

APPLICATION NO: 12/00363/FUL

RESIDENTIAL DEVELOPMENT (CLASS C3) OF 101 DWELLINGS COMPRISING 10 No. TWO-BEDROOMED APARTMENTS, 20No. TWO-BEDROOMED HOUSES, 44No. THREE-BEDROOMED HOUSES, 13No. FOUR-BEDROOMED HOUSES AND 14No. FIVE-BEDROOMED HOUSES, ASSOCIATED INFRASTRUCTURE, PUBLIC OPEN SPACE AND VEHICULAR AND PEDESTRIAN ACCESS ROUTES.

AT FORMER E-ON SITE, 190 LONDON ROAD, RAYLEIGH.

APPLICANT: BELLWAY HOMES (ESSEX) LTD.

ZONING: EXISTING RESIDENTIAL DEVELOPMENT

PARISH: RAYLEIGH TOWN COUNCIL

WARD: SWEYNE PARK

1 PLANNING APPLICATION DETAILS

- 1.1 This application is a re-submission of that refused permission under application 11/00689/FUL as considered at the Development Committee of 31 May 2012.
- 1.2 The proposal comprises the development of 101 dwellings. The five-bedroomed dwelling would be a single design but with two variants. The four-bedroomed house types would comprise two designs. The three-bedroomed houses would be primarily three designs, but with external material variants amongst those. But for the larger five-bedroomed houses proposed, the private housing each feature pitched roofed front porches. The affordable housing also includes the same design features, but with some variants to feature a flat roofed shallow porch detail similar to the larger five-bedroomed dwellings as well as the pitched roofed porch designs. The overall design of the affordable housing is the same as for the private housing, but with some the affordable house types having slightly larger floor plan designs. The two-bedroomed houses for both private and affordable tenures share the same design.
- 1.3 The layout would utilise the existing access point of the site onto London Road, but reducing the width to a domestic size with a carriageway of 5.5m width between 2m wide pedestrian pavements. The access road would reduce down to a shared surface in a looped arrangement with extension to

the northern part of the site and with private drives leading from the main access road.

- 1.4 The layout would retain the verge along the front of London Road with an access drive in parallel to give frontage development of detached housing onto London Road. The development into the depth behind the London Road frontage would front a square of open space with private drives to the eastern side of the site.
- 1.5 The access road loop would form a centrally developed area onto which housing would front both sides. The rear of the site would be accessed from an extension of the loop road. The water course crossing the north eastern corner of the site would segregate this part of the site with vehicular access for 13 dwellings from a separate access from Cheapside West. The road access would not link London Road with Cheapside West. However, the water course would feature a pedestrian and cycle bridge. Two pedestrian and cycle links would be established to the western boundary at the back of the site giving connectivity potential to future re-development of land that may be released to the immediate west of the site.
- 1.6 The overall built form would essentially comprise two storey buildings, but with two and a half storey (rooms in the roof space house types) featuring the southern part of the site near London Road.
- 1.7 The 25no. affordable dwellings previously proposed and located in a single area to the north east corner of the site have in this application been increased to include a plot to part of the development accessed off Cheapside West, additional plots alongside the water course and a group of four dwellings to the central part of the site. The number of affordable dwellings has been increased to 35 and would comprise 10no. two-bedroomed apartments, 9no. two-bedroomed houses and 16no. three-bedroomed houses.
- 1.8 The layout shows the provision of courtyard parking or parking with garages to plots, together with visitor spaces adjoining the street. For those plots without garages a typical garden shed is shown 2.4m x 1.8m to provide cycle storage.
- 1.9 The application includes the following list of documents submitted in support of the application:-
 - a) Planning statement including affordable housing statement
 - b) Design and Access statement
 - c) Transport Assessment and travel pack
 - d) Energy and sustainability assessment
 - e) Arboricultural impact assessment

- f) Flood Risk assessment
- g) Landscape report
- h) Ecology report and additional reptile and bat survey
- i) Ground conditions / contamination statement and remediation strategy
- j) Archaeology report
- k) Utilities assessment
- l) Statement of community involvement
- m) Viability assessment

THE SITE

- 1.10 The application site is on the northern side of London Road opposite the junctions with Ronald Drive and Leonard Drive. The site is broadly rectangular in shape and to an area of 3.34ha (8.2 acres). On the site existed a part two storey and part three storey flat roofed building, more recently used as a customer call centre, but has also previously been used as offices and depot for the local electricity provider. The building was located to the western side of the middle part of the site but the remainder of the site is extensively covered in hard standing areas used for car parking and vehicle plant and equipment storage. The building is currently being demolished and hard standing areas being removed.
- 1.11 The rear part of the site includes a telecommunications mast and a group of portacabins where a nursery school has operated since 1994. It is understood that a church has also made dual use of these portacabins for weekly meetings and other church activities. This part of the site is accessed from Cheapside West. The nursery school and church are closed.
- 1.12 The area between the telecommunications mast and the portacabins is divided by a water course that flows northwards and connects to a drainage pond area immediately to the east of the site boundary off Boston Avenue. The water course is culverted in part of the site with a hard standing area over it. The remainder of the water course is open.
- 1.13 The site has a significant change in level sloping down-hill from the street level of London Road northwards through the site.
- 1.14 The site frontage has a group of trees to the west of the existing access comprising cherry, field maple, maple and ash set within a verge area and the subject of Tree Preservation Order 11/11. The order also includes two individual ash trees and one field maple located in the verge and car park area to the east of the site access. The order also includes one field maple, two oak trees and three ash trees located at the rear western boundary of the

site, a further two ash trees along the banks of the open water course and three oak trees in a line on part of the hard surface area close to the pond off Boston Avenue to the eastern part of the site. Works have, however, been agreed to fell three oaks and three ash trees and replace with ten new trees.

- 1.15 A number of trees are also preserved on land adjoining the site now forming the Gunn Close development and on land to the north and west of the site.
- 1.16 The site is adjoined to the west by the more recent Gunn Close development of 14No. houses. Beyond this adjoining the depth of the application site are the grounds of the Timber Grove care home, which extend alongside the middle part of the site, together with open land in other ownership. The care home site and part of this adjoining land were the subject of an application for a replacement care home and 43 dwellings refused permission on 5 March 2012 under application reference 11/00492/FUL. This adjoining site is also the subject of a new application for a replacement care home and 43No. dwellings under application No. 12/00279/FUL and which is pending consideration.
- 1.17 To the east is established housing and flats accessed from Boston Avenue and Cheapside West. Immediately to the north of the site is a site with permission for a development of four houses on which a technical start has been made.
- 1.18 An easement has to be excluded from the developable area of the layout along part of the western boundary of the site with the back gardens to properties fronting Gunn Close and serving an electricity sub station. This easement area contains underground cables and services and has to be excluded from being contained within garden areas or built form.
- 1.19 Members held an accompanied site visit on 7 January 2012 for the purpose of considering the previous application 11/00689/FUL.

2 RELEVANT PLANNING HISTORY

- 2.1 Application No. RAY/170/73 – The layout of the land as an industrial estate – Superseded 07.05.01.
- 2.2 Application No. RAY/346/73 – Comprehensive development comprising of new district offices and depot for EEB at Persons Farm, Rayleigh (Between London Road and Cheapside West) – Granted 28.03.1973.
- 2.3 Application No. RAY/346/73/1 – New district offices and depot for EEB amenity area and SW lagoon and residential development – Granted.
- 2.4 Application No. RAY/346/73/2 – Residential development providing 66 houses and 54 flats at Pearsons Farm, Between London Road and Cheapside West (details) – Granted 03.09.1975.

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- 2.5 Application No. ROC/315/77 – Erect three pre-cast garages to rear of offices at Rayleigh electricity sub station, Rawreth, Wickford – Granted 11.05.1977.
- 2.6 Application No. ROC/556/79 – Add two timber huts required for storage in connection with sports and social Club, e.g., chairs, tables, sports equipment, empty barrels, etc. – Withdrawn 25.01.1980.
- 2.7 Application No. ROC/809/81 – Erect a radio aerial to roof – Granted 06.01.1982.
- 2.8 Application No. ROC/781/82 – Erect a games room extension to club house – Granted – 05.01.1983.
- 2.9 Application No. ROC/076/86 – Modification to existing office and store building to provide 2 storey offices and new stairway enclosure – Granted 21.03.1986.
- 2.10 Application No. ROC/125/86 – Erect games room extension to club house – Granted 21.03.1986.
- 2.11 Application No. ROC/406/87 – Erect store room to rear of club house – Granted 27.06.1987.
- 2.12 Application No. ROC/634/89 – Temporary building for use as reporting centre – Granted 08.09.1989.
- 2.13 Application No. ROC/981/89 - Erect storm porch to front and a boundary security fence – Granted 03.05.1990.
- 2.14 Application No. ROC/301/90/AD – Internally illuminated logo sign and fascia sign – Granted 30.01.1990.
- 2.15 Application No. ROC/069/91 - Erect security fence (1.5m high around front car park and 2.5m high to other boundaries) – Refused 20.03.1991.
- 2.16 Application No. ROC/729/91 – Conservatory extension to provide conference and function room to front of building on the existing first floor roof – Granted 11.12.1991.
- 2.17 Application No. AD/0386/92/ROC – Illumination of existing fascia panel sign – Granted 06.08.1992.
- 2.18 Application No. CU/0143/93/ROC – Variation of condition on RAY/346/73 to allow change of use of part existing stores to office use (ground floor level) and insertion of windows – Granted 02.06.1993.
- 2.19 Application No. ROC/300/93 – Change use of existing stores to office and existing garage to stores with external alterations – Granted 12.08.1993.

- 2.20 Application No. F/0301/94/ROC – Erect single storey building for use as a 50 place nursery. Granted 7 July 1994.

Condition 5: The premises shall be used as a day nursery and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order.

REASON: To enable the Local Planning Authority to control the future use of the site in the interests of the amenity of the adjacent residential area.

- 2.21 Application No. 95/00164/FUL - Air conditioning chiller enclosure building and demolition of roof mounted chiller – Approved 25.05.1995.
- 2.22 Application No. 97/00094/DPDP2 - To determine whether prior approval of details of siting and appearance is required for the installation of a 6m high roof mounted telecommunications mast and equipment cabin - Refused 27.03.1997.
- 2.23 Application No. ROC/515/97 – Erect 25 metre high lattice telecommunications tower (with 16 sector antennae and 6 dish antennae), erect 3 equipment cabins and chain link fence – Granted 12.02.1998.
- 2.24 Application No. 98/00093/FUL - Change of use and alterations to elevations of two storey garage building to form offices. Erect canopy to entrance and associated car parking – Granted 03.07.1998.
- 2.25 Application No. 98/00132/FUL – Installation of two portable buildings for use as offices for a temporary period of 3 years – Granted 03.07.1998.
- 2.26 Application No. 98/00408/FUL - Erect 25m high lattice telecommunications tower (with 16 sector antennae, 6 dish antennae and 3 cross polar antennae). Erect 4 equipment cabins, fenced compound and related works including access (revised application) – Granted 11.02.1999.
- 2.27 Application No. 98/00714/FUL - Provision of 2.4 metre high chain link fence to part of eastern boundary – Granted 20.01.1999.
- 2.28 Application No. 98/00739/FUL - Install two portable buildings for use as offices for a temporary period of three years – Granted 21.07.1999.
- 2.29 Application No. 99/00458/DPDP24 - To determine whether prior approval of details of siting and appearance is required for replacement equipment cabin – Prior approval not required 07.09.1999.
- 2.30 Application No. 00/00259/FUL – Installation of three windows – Granted 22.06.2000.

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- 2.31 Application No. 00/00548/DPDP24 - Determination as to whether prior approval of details of siting and appearance is required for the installation of three additional antennae on existing mast – Prior approval not required 21.08.2000.
- 2.32 Application No. 00/00677/DPDP24 - Determination as to whether prior approval of details of siting and appearance is required for the installation of 3 No. additional antennae on existing mast - Prior approval not required 20.10.2000.
- 2.33 Application No. 00/00752/FUL - Renewal of permission for the siting of 4 (No) mobile office units – Granted 09.01.2001.
- 2.34 Application No. 00/00830/DPDP24 - Determination as to whether prior approval is required for replacement equipment cabinets – Prior approval not required 21.12.2000.
- 2.35 Application No. 01/00420/FUL – Erect 2 two-storey portable buildings (total four) – Granted 21.08.2001.
- 2.36 Application No. 01/00854/FUL – Siting of 3 (No.) temporary office/toilet units – Granted 08.01.2002.
- 2.37 Application No. 01/00868/FUL – Conversion of existing storage area into office accommodation including provision of additional windows – Granted 19.02.2002.
- 2.38 Application No. 02/00118/FUL – Renewal of permission to allow the continued stationing of 4no. portable buildings – Granted 02.04.2002.
- 2.39 Application No. 02/00427/FUL – Construction of additional parking area – Granted 09.07.2002.
- 2.40 Application No. 11/00627/DEMCOM - Application for prior notification of proposed demolition – Prior approval required and refused 15.11.2011.
- 2.41 Application No. 11/00750/DEMCOM - Demolition of buildings – Prior approval required and refused 05.01.2012.
- 2.42 Application No. 12/00040/DEMCOM - Application for prior notification of proposed demolition of existing building on site – Prior approval is required and approved 24.02.2012.
- 2.43 Application No. 11/00689/FUL - Residential development (Class C3) of 101 dwellings comprising 10No. two-bedroomed apartments, 20No. two-bedroomed houses, 34No. three-bedroomed houses, 23No. four-bedroomed houses and 14No. five-bedroomed houses, associated infrastructure, public open space and vehicular and pedestrian access routes.

Permission refused 8 June 2012 for the following reasons:-

- 1) The proposal would fail to provide sufficient affordable housing for the size of development proposed. The submitted affordable housing financial viability report does not demonstrate conclusively that the development cannot achieve the provision of 35% of the dwellings proposed to be affordable and as required by Policy H4 to the Rochford Core Strategy (adopted December 2011). Furthermore, it is not clear from the more recent submissions made in the application by the applicant as to what the final percentage contribution of affordable housing would be, given the applicant's reliance upon further viability testing. If allowed, the development would lose the opportunity of providing sufficient affordable housing on the site as per policy H4, and be at variance with one of the District Council's key priorities to maximise the provision of affordable housing through the planning system.
- 2) The proposal would result in the loss of community facilities in the form of the existing nursery school to be demolished and removed with no proposal for replacement. As such the proposal would conflict with Policy CLT 6 to the Rochford Core Strategy (adopted December 2011), which seeks to safeguard community facilities from development that will undermine their important role within the community.
- 3) No provision has been made for recreational play equipment in the central open space area shown on the application layout. If allowed in this form, the application would fail to enhance and improve the quality of the proposed open space to the detriment of the amenity and to the well being future users of the open space ought reasonably expect to enjoy.

3 CONSULTATIONS AND REPRESENTATIONS

3.1 **Rayleigh Town Council** - No objection, however this is subject to the developers complying with the District Council's concerns as stated in the previous application 11/00689/FUL regarding affordable housing and community facilities.

3.2 Essex County Council Highways

3.2.1 Do not wish to raise an objection to the application subject to the following:-

- A financial contribution of £25,000 towards infrastructural improvements at the bus stops along London Road in the vicinity of the site to provide, where required, enhancements to include improved passenger waiting facilities to existing infrastructure.

3.2.2 And to the following heads of conditions:-

- 1) Prior to the occupation of the development, the road junction shall have been re-modelled with appropriate kerb radii and visibility splay of 4.5m x 120m.

- 2) Any new boundary planting shall be planted a minimum 1m back from the highway boundary and any visibility splay.
- 3) Prior to the commencement of the development details of provision of areas within the site and clear of the highway for the purpose of loading and unloading materials, reception and storage of materials.
- 4) Prior to the commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway.
- 5) Prior to the commencement of the development details of a wheel cleaning facility to be provided within the site and for the duration of the construction period.
- 6) Prior to the commencement of the development details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the LPA.
- 7) All independent paths to be a minimum of 2m wide with details of lighting and drainage to be submitted to and approved in writing by the LPA.
- 8) 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 sympathetic to the street lighting scheme.
- 9) All parking spaces shall conform to the EPOA parking standards and each space shall be a minimum of 2.9m wide and 5.5m deep. All single garages shall have internal dimensions of 3m width and 7m depth.
- 10) Prior to the occupation of the development the developer shall be responsible for the provision and implementation of a residential travel information pack to be approved by Essex County Council and to include 10no. 'All Essex' scratch cards.

3.3 Essex County Council Urban Design Public/Realm

- 3.3.1 Comments awaited. Previously made the following comments with regard to application 11/00689/FUL shown below.
- 3.3.2 *Now satisfied that the revised scheme addresses our previous concerns and meets relevant design standards. Therefore happy to suggest that approval is recommended with regard to design.*
- 3.3.3 *The approach into the site is now considered acceptable with trees on one side of the street providing a suitable greening of the street. We are happy with the shared space at the north of the loop, which now has an appropriate balance, meeting both landscape and parking requirements.*

- 3.3.4 *With regard to linkages with surrounding areas these include a new pedestrian link to the west (on the north side of the stream) and the potential for a new pedestrian link to the east in the vicinity of the stream.*
- 3.3.5 *We are happy with the stream side space, previously dominated by parking, that has now been re-designed with a much greater landscape emphasis.*
- 3.3.6 *The revised provision of visitor car parking is now acceptable.*
- 3.3.7 *The external appearance of the houses and apartments has been improved and are now considered acceptable for the scheme.*
- 3.3.8 *Understand the negotiated changes to meet the required standards has resulted in a loss of two units.*
- 3.3.9 *Recommend that conditions are attached for subsequent approval of the landscape scheme and key external building materials (i.e. brick and roof tiles) with samples required as appropriate.*
- 3.3.10 *Further recommend no development should take place until a satisfactory landscaping scheme has been submitted to and approved by the Local Planning Authority. This should cover hard (e.g., roads and pavements) and soft works (e.g., green spaces and verges).*
- 3.3.11 *Proposals for the following secondary frontage elevations should be re-submitted and approved showing additional and suitably designed windows/glazing to achieve an appropriate sense of activity, interest and self-policing with regard to adjoining areas of public/communal realm:*

Plot	House Type	Elevation
26	York	Side (NE)
32	York	Side (N)
14	Campbell B	Side (W)
91	Campbell B	Side (E)
97	Campbell B	Side (W)
34	Campbell C	Side (SE)
27	Montrose C	Side (E)
19	Montrose B	Side (E)

Plot	House Type	Elevation
23	Montrose A	Side (N)
38 & 39	Ha65d	Rear & Side (N)
40 & 41	Ha65b	Side (W) & Rear
55 & 56	Ha65b	Side (N)
35	Egerton A	Front (bend)
15	Egerton C	Side (W)
1	Campbell A	Side ((E)
24	Campbell A	Side (E)
63	Cavendish B	Side (N)
51 & 52	Ha65a	Side (NE)
47	Ha88b	Side (NE)
46	Ha88a	Side (SW)
62	Ha75a	Side (W)
42 & 43	Ha65c	Side (N)

3.3.12 Details of all boundary walls, fences and gates adjoining/facing the public realm (streets and spaces), shall be submitted to and agreed by the Planning Authority prior to construction.

3.3.13 Eaves to all roofs shall be open with exposed rafter feet (rather than boxed) or have sloping soffits.

3.3.14 Details of all facing materials and roofing materials to be used shall be submitted to and approved by the Local Planning Authority prior to construction.

3.4 Essex County Council Specialist Archaeological Advice

3.4.1 Advise that the site lies approximately 500m to the south west of a previously excavated Anglo-Saxon cemetery at Park School in Rawreth Lane (EHER 45134). The excavations at Park School uncovered a 5th – 6th Century Saxon cemetery and earlier features of prehistoric and Roman date. Previous specialist advice has recommended a desk based assessment followed, if

necessary, by field work. Although the desk based assessment of the site did not identify any heritage assets within the site boundary, it concludes that the size of the development area makes it likely that some archaeological remains will be present on the site given the close proximity of the cemetery at Park School. The location of the Saxon settlement associated with the cemetery is unknown but it is most likely to be close to the burial ground and could be located on the development site.

3.4.2 Therefore recommend full archaeological condition.

3.4.3 “No development or preliminary ground works of any kind shall take place until the applicant has secured a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority”.

3.5 South East Essex Primary Care Trust

3.5.1 Comments awaited. Previously made the following comments with regard to application 11/00689/FUL shown below.

3.5.2 *Advise that, given the size of the proposed development, South East Essex PCT would seek a financial contribution of £67,367 equivalent to £667 per unit for the development/upgrading of primary care facilities in the area as a result of the increased population.*

3.6 Environment Agency

3.6.1 Advise that previously commented on a very similar scheme under application reference 11/00689/FUL. The comments provided in that response remain applicable to this application also. Note that although the previously submitted flood risk assessment has been submitted with this application, the amendments to it provided in the letter referenced SBr/ss11637/J661 have not; please ensure this also forms part of the new application case file.

Previous Comments with Regard to Application 11/00689/FUL.

3.6.2. Further to the information received from the applicant's consulting engineers on 21 December 2011 and 30 January 2012 , have reviewed the information and remove previous objection. The additional information, in combination with the submitted flood risk assessment (FRA), has satisfactorily demonstrated that the site will not increase flood risk on or off the site.

3.6.3 Previous concern that the precise nature of the proposed compensatory storage scheme had not been provided and had not been addressed. The design of the proposed alterations to the water course allow compensation to be contained within it. This has been shown to be fully within the site as demonstrated on drawing no. J661-04.

- 3.6.4 Further confirm satisfactory rates and attenuation values relating to the proposed surface water scheme were provided in the original FRA submission. Apologise for this oversight.
- 3.6.5 Advise the water course is designated a main river so any works within 9m would require prior written flood defence consent from the Environment Agency.

3.7 Essex County Council Schools Organisation and Planning

- 3.7.1 Advise that according to forecasts and information published in the latest commissioning school places in Essex Plan there should be sufficient primary school places at a local school serving this development.
- 3.7.2 The plan indicates a deficit in secondary school provision that will be increased should the application be approved. The school serving this development would be Sweyne Park, which has a permanent net capacity of 1,256 pupils on roll giving a deficit of 16 places even before new housing is taken into consideration.
- 3.7.3 With regard to early years and child care provision, the local ward for this development is Sweyne Park. According to the Essex Childcare Sufficiency Assessment, the ward has no full day care available and no nursery at the moment. It is clear that at both early years and secondary school level action will be needed to provide additional places and that this development will add to that need.
- 3.7.4 Based upon the information provided, it is estimated that this development will result in 8.64 additional early years and childcare and 19.2 additional secondary school places being required. However, whilst the schools service maintains that contributions for both early years and secondary places are in principle required, given their response to the previous application and that the greater of the needs lies with the EY&CC contribution, a contribution of £100,596 is requested for EY&CC through a section 106 agreement.
- 3.7.5 Previously made the following comments with regard to application 11/00689/FUL.
- 3.7.6 *Advise that on this occasion a request for a financial contribution for education will not be made. At early years and county primary level it is clear that there will be sufficient places but at secondary level the position is not so clear. The forecasts show that it is likely that by 2016 there will be 20 surplus places at the Sweyne Park School, which is just enough to serve the development, but it will leave the school full and a deficit of places across Rayleigh. There is therefore an argument that a contribution should be made. However, the applicants were informed last July, on the basis of the data then available, that a contribution would not be required. In view of this and the borderline position, have decided not to request a contribution.*

3.8 Essex and Suffolk Water

- 3.8.1 Comments awaited. Previously made the following comments with regard to application 11/00689/FUL shown below.

Advise that Essex and Suffolk water apparatus do not appear affected by the proposed development. Give consent to the development on the condition that a new connection is made onto our company network for each new dwelling.

3.9 Natural England

- 3.9.1. Advise that comments made in relation to the previous application 11/00689/FUL apply equally although made no objection. The proposed amendments to the original application relate largely to plans and are unlikely to have significantly different impacts on the natural environment than the original proposal.

Previously made the following comments with regard to application 11/00689/FUL shown below.

- 3.9.2 Advise that the proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development.
- 3.9.3 Advise that if the LPA is aware of the possible presence of a protected or biodiversity action plan species on the site a survey should be requested before determining the application.
- 3.9.4 Advise that if the site is on or adjacent to a local wildlife site, e.g., Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR), the Authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site before it determines the application.
- 3.9.5 Advise that the application may provide opportunities to incorporate features into the design that are beneficial to wildlife such as the incorporation of roosting opportunities for bats and the installation of bird nest boxes. The LPA should consider securing measures to enhance the biodiversity of the site from the applicant.

3.10 Rochford District Council Consultant Ecologist

- 3.10.1 Comments awaited. Previously made the following comments with regard to application 11/00689/FUL shown below.

3.10.2 *The application is accompanied by a phase 1 survey report, a bat survey report and reptile survey report. The reptile survey report recommends that slow worms present should be translocated to an appropriate site with Stow Maries Airfield named, but understand this has been deferred until the spring of 2012.*

3.10.3 *Should planning consent be granted it is recommended that a condition be applied requiring the translocation of reptiles in line with the recommendation in the report and that no development work be permitted in the area of reptile habitat until it is confirmed in writing to the Council that the translocation is complete.*

3.11 Rochford District Council Consultant Arboriculturalist

3.11.1 Comments awaited. Previously made the following comments with regard to application 11/00689/FUL shown below.

3.11.2. *Advise on the need for a condition that the arboricultural method statement be adhered to at all times.*

3.12 Essex Police Architectural Liaison

3.12.1 Comments awaited. Previously made the following comments with regard to application 11/00689/FUL shown below.

3.12.2 *Do not object to this application, but would seek planning conditions relating to security and safety that are not addressed within the application.*

3.12.3 *The Design and Access Statement mentions secure by design as a reference but does not state the development will either seek to achieve or achieve SBD certification. A condition that all housing achieves SBD is supported by PPS1, PPS 3 and the Safer Places Document, which all seek to achieve crime free developments. Crime also has a carbon footprint and implementing SBD requirements will reduce the opportunities for crime and anti-social behaviour to occur. SBD on all housing will ensure uniformity and a minimum level of security across the whole site making the built environment a safer place.*

3.13 Sport England

3.13.1 Comments awaited. No comments to make on the previous application.

3.14 Anglian Water

3.14.1 Comments awaited. Previously made the following comments with regard to application 11/00689/FUL shown below.

3.14.2 *Advise that Anglian Water has assets within or close to the site that may affect the site layout and asks for an advisory note to the approval notice to*

the applicant to advise that these assets should be incorporated into the highway or public open space.

3.14.3 Advise that foul drainage from this development is in the catchment of Rayleigh West sewage treatment works that at present has available capacity for these flows. Advise further that the sewerage system at present has available capacity.

3.14.4 Advise that the preferred method of surface water disposal should be to a sustainable drainage system (SUDS) with the connection to the sewer as the last option. The surface water strategy/flood risk assessment submitted with the application relevant to Anglian Water is acceptable.

3.14.5 Recommend the following condition:-

3.14.6 “No dwelling shall be occupied until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority”.

3.15 Rochford District Council Head of Environmental Services

3.15.1 No adverse comments to make. Advise that if Members are minded to approve the application the following conditions should be attached to any consent granted:-

- 1) Full Model contaminated land conditions.
- 2) A scheme of measures to control dust during the construction phase of the development shall be submitted to and agreed in writing by the LPA prior to the commencement of the development. The scheme shall then be fully implemented throughout the construction phase of the development.
- 3) A scheme of measures for the control of noise emissions shall be submitted to and agreed in writing by the Local Planning Authority. Such agreed measures shall be implemented in the approved form throughout the permitted operations.
- 4) Informative: Site waste management informative.
- 5) Informative: It is strongly recommended that the applicant applies for a prior consent under the Control of Pollution Act 1974 by contacting the Council's Environmental Services team.

3.16 Rochford District Council Engineers

3.16.1 Comments awaited. Previously made the following comments with regard to application 11/00689/FUL shown below.

3.16.2. The proposed development is adjacent to a designated main river section of open ditch and potential flood risk area. On site surface water retention may

be necessary.

3.17 Rochford District Council Strategic Housing Manager

3.17.1 No objections are raised against this proposal.

3.17.2 The application includes the provision of 35% affordable housing and is supported by a draft viability assessment (produced by DVS in May 2012) for an earlier application (11/00689/FUL). Furthermore, this is in line with the Council's Core Strategy target of 35%.

3.17.3 The proposed mix of (10 x 2-bed flats, 9 x 2-bed houses and 16 x 3-bed houses) makes a slight departure from the breakdown I recommended on 7/8 June which included 13x 2-bed flats, 9 x 2-bed houses and 13 x 3-bed houses. Ideally, we would still prefer our recommended mix. However, future demand for affordable homes will change and some scope for negotiation at a later stage will be helpful.

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

3.18 Response to Neighbour Notification

3.18.1 No letters have been received in response to the neighbour notification.

4 MATERIAL PLANNING CONSIDERATIONS

Principle of the Development

4.1 The site is within an area allocated existing residential development in the Council's saved Local Plan (2006). The area immediately to the north west of the site is currently allocated Metropolitan Green Belt but could be part of a future allocation for the extension of the residential envelope north of London Road beyond 2015, as identified in Policy H2 to the Council's adopted Core Strategy (December 2011). This future allocation is required to contribute to new infrastructure and services to accompany the residential development including, amongst other things, a link between London Road and Rawreth Lane. The Core Strategy sets out the general location for development, but the specific site allocation is yet to be agreed.

4.2 The site of the current application represents a re-development of previously developed and redundant land in accordance with Policy HP1 of the Council's saved Local Plan (2006) and Policy H1 to the Council's adopted Core Strategy (2011). The principle of the re-development of this site therefore generally accords with the development plan. The site is not part of the future release of land to be considered and the site does not therefore attract the infrastructure requirements that such a release would demand, as set out at Appendix H1 to the Adopted Core Strategy (2011).

Affordable Housing

- 4.3 Policy H4 to the Council's adopted Core Strategy (2011) states that at least 35% of dwellings in developments of 15 or more dwellings on sites of greater than 0.5ha shall be affordable. The policy indicates that these dwellings shall be tenure-blind and well integrated into the layout such that they are spread throughout the layout on larger schemes, whilst having regard to the management requirements of registered social landlords. The policy goes on to state that the requirement may be relaxed where constraints make on site provision impossible or where the developer is able to demonstrate that 35% provision will be economically unviable, rendering the site undeliverable. In such cases the Council will negotiate a proportion of affordable housing based upon the economic viability calculations.
- 4.4 The applicant has revised the application details to now provide 35 affordable dwellings representing 35% (to the nearest dwelling) of the total number of dwellings proposed and in accordance with policy H4 to the Council's adopted Core Strategy.
- 4.5 The provision of the affordable housing now overcomes the reason for refusal to the previous application 11/00689/FUL on this matter. The provision of the tenure split and dedication of the affordable housing will need to be the subject of a legal agreement with the applicants.

Community Facilities

- 4.6 The previous representations received expressed concern at the loss of the site and buildings comprising the nursery school located at the north eastern corner of the site and accessed from Cheapside West. The use as a nursery school was granted permission under application reference F/0301/94/ROC.
- 4.7 Whilst the use as a church meeting place would fall within the same use class as a nursery and would therefore normally be permitted, condition 5 of this particular consent limits the use to that of a nursery and did not permit the use of the premises for any other purpose, including other purposes normally benefiting from the same use class. As such, the use of the nursery for church meetings had been in breach of that consent.
- 4.8 Policy CLT 6 to the Council's adopted Core Strategy seeks to safeguard community facilities as well as the promotion of new community facilities in new development. The applicant is given to understand that the former nursery on the site was a private profit making organisation and was not a registered charity. They understand further that it was not directly linked to – E-On, but some employees did use the nursery for the care of their children. The applicant also confirms that the nursery lease signed on 16 May 2011

included a termination clause for on or after 31 December 2011. The applicant confirms that no further lease was signed since the site was purchased.

- 4.9 The applicant advises that there are three nurseries currently in operation within close proximity to the site. These include Rascal's in Talbot Avenue, Rainbow Eastwood Road and Toad Hall in Nevern Road. Both Rascals and Rainbow nurseries have confirmed verbally to the applicants they could accommodate new starters immediately and all three have capacity in August /September.
- 4.10 The applicant acknowledges that the site is within walking distance (approximately 100-200m) from a local shopping parade and that in turn, residents to this scheme will input into the local economy.
- 4.11 Whilst the applicant considers that in this instance, policy CLT 6 is not wholly relevant as it is based on existing need or demand; they, however, note concerns that the proposal should provide some mitigation.
- 4.12 The applicant notes that policy H2 to the Council's adopted Core Strategy identifies the release of 550 dwellings to land north of London Road between 2015–2021. Appendix H1 to the Council's adopted Core Strategy identifies, amongst other things, that that release shall provide youth and community facilities as part of the infrastructure to accompany that residential development. The applicant therefore considers that a contribution of £20,000 can be made towards this provision. Officers consider that the contribution can be justified as part of that provision but bearing in mind the site has yet to be allocated in the longer term and the provision of facilities yet to be established, that the offer be held for a period of ten years. The contribution would need to form part of the necessary legal agreement and overcomes the reason for refusal to the previous application 11/00689/FUL on this matter.

Provision of Play Equipment

- 4.13 The applicant has considered concerns about the lack of play equipment to the area of public open space to the central part of the site, and it is now proposed to provide play equipment within the proposed public open space. No details have been submitted for consideration of the type of play equipment to be provided, but this can be the subject of a condition to the grant of permission. This approach now overcomes the reason for refusal to the previous application 11/00689/FUL on this matter.

Education Contribution

- 4.14 The County Council has made a request for a financial contribution for early years and child care provision, but has determined that a contribution towards secondary school places will not be sought. This differs from the requirements expressed with regard to the previous application 11/00689/FUL whereby it was understood from forecasts then available that the development would

take up available capacity but that future development would require contributions to be made.

- 4.15 Officers understand that the periodic remodelling and forecasting that takes place has formed the basis for the revised request. However, whilst the application is new, it is, however, essentially a re-submission with no significant change to the density, dwelling numbers or make up of the development, but instead the current application allocates a greater number of those dwellings proposed to be affordable dwellings to satisfy Council policy and the provision of a cash contribution towards community facilities and the commitment to provide play equipment to the public open space feature in the layout.
- 4.16 The current application has no significant changes that would reasonably affect the consideration of a contribution towards educational provision. Whilst it may be that forecasting now reflects a set of different considerations, the effect of the request is to introduce an objection or requirement where previously there was none. This would risk to the Council a claim for costs should the applicant appeal the application before the legal agreement is completed and may also affect the viability of the development reducing the level of affordable housing that could be achieved.
- 4.17 Nevertheless, the applicant has discussed the situation with the County Council and agreed to make a contribution of £100,596 as requested by the County towards early years and child care provision. Given the previous nil request from the County Council and the fact the application is substantially the same as previously, this is considered to be a more than satisfactory outcome.

Highway Issues

- 4.18 The site is within a sustainable location being close to schools and local services and a short distance from Rayleigh mainline railway station and connection to Rayleigh town centre by a short bus journey.
- 4.19 Thirteen units would be accessed from Cheapside West with the remaining eighty eight units accessed from the estate road making a junction with London Road. There would be no through vehicular link with only pedestrian and cycle access over the proposed bridge to achieve permeability between the site and existing residential areas to the north and east of the site.
- 4.20 The traffic impact assessment accompanying the application has made comparison with the authorised use of the site for commercial purposes and calculates a decrease of 84 two-way vehicle trips during the AM peak period and a decrease of 58 two-way trips in the PM peak period and based around an assessment of year 2016 in accordance with PICADY national traffic assessment guidance. The junction is expected to perform well within its capacity within the assessment period with the expectation of minimal queuing and delays.

- 4.21 The highway layout has been designed with consideration given to the Essex Design Guide and the Manual for Streets with emphasis on reducing car dominance and keeping traffic speeds within a target of 20 mph. To this end the first 45m of the main access road will be a type 3 feeder road with a carriageway of 5.5m and 2m wide footways to each side. Beyond this point the road reduces to a type 4 minor access road to a width of 4.8m with type 6 minor accesses (5.8m wide) and shared private drives 4.1m wide.
- 4.22 The proposed layout would provide car parking spaces and garages in accordance with the Council's preferred standards. The layout utilises garages and car ports, together with car parking spaces.
- 4.23 Officers calculate, however, that the number of visitor spaces is slightly short, requiring a further 1.25 visitor spaces (2 spaces). These could be provided alongside the central public open space area to the front of plots 72-74 by way of a condition to the grant of permission.
- 4.24 The County Highway Authority accepts the findings of the transport assessment and raises no objections to the application, subject to a number of conditions, and that the applicant provides a financial contribution of £25,000 towards infrastructure improvements at the bus stops along London Road in the vicinity of the site to provide, where required, enhancements to include improved passenger waiting facilities. This matter would need to be the subject of a legal agreement with the applicant before the planning permission could be issued.

Layout and Design Considerations

- 4.25 The development layout would achieve a density of 30.2 dpha (12.3 dwellings per acre).
- 4.25 The application layout has been revised to reflect the need for a number of plots to have increased side windows to corner plots in order to increase interest in the building elevations fronting the street and to increase natural surveillance. The design for plots 1, 14, 15, 19, 23, 26, 27, 32, 34, 26, 47, 62, 63, 91, and 97 is not altered, but the layout plan is annotated to show revised window arrangements to overlook public areas but no details are provided. The designs are revised for the dwellings to plots 24, 35, 38, 39, 40, 41, 42, 43, 51, 52, 55 and 56 but do not revise the window arrangement. The requirement can be the subject of further details to be submitted by way of a condition to the grant of permission.
- 4.26 The proposed layout achieves the required garden areas for all the units proposed. The layout provides the side isolation spaces between the dwellings, as required in the Council's supplementary guidance.
- 4.27 The composition of dwellings features three character areas firstly fronting the London Road and the built frontage, the middle part of the site fronting in part

the open space green square and the back of the site fronting the open water course.

- 4.28 The frontage to London Road and area fronting the green would feature 2 ½ storey detached house types, creating a more formal appearance.
- 4.29 The middle part of the site would feature a different character style dependant upon linked and terraced house types with a central loop in the access road containing outward looking combinations of dwellings framed by the highway. These dwellings would take a two-storey form.
- 4.30 The rear part of the site would be served from the extension of the access road and the extension of Cheapside West. The house types would feature the apartments and groups of terraces and semi detached housing for affordable tenure located together to the northwest of the site. The houses to this part of the site would also take two-storey form. The residential character of the adjoining areas reflects the styles of the time period during which they were constructed and reflecting fashions, as well as planning policies of the day. The applicant's design approach has been to reflect that process by way of the development to which this application relates, opening a further chapter in the evolution of the townscape.
- 4.31 The materials used would comprise white upvc windows and timber hardwood black painted doors. The character areas would be reinforced by a composition of walling to feature monocouche cream coloured render, together with red and buff facing bricks. The roof covering would comprise combinations of slate and red plain tiles.
- 4.32 The application features two points to the western boundary of the site where the proposed layout would make a connection with land further to the west and the possible subject of future allocations. Both points would adjoin an area currently allocated Metropolitan Green Belt, the most northern connection point adjoins land yet to be included in any application. The southern point, however, seeks to make a connection with land included within more recent applications for the re-development of the Timber Grove care home. This connection would not meet the link shown to the more recent layout submitted by the adjoining applicants despite officers advising both applicants of the need to agree a mutual connection. However, whilst officers were critical of the adjoining scheme for Timber Grove which previously showed no connection at all, the scheme to which this application relates for the former E-on site does make such provision and does not therefore attract the strong criticism directed at the neighbouring application site.
- 4.33 The applicant advises in the application particulars that the houses are each designed to the full Joseph Rowntree Foundation lifetime homes standard in that, amongst other things, entry level contains a living room and room for a bed space to be formed at ground level for those residents that may be unable to use stairs. Each dwelling is capable of a retro fit stair lift or internal

lift being fitted between floors. In this way the proposal satisfies policy H6 to the Council's adopted Core Strategy.

- 4.34 The application details demonstrate that only a nominal amount of surface water attenuation is required for this site to satisfy against the risk of flooding. This is to be achieved by the use of over size pipes and underground attenuation tanks. The Environment Agency accepts the findings of the flood risk assessment and that there would not be an increased risk of flooding to conflict with Policy ENV 4 to the Council's adopted Core Strategy.

Protected Species and Ecology Issues

- 4.35 The application is accompanied by an ecological assessment of the site, which concludes that, given the extensive hard standing, the most part of the site has low ecological value. The survey highlights that the main area of value is the water course and adjoining scrub, grassland and woodland area to the north of the site.
- 4.36 The application is also accompanied by a reptile survey, which revealed a good population of slow worms. The survey anticipates increased predation of the slow worm population in that the presence of homes will increase the number of cats and therefore translocation is recommended and to a new site managed specifically to benefit wildlife at Stow Maries airfield. This location has a recently constructed large scale reptile hibernacula, together with management of the surrounding landscape for the benefit of reptiles.
- 4.37 The Council's consultant ecologist previously supported the translocation of slow worms and proposed this to be secured by a condition to the grant of planning permission.
- 4.38 Following representations received to an application submitted to the site of Pearsons Farm to the east of this site, the applicant has undertaken further survey work to determine the presence of great crested newts. No newts were found on the site and further identified that barrier features present were likely to prevent movement of newts onto the site. Furthermore, the stream on the site was found to contain small fish that would be likely to eat the newt eggs, thus preventing the location from establishing as a breeding area for newts.
- 4.39 The application is accompanied by a bat survey of the site and buildings. Both common and Soprano Pipistrelle bats were recorded on the site with activity concentrated on woodland to the west. No bat roosts were recorded on the site. The proposed development is considered to have a possible impact upon bats in terms of loss of foraging habitat and prospective roosting opportunities.
- 4.40 The bat survey recommends works to remove western boundary trees and the willow adjacent to the stream be undertaken during April or mid–September to October and under the close supervision of a licensed bat ecologist. A soft fell approach should be taken to tree or branch removal,

removing small sections at a time and leaving felled branches and trees in situ for 24 hours to allow bats to leave of their own accord. There should also be limits to the external lighting in the vicinity of the western boundary. Such lighting should be located below 3m in height with shields and cowls to direct light downwards so as not to spill into adjacent woodland. These recommendations can be the subject of a condition to the grant of consent requiring the development to be implemented in accordance with these recommendations.

Preserved Trees

- 4.41 The application is accompanied by an arboricultural impact assessment, which concludes that only trees of low value or that will not be visible from the public street will be lost. Provided precautions are taken to protect the retained trees the development is described to have no significant impact on the trees or their wider contribution to amenity and character.
- 4.42 The Council's consultant arboriculturalist concurs with the report findings, subject to a condition to the grant of consent to secure the recommended tree protection measures.

Telecommunications Antenna Safeguards

- 4.43 The operator for the telecommunications mast retained in the site layout, whilst previously not objecting to the development did, however, make a number of requests for additional planning controls within the vicinity of the mast through removal of permitted development rights to suit their operational needs. Whilst there would be some justification for the management plan to alert residents to the need for co-operation in the event of emergencies, the request for the removal of permitted development rights has no public benefit as such and instead would provide the operator with a means of utilising the planning process as a constraint upon the adjoining development aspirations normal to householders specific to the benefit of the mast operator. Officers previously advised Members to resist the approach to remove permitted development rights for this reason, but to support the provision of a future management plan and awareness for future residents to properties in the vicinity of the mast, which can be secured by a condition to the grant of permission.

5 CONCLUSION

- 5.1 The proposal would re-develop previously developed land in accordance with current policy and good planning. The development is of a design and layout that would achieve a good standard of design and place in a sustainable location. The application would now provide affordable housing to accord with the Council's adopted policy, would make a financial contribution to future youth and community facilities to be provided as part of future land release and the applicant has committed to providing play equipment to the central public open space area and thus overcoming the reasons for the previous

application being refused planning permission. In addition, the applicant has agreed to make a substantial contribution towards the provision of facilities for early years and child care.

6 RECOMMENDATION

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

That, subject to the receipt of revised plans to address the garden area shortfalls set out above, the application be approved, subject to the applicants entering into a Legal Agreement under Section 106 of the act to achieve the following heads of terms:-

- A) A Contribution of £25,000 towards infrastructural improvements at the bus stops along London Road in the vicinity of the site to provide, where required, enhancements to include improved passenger waiting facilities to the existing infrastructure.
- B) Provision of thirty five affordable dwellings.
- C) Contribution to primary health care of £67,367 equivalent to £667 per unit for the development/upgrading of primary care facilities in the area as a result of the increased population.
- D) Arrangements for the maintenance of the open areas of the site.
- E) Contribution for youth and community facilities of £20,000 to be held for a period of not less than 10 years.
- F) A contribution of £100,596 towards the provision of early years and child care facilities.

And to the following heads of conditions:-

- 1) SC4B – Time limits standard.
- 2) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:-
 - (i) a survey of the extent, scale and nature of contamination, including contamination by soil gas and asbestos;
 - (ii) an assessment of the potential risks to:-

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

- (iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'* and the Essex Contaminated Land Consortium's *'Land Affected by Contamination: Technical Guidance for Applicants and Developers'*.

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

- 3) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.
- 4) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
- 5) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 2 "Site Characterisation", and where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of condition 3 "Submission of

Remediation Scheme”, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority, in accordance with condition 4 “Implementation of Approved Remediation Scheme”.

- 6) The renewable energy measures for any individual dwelling shall be fully installed and operational prior to the occupation of the dwelling.
- 7) A scheme of measures to control dust during the construction phase of the development shall be submitted to and agreed in writing by the LPA prior to the commencement of the development. The scheme shall then be fully implemented throughout the construction phase of the development.
- 8) Following the demolition and site restoration works, no further development or preliminary ground works of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority.
- 9) No dwelling shall be occupied until the works have been carried out in accordance with the surface water strategy forming part of the application, as approved in writing by the Local Planning Authority.
- 10) The development shall not commence until details have been submitted to the Local Planning Authority to show the reptile translocation site at Stow Maries and as identified in the supporting reptile survey Ref: DFC 1069 dated July 2011 accompanying the application hereby approved has been confirmed as to be ready for the receipt of species from the application site. No development shall commence until the applicants have undertaken the relocation of reptile species in accordance with the recommendations, as identified in the supporting Reptile Survey Ref: DFC 1069 dated July 2011 accompanying the application hereby approved.
- 11) The development shall be implemented in accordance with the advice and recommendations contained within the arboricultural impact assessment reference DFC 1069 revision A dated 8 November 2011 accompanying the application hereby approved.
- 12) Prior to occupation of the development, the road junction shall have been re-modelled with appropriate kerb radii and road markings. The junction shall be maintained with a clear to ground visibility splay with dimensions of 4.5 metres by 120 metres to both the east and west, as measured from and along the nearside edge of the carriageway. Such vehicular

visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.

- 13) Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
- 14) Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including construction traffic, shall be identified clear of the highway, submitted and approved in writing by the Local Planning Authority.
- 15) Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 16) Prior to commencement of the proposed development details of a wheel cleaning facility within the site and adjacent to the egress onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The wheel cleaning facility shall be provided at the commencement of the development and maintained during the period of construction
- 17) Prior to commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.
- 18) All independent paths to be a minimum of 2 metres wide, with details of lighting and drainage to be submitted to and approved in writing by the Local Planning Authority.
- 19) 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.
- 20) All parking shall conform to the Essex Planning Officers Association Parking Standards Design and Good Practice September 2009. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres. All single garages should have a minimum internal measurement of 7m x 3m.
- 21) Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a residential travel

information pack for sustainable transport, approved by Essex County Council, to include 10 (Ten) All Essex scratch card tickets.

- 22) Notwithstanding the approved layout, details shall be submitted to the Local Planning Authority prior to the commencement of the development for the provision of 2No. (two) additional visitor parking spaces to be provided within the layout. The development shall be implemented in accordance with such details as may be agreed.
- 23) Prior to the commencement of the development the applicant shall submit to the Local Planning Authority details, including samples, of the external facing materials to be used in the development hereby approved. The development shall be implemented in accordance with such details as may be agreed.
- 24) Prior to the first occupation of the development the applicant shall submit to the Local Planning Authority detailed design, elevations and siting of the proposed fencing and means of enclosure to be used throughout the development. The development shall be implemented in accordance with such details as may be agreed.
- 25) The vehicular accesses hereby permitted shall not be used by vehicular traffic before sight splays measuring 1.5m x 1.5m, providing unobstructed visibility of pedestrians using the adjoining footway, have been provided at both sides of the accesses at their junction with the adjoining highway. Once provided, the said visibility splays shall be retained thereafter and maintained in their approved form free of obstruction above a height of 600mm above the finished surface of the approved vehicular accesses.
- 26) The development shall be implemented in accordance with the landscaping and planting scheme, as set out in the Landscape Strategy reference DFC 1069 dated 15 November 2011 accompanying the application, unless as otherwise agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting shall be replaced by the applicant, or their successor in title, with species of the same type, and size in the first available planting season following removal.
- 27) The garages shown on the approved layout Drawing No. BW 100-001 Revision Y shall be retained for the parking of vehicles and shall not be converted to habitable accommodation.
- 28) The development hereby permitted shall be implemented in accordance with the advice and recommendations set out in the accompanying bat survey reference DFC 1069 dated 26 July 2011, including the works to trees during April or mid-September to the end of October and the soft fell approach to tree and branch removal, the installation of bat boxes

and bat bricks and bat tubes in the development. Details of external lighting in the vicinity of the western boundary of the site shall be located below 3m in height and with shields, hoods and cowls to ensure such light is directed to the ground and shall not spill into the adjacent woodland to the west of the site.

- 29) Prior to the first occupation of the development to plots 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62 the applicant shall undertake the preparation of a mast awareness management plan in conjunction with the mast operator, Arqiva, to highlight to residents of those dwellings the reasonable requirements of the telecommunications operator for emergency and routine maintenance. The management plan shall be provided to each household identified upon first occupation.
- 30) The carriageways of the proposed estate roads shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road) from the construction of such dwelling.
- 31) Condition to ensure the provision of the pedestrian cycle links to adjoining land, as shown.
- 32) Condition requiring the revision to the house types to plots 1, 14, 15, 19, 23, 24, 26, 27, 32, 34, 35, 38, 39, 40, 41, 42, 43, 46, 47, 51, 52, 55, 56, 62, 63, 91 and 97 identified to achieve improved window treatment to side elevations, as per recommendation from urban design.
- 33) Prior to the first occupation of any dwelling on the site the applicant shall submit details to the Local Planning Authority of play equipment to be provided to the LAP area identified to the area of public open space to be provided to the central part of the development layout hereby approved. The development shall be implemented in accordance with such details as may be agreed prior to the occupation of the final dwelling on the development.



Shaun Scrutton

Head of Planning and Transportation

Relevant Development Plan Policies and Proposals

CLT 6, H1, H5, H6, CP1, ENV 4 Rochford District Council Local Development Framework Core Strategy Adopted Version December 2011

HP1, HP6, HP8 Rochford District Replacement Local Plan (2006) as saved by Direction of the Secretary of State for Communities and Local Government and dated 5th June 2009 in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004.

Standard C3 Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010

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

