i. The elements of the transport network within the site which will be offered for adoption by the Local Highway Authority;
  - ii. The elements of the transport network within the site which will be retained in private ownership, or other, and in each case details of the management arrangements for these elements of the network;
  - iii. The elements of the recreational path network that will be offered for adoption as Public Rights of Way; and

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- iv. The elements of the recreational path network which will be retained in private ownership, and the management arrangements for these elements of the network.

REASON: To ensure that the transport network conforms to acceptable maintenance and management standards for the various elements of the site.

**Archaeology**

- (50) 'No development or preliminary ground works of any kind shall take place until the applicants have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicants and approved by the local planning authority'. The archaeological work will comprise evaluation trenches followed by excavation, if features are identified. A professional archaeological contracting team should undertake any archaeological work.

REASON: To secure the provision of archaeological excavation and the subsequent recording of any artefacts.

**Informatics**

**Highways**

- All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.
- The Highway Authority cannot accept any liability for costs associated with the developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.
- 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
- The above is required to ensure the proposal complies with the County Council's Highways and Transportation Development Control policies, as originally contained in Appendix G of the Local Transport Plan 2006/2011 and refreshed by Cabinet Member Decision dated 19 October 2007.
- The requirements above should be imposed by way of negative planning condition or planning obligation as appropriate.

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- Prior to any works taking place in the public highway the developer shall enter into the appropriate legal agreement with the Highway Authority under the Highways Act 1980 to regulate the construction of the highway works.
  - Prior to occupation, the development shall be served by a system of operational street lighting which shall thereafter be maintained in good repair.
  - In all cases where spoil is unavoidably brought out onto the highway, the applicants/developer must be reminded of their responsibility to promptly remove such spoil at their own expense and to the satisfaction of the Highway Authority.



Matthew Thomas

Assistant Director, Planning & Regeneration Services

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## **STATEMENT**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against the adopted Development Plan and all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area, to the street scene or residential amenity such as to justify refusing the application nor to surrounding occupiers in neighbouring streets.

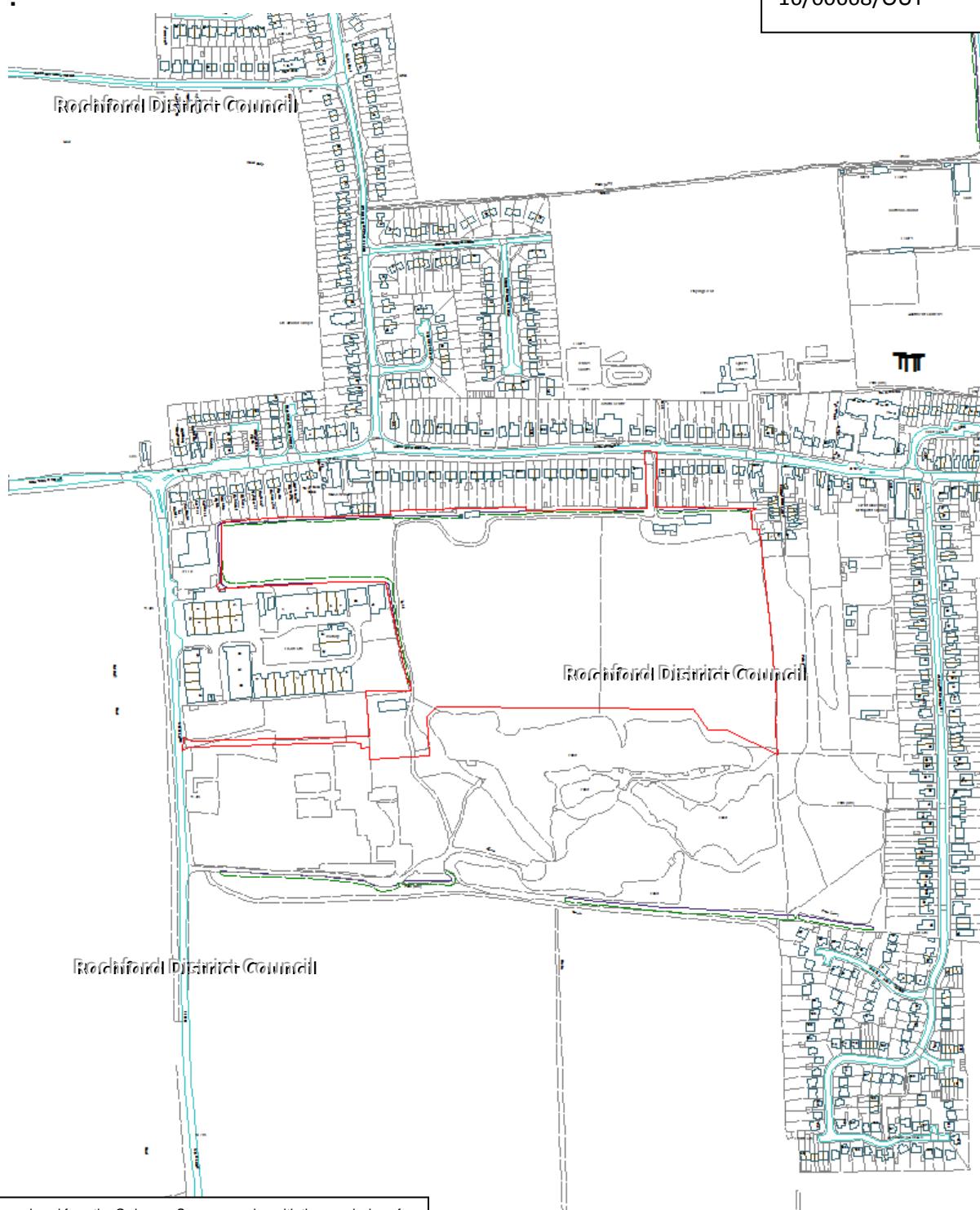
For further information please contact William Richards on:-

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**DEVELOPMENT COMMITTEE**  
**- 19 January 2017**

**Item 6**

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