

APPLICATION REFERRED FROM THE WEEKLY LIST

WEEKLY LIST NO. 1451 – 23 November 2018

18/00746/FUL

**THE KING EDMUND SCHOOL, VAUGHAN CLOSE,
ROCHFORD**

**SINGLE STOREY FLAT ROOFED BUILDING FOR USE AS A
CHILDREN'S DAY NURSERY**

1 DETAILS OF REFERRAL

- 1.1 This item was referred from Weekly List No. 1451 requiring notification to the Assistant Director, Environmental Services by 1.00 pm on Wednesday, 28 November 2018 with any applications being referred to this meeting of the Committee.
- 1.2 Cllr Mrs L Shaw referred this item on the grounds that residents have garages at the back of their properties that back onto the school and that introducing a one-way system will prevent these residents from being able to get their vehicles out. The width of the access is tight and would not be wide enough to allow large vehicles to exit onto Spencer Gardens. In addition, although the hours of operation of the day nursery have been provided, no timings have been provided for the use of the car park at weekends for football teams using the school facilities.
- 1.3 The item that was referred is attached at appendix 1 as it appeared in the Weekly List.
- 1.4 A plan showing the application site is attached at appendix 2.

2 RECOMMENDATION

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

To determine the application, having considered all the evidence.

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

Case Officer	Ms Katie Ellis
Parish :	Rochford Parish Council
Ward :	Roche North And Rural
Location :	The King Edmund School Vaughan Close Rochford
Proposal :	Single Storey Flat Roofed Building for Use as Childrens Day Nursery

1. The application relates to The King Edmund School, located at the end of a cul-de-sac, Vaughan Close in Rochford. The site is located in a predominantly residential area. The site is situated within an educational land allocation as designated in the Council's Allocation Plan (2014).
2. The King Edmund School is that of a mixed secondary school catering for pupils between 11-18 years with a sixth form. Currently 1335 students attend the secondary school and 201 students attend the sixth form. The school employs 218 members of staff.
3. The school has a car park to the main frontage accessed via Vaughan Close and a car park and coach drop off and pick up to the side of the school building accessed via Brays Lane. The main school buildings are positioned adjacent to this. The main façade has a deep red brick finish. There are a number of detached buildings and extensions including the sixth form building which is used to serve the school. Behind the school buildings are the school playing fields which extend up to the rear gardens of dwellings and abut agricultural fields which surround the site.

4. Planning permission is sought for the construction of a single storey nursery building and associated fences enclosing external play areas and to layout a revised car parking area in the south-western corner of the school complex to the rear of properties fronting Spencer Gardens and Oxford Road.
5. The area of the site where the nursery is proposed to be located currently comprises hardstanding where car parking is laid out for sixth form students. Historically, prior to the new Brays Lane access, this area was used for the drop off and pick up off students that travelled by bus as well as a general drop off and collection for pupils.

6. The proposed single storey nursery building would measure 18.5m wide, would have an overall 16.7m depth with an overall flat roof height of 3.4m creating a floor area of 253m². The external materials proposed comprise white render and sage green cedar click fibre cement cladding together with a single ply membrane roof.
7. A new car park would be laid out to the side of the building. The space would provide 16 spaces, together with 2 disabled spaces. These car parking spaces would be shared between the proposed nursery and sixth form students.
8. The proposed building would accommodate a kitchen, staff room, toilets and changing facilities, store rooms, a baby room, 2 - 3 year old room, 3 - 5 year old room and a sensory room.
9. The proposed nursery would serve a maximum of 50 children between the age range of under 2's and up to 5 years of age. The nursery would operate during weekdays and weekends and would cater for 50 children at any one time. Sessions will take place throughout the day but the parent would have the choice to place their child in either a morning or afternoon session or an all day session. 11 members of staff would be employed.
10. The proposed opening hours for the proposed nursery are as follows:-

7:30 to 21:30 Monday to Friday;
09:00 to 18:00 Saturdays; and
09:00 to 13:00 Sundays and Bank Holidays.
11. The hours provided between Monday and Friday reflects the school operating hours; however the nursery has specified that it will close at 18:30.

Relevant Planning History

12. There is extensive history relating to King Edmond School but the following is the only record that is relevant to the site outlined in red in the application:-

99/00340/FUL - Provision of a coach turning area within the school grounds - Approved

Material Considerations

13. The proposed development has to be assessed against relevant planning policy and with regard to any other material planning considerations. In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004,

- which requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
14. The use of the site relates to an education establishment and therefore the whole site is subject to Policies EDU3 and EDU4 of the Allocations Plan and therefore designated for educational purposes. These policies recognise that existing schools should be allowed to develop appropriately where required.
 15. Policy CLT2 of the Core Strategy is also relevant as it refers to the provision of early years and childcare facilities within west Rochford. The nursery is proposed to cater for children from birth to 5 years old and would be considered as an early years and children care facility falling within Class D1 - Education and no change of use of the site would therefore occur. The addition of a modern, fit for purpose nursery is a welcomed facility to the school complex and the local community. The principle of providing additional educational accommodation at the site is accepted and accords with adopted planning policy however the main issues and acceptability of the development are the material considerations explored below.

Impact on the character of the area

16. The proposed siting, scale, bulk and height of the single storey building are considered acceptable, especially when viewed against the backdrop of the larger three storey flat roofed school buildings and nearby houses, chalets and bungalows. The materials proposed would provide the building with a modern appearance. As a result of its appearance, the building and materials proposed would assimilate with the character of the local vernacular. The appearance of the proposed 1.2m high timber fence within the site is considered acceptable. It is not considered that the proposed nursery building and paraphernalia would appear over-dominant or out of character in its wider setting nor would it have a detrimental impact on the adjoining building or on the surrounding character and appearance of the area in accordance with Policy DM1 of the Development Management Plan and the NPPF.

Impact on neighbour amenity

17. The proposed scale and bulk of the building would not impact upon nearby residents due the single storey nature of the building and the considerable distance (32- 46m between existing homes and the proposed building) away from neighbouring properties would not create a situation of overlooking, over-shadowing or over-dominance.
18. Paragraph 180 of the NPPF aims to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. Vehicular movements would occur first thing in the morning from 07:15 and would be staggered throughout the day until 19:00 Monday to Friday, keeping vehicle movements to a minimum as

there would be morning and afternoon sessions as well as an all day session.

19. The opening hours and days of operation provided are considered acceptable as these opening hours would not have a significant impact upon the occupiers of the surrounding neighbouring properties in terms of noise or disturbance, or negative impact on residential amenity compliant with Policy DM1 of the Development Management Plan. Nevertheless, a condition ought be imposed to control the opening hours and the days the nursery would operate to ensure noise and disturbance caused by vehicles movement is kept to a minimum.

Car Parking Standards and Highway Safety

20. Policy DM30 of the Development Management Plan aims to create and maintain sufficient parking facilities and includes safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards. The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as maximum standards. The NPPF encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
21. The King Edmund School currently has 196 existing car parking spaces, 4 disabled car parking spaces, 52 cycle spaces, 12 bus spaces and 3 mini bus spaces which exceeds policy and adopted Parking Standards expectations.
22. Currently the application site comprises 22 car parking spaces utilised by the sixth form. It is proposed to relocate the sixth form car parking to the north (off Brays Lane entrance).
23. The adopted parking standards for a nursery (class D1) require 1 space per full time staff plus 1 space for drop off/pick up and a minimum of 1 parking bay for disabled use. 11 full-time members of staff are proposed. The plans submitted illustrate 16 car parking spaces plus 2 disabled car parking spaces. The level of full time staff and car parking proposed is considered to be compliant with the EPOA Parking Standards.
24. The area is considered to be in a sustainable location as it has strong bus links along Ashingdon Road compliant with the NPPF. Although public transport would be encouraged by the applicant, it is foreseen that most children will arrive to the site by car.
25. The application site has an existing vehicular access onto Oxford Road; this would be retained to serve the nursery. It is proposed as part of the application to open the vehicular access onto Spencer Gardens creating a single track in/out access. It has been established that the ownership of the track is privately owned by the school.

Previously this part of the school, prior to Brays Lane was used as a bus/coach drop off and pick up area. Now it's used for sixth form car parking but it is proposed to move the sixth form car parking to Brays Lane.

26. A Transport Assessment has been submitted indicating travel statistics. A survey was undertaken at the school which recorded students attending the school and by what travel means. Also a survey was undertaken at a nearby school nursery based at Waterman School. This nursery can accommodate 100 children places, 50% larger than the nursery proposed at King Edmond School. The survey illustrated that there is a maximum of 3 - 4 per hour between 7:00 and 10:00, a maximum of 6 cars between 13:00 and 14:00 and a maximum of 3 cars between 18:00 and 19:00 Monday to Friday.
27. To mitigate traffic flow and congestion in and around the proposed nursery the access would only be restricted to nursery staff and parents using the nursery. A one way system would be implemented whereby traffic would enter from Oxford Road and exit onto Spencer Gardens.
28. ECC Highway Authority has been consulted as part of this application and raise no objections to the development on the basis that the track width is wide enough to accommodate a vehicle and it is privately owned therefore it is not subject to any highway intervention. This recommendation is subject to a condition which relates to the laying out of car parking as shown on plan no. 3569/2.
29. The level of full time staff and car parking proposed is considered to be compliant with the EPOA Parking Standards. The drop off and collections time for the nursery are acceptable therefore keeping vehicular movements at an acceptable level. It is therefore not considered that the proposed development would be detrimental to highway safety in accordance with policy DM30.

Flood Risk and Sustainable Urban Drainage

30. The site falls within Flood Zone 1 as shown on the Environment Agency Flood Risk Maps, at low probability of tidal and fluvial sources; all types of development are appropriate in this zone.
31. Paragraph 163 of the NPPF also requires when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.
32. The existing site area is 830m², of which currently some 63% hard surfaced. The proposed development results in 47% of the site comprising building and hardstanding, which returns 16% of the site to water porous surface. The proposed site plan submitted illustrates a

new drainage system that would link to the existing school's drainage system within the overall school site.

33. It is considered that the proposed development would not increase the risk of surface water flooding to land surrounding the site and would comply with policy ENV7 of the Development Management Plan which seeks the use of sustainable urban drainage systems.

Environmental Sustainability - BREEAM/Renewable Energy

34. Paragraph 148 to the NPPF explains the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. Policies ENV8 and ENV10 of the Core Strategy address environmental sustainability issues at the local level.
35. Policy ENV8 seeks to secure at least 10 percent of the energy requirements from developments from decentralised and renewable or low-carbon sources. The submitted energy statement acknowledges this policy requirement and advises that solar photovoltaics would be used to secure at least 10 percent of the energy requirement from the proposed nursery; the PV panels would be positioned on the flat roof of the proposed building. A planning condition is recommended to secure this.
36. Policy ENV10 requires all new buildings to meet the BREEAM 'very good' standard as a minimum. The submitted energy statement does not specifically state that the BREEAM 'very good' standard would be achieved but does set out the approach to construction which involves use of a range of passive and active design and energy efficiency measures. A planning condition is recommended to require the new building to achieve the 'very good' rating as a minimum unless this is demonstrated to be unviable or unachievable for other reasons.

Representations:

37. ROCHFORD PARISH COUNCIL: Comments: No written comments received.
38. HIGHWAY AUTHORITY: Comments: No objections are raised on the basis that the track is privately owned. A condition is recommended to lay out the car parking in accordance with plan no.3569/2.

39. ECC LEAD LOCAL FLOOD AUTHORITY: Comments: No objections are raised on the basis that the site is brownfield land and the nursery would not exceed 250m² in floor area. As the application is not classified as a major application, ECC LLFA do not raised any objections.

40. ANGLIAN WATER: Comments: There are assets owned y Anglian Water or those subjects to adoption agreement within or close to the development boundary that may affect the layout of the site. However no objections have been raised subject to a condition requiring no drainage works shall commence until a surface water management strategy has been submitted.

41. NEIGHBOUR COMMENTS:

Comments have been received from the following addresses: -

Spencer Gardens:2
Oxford Road:25, 27, 29.
1 MP letter - Mark Francois

5 letters have been received from 2 Spencer Gardens expressing the following objections:-

42. The existing car parking area is used by sixth form students. It is understood that this car parking area would be used by the nursery for car parking and question where the sixth form students will then park if permission was forthcoming as they were assured at the time of planning permission for the 6th form, that adequate parking was intended. Students often park off site to avoid being delayed at leaving time. Prior to the start of some work in this car park, it was quite full.
43. The occupiers of this property have suffered indiscriminate parking by parents collecting their children, on occasions blocking their driveway. When school is in operation, the roads around here, such as Spencer Gardens and Oxford Road are very difficult to negotiate, due to the close parking on either side. It is feared that there could be a serious accident, especially with pupils, both pedestrian and on cycles coming from between the parked cars.
44. There is a noticeable difference, during the school holidays and would not be happy should there not even be this break. A Day Nursery would continue to open all year round! This will also further increase the parking problems and traffic flow around the school.

Their only respite from noise is during school holidays. The nursery will be in use from early morning until early evening, with outdoor play. The noise levels from the school itself is accepted, but over the years now they have had to tolerate weekend use by various clubs, floodlight

games in the evenings and are going to have permanent noise from very young children. We strongly object to this building so close to the rear of our property.

45. The occupiers have taken the opportunity to monitor usage of the King Edmund School access and parking during weekends and evenings. This excludes activities by clubs on Sunday mornings. The following indicates a small sample of car numbers in addition to normal school use. The following has been noted:-

Sat. 8th Sep. 09.00hrs.	Approx 60 cars.
Mon. 10th Sep. eve.	" 40 cars.
Wed 12th Sep. eve.	" 30 cars.
Sat. 15th Sep.09.00hrs	" 109 cars.

46. It is acknowledged within the application, it shows a photograph of the access route via Oxford Road, but no photograph of the proposed exit through to Spencer Gardens, which is our prime concern. This road is only 12 feet at its narrowest point. Therefore, not able to cope with the above volume of traffic and will also be passing very close to the side of our property. The above has been submitted in the hope that this proposal will not go ahead without further regard to its impact on safety, especially during peak times for the school.
47. The occupiers have raised concerns over anti-social behaviour in the area and fear for their personal safety. Currently there are gates across the access onto Spencer Garden and gates near the school entrance, these have been in situ for 21 years and only allow the adjoining occupiers access for their own private use.
48. The occupiers have inspected the application further. In section 2.7 regarding accessibility, it states that access to the site will be from Oxford Road and exit from Spencer Gardens. At present the road at Spencer Gardens end which adjoins our property (no. 2) is gated. At the Oxford Road end it is fenced off. Preventing access by pupils, but allowing ourselves and the residents of Oxford Road access to rear garages. This has been the case for a great many years now. The gate and fence were erected by the school as a result of problems occurring with drug dealing, the Police having been involved and also antisocial behaviour by pupils. Previous staff at the school would be aware of this.
49. Having occupied the property for some time, they are aware that this road was only ever used for pedestrian access by pupils and not as a vehicular route. Unfortunately, they experienced problems with access via this road being opened.

a) The access road at the Spencer Gardens end narrows significantly, and the view to vehicles out onto the road is obstructed by a garage.

The vehicular access directly crosses the pavement where pupils walk and it will be around 07.00 to 08.00 that this will happen as well as at the end of the school day.

b) Past experience has proved that as soon as this gate is either left open or is removed the pupils will start to use the access. They have climbed the gate, to get into the school as it is the shorter route. The road is a magnet for them to smoke and do as they please as the view is obscured by a fence, thus affording them an ideal place to hide. We have in the past had vermin from food dropped, as well as cigarette ends. It is feared, that this will also attract undesirables who wish to hide from sight behind our rear garage, or use it as a toilet. Not an ideal environment in which to place infants. If they can deal drugs over the fence, what else are they capable of!!

c) As already stated in previous emails, parking is a problem around the area. The application states there to be 11 staff at this nursery and we can only see 6 spaces allocated. We feel this will lead to more on street parking.

50. There concerns are:-

- Will this road be clearly marked as "One Way" or "No Entry";
- How will the school enforce and prevent its use by pupils using the entrance on foot;
- Will the gates, if left, be re-locked outside nursery hours, to prevent use by all the other users of the school facilities. Which is up to 21.30 hours weekdays and during Saturdays and Sundays; and
- This access road is not equipped to deal with this level of traffic which will exacerbate the disturbance for the surrounding residents.

51. Their biggest fear is that this will leave the rear of their property and that of the houses in Oxford Road, significantly exposed to crime. The gates were put up for a very valid reason.

52. It is felt that there are a number of inaccuracies in this amendment (Transport Assessment) and it still does not answer their main concern, the ability of the school to restrict use to nursery vehicles only and to enforce this rule in respect of all the other public vehicles using the facility. The existing gates must remain open for the clubs in the evenings and weekends, irrespective of nursery usage. The document demonstrates a lack of true awareness of the current out of neither school hour's situation nor its impact on the neighbours of the school. The claim is that by moving the 6th form parking to Brays Lane the nursery will have no "further traffic impact ". How can opening Spencer Gardens end as an exit be justified? It is merely moving the traffic from one exit to a less safe and suitable one. The Oxford Road entrance has far better visibility and width.

53. Once access is opened to the Spencer Gardens part of the road, public vehicle/pedestrian use cannot be policed. To add to this, the fact that this will be one way only; any vehicles will have no option but to exit into Spencer Gardens. As you know we have already expressed our concerns and have provided you with clear photographic evidence, demonstrating the limited visibility problems at the proposed exit together with the narrowing width at this end and its impact on Safety.
54. It is suggested that this end of the road into Spencer Gardens has always been used by both vehicles and pedestrians. This has never been the case in our experience (from 1975), other than for access to garages and never during school start and end times. Before the signage at the entrance to the road was defaced, it actually read ESSEX COUNTY COUNCIL. This is a private road and public use thereof is prohibited.
55. The 9 Double Decker buses mentioned, stretched from our house (2) along Spencer Gardens, nose to tail blocking this entrance to cars. Pupils alighted from the buses and many entered the school via this entrance. This was in addition to pedestrian pupils from the surrounding areas. The pathway led directly to the school and into the main playground. This was the case prior to the formation of the Bus pick up and then 6th form parking area. The volume of pupils using both this entrance and the Oxford Road entrance would have made it unsafe for vehicular usage at the same time and likewise for access to the garages.
56. It is stated that this road was gated and fenced solely due to "complaints by neighbours " regarding rubbish. This trivialises the main reason why this road was closed. We were approached by Essex Police requesting use of our rear bedroom for surveillance, when a report of drug dealing to pupils over the school fence was reported. The final decision was to close the road to prevent this, along with the vandalism, vermin, break in to garages, loitering and unsociable behaviour. As is implied, we had no influence over this decision. To re-open this road after 22 years would be returning to the previous unpleasant situation. Majority of the residents of this part of Oxford Road purchased their houses with the back of their properties secured by the gates. They will now have vehicles passing both front and back of their houses. Another inaccuracy is that there is no mention of any access rights to the residents of Oxford Road. We understand, from a telephone conversation with Mrs Packer that there will be CCTV and lighting installed in the road. However if this is not constantly monitored, it will be of little use until after the event.
57. With regard to School maintenance of this road "at request of neighbours", this has been on approximately 4 occasions in the past 22 years. Due to uncertainty by the school of ownership of the road, Miss Crozier paid an outside contractor to deal with overgrown shrubbery growing through the fence. She is happy to provide receipts in support of this. On one particular occasion her partner repaired a broken panel in the school fence. At all other times we (Mr Lewis, Miss Crozier and Partner) have

kept the road clear of weeds and cut back shrubs. Again, to suggest that school maintenance of the road has been regular since 1996 is misleading. We note the school now states freehold ownership of the road. We would like to know when this dates from.

58. Miss Crozier has supplied the council with a copy of her Schedule of Restricted Covenants, which appears to suggest there should be no vehicular usage at the Spencer Gardens end. We intend to look into this matter further ourselves.
59. With respect to the use of the school for external events from the Oxford Road access. Firstly, there seems to be a discrepancy in the time stated and when the school is actually open. The original application (1.4) states "the nursery will operate within the school hours of 07.00 to 21.30 hrs ", whereas the amendment states Monday to Friday until 19.30 hours! Saturday use is not until 12.00 hrs as suggested, vehicles remain on site until 17.00 on Saturday. In addition there are 30-40 vehicles dropping off and collecting, all of which enter and exit via Oxford Road, with no apparent issue. There seems to be no mention of Sundays at all, but there are still clubs using the site, (Archery). As you are aware we have supplied you with figures in support of the facts and have times and dated photographs on our tablet device. We mention this in the context of the potential for vehicles to exit via Spencer Gardens during these times.
60. As can be supported by any of the residents of the roads around the school, we all have inconsiderate parking by parents between 13.15 and 14.45 every day. Once opened to the public, the opportunity to park in this road if they so wish, cannot be prevented and the School cannot influence this.
- The Transport travel survey is based on the merging of 2 Nurseries. There will be 9 staff, with up to 23 cars arriving and leaving between the hours of 07.00 and 19.00 weekly but not during 14.00 and 16.00 hrs.
61. However, cars will exit between 07.00 and 08.00 when Spencer Gardens is particularly chaotic. There remains the impact on pupil safety. Vehicles will be trying to enter onto a busy road into 2 way traffic (unlike Oxford Road, blocked one end), with no clear visibility in either direction. Crossing the path of pedestrian pupils (photos supplied), parked cars, parents dropping off pupils and through traffic from Brays lane. ANY addition to this will have an impact. The figures provided make no mention of any future growth potential. Once permission is granted, this could all change.

62. WE STRONGLY OBJECT ON THE FOLLOWING GROUNDS:

HEALTH AND SAFETY

1. Inability of school to enforce public vehicle usage.
2. Inability to prevent pupil access to the road, to congregate hidden from view.

3. Narrowing of road width and safety issues to pupils and those with access rights.
4. Bad visibility at exit.

IMPACT ON ENVIRONMENT

1. Access to undesirable characters and antisocial behaviour.
2. Public vehicular access and its noise impact.
3. Severe restriction of all Access Rights due to total time of usage.
4. Potential impact of vehicles exiting into a busy through road.
63. We feel that if this proposal is granted we can have no further influence, now or in the future. Opening this road will place us and those with access rights into conflict with the public, especially those in a hurry to exit. Ourselves and occupiers of 25 Oxford Road have leisure vehicles stored in our gardens, which in our case takes at least 20 minutes to remove and replace and can only be via the Spencer Gardens end. Effectively we will be placed on a junction, with an unknown amount of traffic exiting during the times previously stated. This will affect our quality of life and we fear, devalue our property.
64. Design Considerations:-
 1. No consideration has been given to accessibility and the relationship to its surrounding environment. Impact on traffic in the already busy roads, parking and access. Specifically rights of way to pedestrians and existing garages. There will also be a noise impact to the surrounding houses and possible added light pollution.
 2. Car parking, how will the population parking be monitored and policed?
 3. Accessibility, access from both Oxford Road to the south and Spencer Gardens to the west. If this is the intention, what regard is there for safety issues.
65. Application 99/00340/FUL was rented consent for buses to drop off and collect pupils within the 6th form car park. There were safety concerns for pupils at this time by the transport company, and permission was granted with the condition that it be at school closing time only and not to drop off in the morning. If the proposed access were to go ahead, who monitor pupils safety in the morning would should they enter the access road to this nursey.
- Reference:- Essex Design Guide
66. Safe access and rights of access to garages would not be incorporated. If as the proposal suggests, vehicle movement of the nursery would not be significant, why then does the access route need to be changed? Currently, access and exit routes for all 23 clubs that use the school facilities out of hours is via Oxford Road to the south. During sports tournaments at weekends there can be as many as 109 cars in the main playgrounds area. All of which would be able to exit via

the narrow road into Spencer Gardens. This gives no regard to safety to those accessing their garages.

67. Visibility from minor road. This section quite clearly shows that there should be good visibility from a minor road into the priority road. In the case of the Spencer Gardens exit is poor visibility for vehicles due to a garage wall at the end to the left and vehicle parked on the drive to the right. Furthermore, pupils using the pavement crossing this access road would be also are unable to see the exiting vehicle, due to these same obstructions. Add to this the fact that pupils will use this access if given the opportunity. Again who will police this situation?
68. Sample of out of hours vehicle numbers.
- Weekdays PM
- Monday 10.9.18 40 cars
- Tuesday 11.9.18 50 cars
- Wednesday 12.9.18 30 cars
- Monday 17.9.18 28 cars
- Tuesday 18.9.18 28 cars
- Wednesday 19.9.18 25 cars
- Weekends
- Saturday 8.9.18 30 (am) 30 cars (pm) 30 cars at 3pm
- Saturday 15.9.18 (am) 109 cars (pm) 12 cars at 4.30pm
- Sunday 16.9.18 (am) 18 cars (pm) 18 cars at 4.30pm
69. They are under the impression that restrictions are in place, limiting weekend use to Saturday up to 14:00hrs and no Sunday use.
70. Two letters have been received from 25 Oxford Road
71. An objection is raised to the access road being used as it is felt unsuitable. This piece of land was fence of by the school in consultation with Essex Police due anti-social behaviour over 20 years ago. This part of the access leading onto Spencer Garden is considered to be extremely narrow and considered unsuitable as there is visibility restriction when pulling out onto Spencer Gardens which could cause a significant accident between vehicles and pedestrians. Currently this part of the access is used for rear garden access only. If this access if fully operational it would become a cut through for students of King Edmonds School. The nursery can accommodate 50 children plus over 10 staff increasing the amount of traffic in Oxford Road to braking point with both moving and static vehicles, this may also restrict access for emergency vehicles. The junctions at Spencer Gardens and Ashingdon Road both have visibility restriction which should be looked at.

72. Would like to request attention is given to the Essex Design Guide which states that the visibility splay when join a road must meet guidelines. It is believed that this does not meet the guideline. You have to stop on the road line across the pavement to get the visibility up and down the road before pulling out as there is a front garden wall to the north and a garage and 6ft garden fence to the south, this would also put the children at extreme risk because they would not see the car and the car would not see them. I also believe that the light pollution and noise would be bad for the environment with all the extra traffic, but most of all I believe that pupil safety is paramount.
73. Two letter were received from 29 Oxford Road
74. An objection is raised on the basis that plan no 3569 shows the access road to the garages from Spencer Gardens as a through road/exit. This route is currently fenced off to prevent anti-social behaviour and to protect residents and properties that back onto this access road. The access road is unlit and too narrow for vehicles to pass through safely and should not be used as a public right of way. The quality of life would be adversely impacted upon if this access were to be opened again as vehicles would be circling the properties along Oxford Road.
75. This proposal would add to the constant traffic problem the school is causing in Oxford Road. What with the evening clubs taking place at the school, the amount of traffic accessing the site from Oxford Road is overwhelming leading to constant traffic chaos and vehicles driving along pavements to get in and out of the site as well as cars constantly parking across and blocking our driveway. The access road is not fit for purpose as it is not wide enough and the traffic causes noise and air pollution in the street. A new access road was constructed in Brays Lane to stop traffic entering the site from Oxford Road but has not ceased to use the entrance. The site is now overdeveloped and overused and is disrupting their quality of life. The additional burden exacerbates the traffic problem greatly.

27 Oxford Road

76. Whilst the occupiers have no objections to the opening of the nursery it is felt by opening up the access for vehicle use is ludicrous and highly dangerous. King Edmund School already has access from 3 different entrance points therefore another entrance would be unnecessary and dangerous to pupils in the area. There are already problems with cars speeding along Oxford Road and cars pulling out of Spencer Gardens often do not adhere to the fact they should give way. To provide another exit onto this road is unnecessary when there are already sufficient means to enter the grounds. Children from KES walk up on mass at school closure, walking in the roads and cross Oxford Road without looking. To allow vehicles to pull out of a side entrance onto Spencer gardens would severely jeopardise their safety. We all know

parents at rush hour just want to get from a to b with very little concern to others. This is witnessed on a daily basis having a child with special needs at junior school. The council has a duty to protect the safety of the children who use this school and to add another exit route is unnecessary, dangerous and thoughtless. Yet another means for people to race around in their cars with no consideration for others.

MP letter from Mark Francois

77. Writing on behalf of the occupier of 25 Oxford Road and 2 Spencer Gardens, Rochford. They were also accompanied by Mr Lewis. They attended a Constituency Surgery to express their concerns about the planning application. They raised concerns in relation to traffic implications of this application, including vehicles having to travel close by to the rear of their properties. They believe there deeds given them some rights over the land and that no access can be granted without their approval.

APPROVE

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in complete accordance with the following approved plans:
- 3 Prior to occupation of the development, details for the provision for the storage and recycling of refuse shall be submitted to the Local Planning Authority. Such details as may be agreed shall be made/constructed prior to the first occupation of the building(s) hereby approved and shall thereafter be made permanently available for the occupants of the building(s).
- 4 Prior to occupation of the development, 16 on-site parking spaces and 2 on-site disabled spaces shall be provided, as shown in principle on drawing no: 3569/2. Each parking space shall have dimensions in accordance with the current parking standards. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.
- 5 Prior to their use in the development approved samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details as may be agreed.

Relevant Development Plan Policies and Proposals:

Rochford District Council Local Development Framework Allocations Plan
Adopted February 2014 - EDU3, EDU4

Rochford District Council Local Development Framework Core Strategy
Adopted Version (December 2011) - GB1, GB2, CLT2, CP1, ENV7, ENV8,
ENV10

Rochford District Council Local Development Framework Development
Management Plan adopted 16th December 2014. - DM1, DM30

Parking Standards Design and Good Practice (2010)

The local Ward Member(s) for the above application are Cllr N L Cooper
Cllr G J Ioannou Cllr Mrs L Shaw

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