

**20/01041/REM**

**LAND NORTH OF LONDON ROAD AND WEST OF  
RAWRETH INDUSTRIAL ESTATE, RAWRETH LANE,  
RAYLEIGH.**

**APPLICATION FOR THE APPROVAL OF RESERVED  
MATTERS, NAMELY ACCESS, APPEARANCE,  
LANDSCAPING, LAYOUT AND SCALE IN RESPECT OF A  
CARE HOME DEVELOPMENT (PHASE 7) IN RELATION TO  
OUTLINE PLANNING APPLICATION 15/00362/OUT, WITH  
ASSOCIATED MEANS OF ACCESS, PARKING PROVISION,  
LANDSCAPING, DRAINAGE SOLUTION AND UTILITIES  
REQUIRED IN CONNECTION WITH THE PROPOSED CARE  
HOME.**

**APPLICANT: MR CHRIS SHEARMAN**  
**ZONING: SER 1**  
**PARISH: RAWRETH**  
**WARD: DOWNHALL AND RAWRETH**

## **1 RECOMMENDATION**

### **1.1 It is proposed that the Committee RESOLVES**

That RESERVED MATTERS BE APPROVED, subject to the following conditions

#### **Time Limit**

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this approval.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

#### **Approved Plans**

- (2) The development shall be undertaken in strict accordance with the submitted plans referenced: AL (9) 910 Rev – Site Location Plan, AL (9) 901 Rev G Proposed Site Plan, AL (9) 902 Rev B Proposed Boundary Treatments, AL (9) 904 Rev B Proposed Post and Panel Entrance Signage, AL (9) 903\_2 Artstone Entrance Walling & Signage, EX-100 Rev P03 External Lighting Layout, AL (1) 1000 Rev D Proposed ground Floor Plan, AL (1) 101 Rev D Proposed First Floor Plan, AL (1) 102 Rev D Proposed Second Floor Plan, AL (9) 903\_1 Rev B (1 of 3) Artstone Entrance Walling & Signage, AL (9) 903\_3 (3 of 3) Artstone Entrance Walling & Signage, AL (9) 904 Rev A Proposed Post & Panel Entrance Signage, AL(9) 905 Rev A Proposed Refuse Store, AL (9) 906 Rev A Proposed Scooter & Cycle Store, RLR L1 Rev B Landscape Plan (omitting however the details of the substations as reflected by plan reference AL (9) 901 Rev G Proposed Site Plan), AL (1) 140 Rev E Proposed Elevation (1 of 2), AL (1) 141 Rev E Proposed Elevation (2 of 2), AL (1) 142 Rev C (Proposed Coloured Elevations) (1 of 1), AL (1) 143 Rev C (Proposed Coloured Elevations) (2 of 2), AL (1) 150 Rev B Site Sections, AL (1) 103 Rev E Proposed Roof Plan, CGI Visual (North Elevation), CGI Visual (West Elevation), CGI Visual (East Elevation), AL (9) 904 Rev A Proposed Post & Panel Entrance Signage and AL(1) 110 Rev C Building Materials Plan.

REASON: To ensure that the development is undertaken in accordance with the approved plans as considered.

### **Materials**

- (3) The materials used within the development hereby permitted shall be those detailed within the approved drawings as listed within condition 2.

REASON: To ensure that the suitable materials are used in the interests of visual amenity and in accordance with policy DM1 of the Development Management Plan 2014.

### **Maintenance of Hedgerow**

- (4) Notwithstanding the details of the submitted landscape plan reference RLR L1 Rev B, within 6 months of the date of grant of Reserved Matters, approval details shall be submitted to the local planning authority for its written approval detailing a planting schedule and specification of all native species to be planted together with a long-term maintenance schedule relating to the hedge boundary to the east along its entire length. The approved planting details shall be implemented during the first planting season following the approval of the details. The ongoing management of the hedge shall be implemented in accordance with the details of the agreed 'Management Plan'.

REASON: To ensure that the retention and management of this hedge contributes to the development over the lifetime of its use in providing visual

screening and a backdrop to the site the same time as promoting biodiversity in accordance with the principles embodied within the National Planning Policy Framework (July 2021) and the council's Local Development Framework Development Management Plan policies DM1 and DM25 and DM 26.

**Ecology: Walkover prior to further site clearance work**

- (5) Prior to the commencement of any site clearance works, a walkover of the site shall be undertaken by an appointed ecologist in accordance with the recommendations laid out by the submitted Preliminary Ecological Appraisal submitted 3<sup>rd</sup> October 2020. Any mitigation measures identified as a consequence shall be undertaken in full prior to commencement of any further site clearance works on site.

REASON: In recognition of the fact that ruderal plant species have established on site giving rise to potential colonisation by small mammals including Hedgehogs thereby safeguarding any species which may be present on site (although likely to be limited) in compliance with principles embodied within the National Planning Policy Framework (July 2021) and the council's Local Development Framework's Development Management Plan policies DM1 and DM27.

**Protection of existing protected Trees**

- (6) Prior to any excavation works within the area to be occupied by the proposed car parking, details shall have been submitted to the local planning authority for its prior written approval detailing how existing protected trees shall be safeguarded during the course of development in the form of a Tree Protection Plan and Method Statement. The development thereafter shall be undertaken in accordance with the approved details.

REASON: To ensure the construction of the parking does not cause damage to the protected trees and that the trees can be adequately protected for the duration of the proposed development in compliance with principles embodied within the National Planning Policy Framework (July 2021) and the council's Local Development Framework Development Management Plan policies DM1 and DM26.

**Hard Landscaping**

- (7) All hard landscaping, including the surfacing of all vehicular access ways and pedestrian footways, shall be fully constructed and completed in accordance with the details of the approved Landscape Plan prior to the occupation of the development.

REASON: To achieve an inclusive design which promotes choice and to ensure that the development provides opportunities for pedestrians and

cyclists to move freely between this development and the adjacent development in order to access designated open space and play areas in accordance with the Principles laid out by The Essex Design Guide and Chapter 12 of the National Planning Policy Framework (July 2021).

### **Implementation of soft landscaping**

- (8) All soft landscaping as shown by the approved Landscape Plan reference RLR L1 Rev B shall be undertaken within the first planting season following the first occupation of the Care Home.  
(October to March inclusive) or in any other such phased arrangement as may be agreed prior in writing by the Local Planning Authority. Any tree, shrub, or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in an agreed location, in the first available planting season following removal.

REASON: To ensure adequate control over design and to ensure a satisfactory appearance in the interests of visual amenity in compliance with policy DM1 of Rochford District Council's Local Development Framework Development Management Plan (adopted December 2014).

### **Highways**

- (9) Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4metres by 43 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1.

- (10) Prior to development the areas within the site identified for the purpose of loading/unloading/reception and storage of materials and manoeuvring associated with the proposal shall be provided clear of the highway and retained at all times for that sole purpose.

REASON: To ensure that appropriate loading / unloading facilities are available in the interest of highway safety in in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1.

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

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1.

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

REASON: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1.

- (13) The development shall accord, including any ground works or demolition, with the approved CEMP dated 12th October 2020. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors
- (ii) loading and unloading of plant and materials
- (iii) storage of plant and materials used in constructing the development
- (iv) wheel and underbody washing facilities
- (v) Routing of vehicles

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1.

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

REASON: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1.

- (15) The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. 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.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1.

- (16) Prior to occupation of the proposed development, the existing PROW footway no. 57 on the eastern boundary of the site from the junction of Rawreth Industrial Estate in a northerly direction to the junction of Rawreth Lane shall be upgraded and resurfaced with associated infrastructure. Details to be submitted to and agreed with the Planning Authority in consultation with the Highway Authority.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM1 of the Development Management Plan 2014.

- (17) The powered two-wheeler/cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the development and retained at all times.

REASON: To ensure appropriate powered two-wheeler and bicycle parking is provided in accordance with Rochford District Council's Local Development Framework Development Management Plan Policy DM30.

- (18) Prior to first occupation of the proposed development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £6,000 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5-year period.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM1 of the Development Management Plan 2014 and policy T5 of the Core Strategy 2011.

- (19) Prior to first occupation the bus stops, in both directions, on Rawreth lane immediately to the east of the proposed development shall be upgraded to include raised kerbs, flagpole and timetable to the satisfaction of the Highway Authority.

REASON: To make adequate provision within the highway for the additional pedestrian traffic generated and promoting sustainable travel as a result of the proposed development in alignment with the provisions of the National Planning Policy Framework (July 2021).

## 2 PLANNING APPLICATION DETAILS

- 2.1 This application is a Reserved Matters application in respect of Access, Appearance, Landscaping, Layout and Scale as such relates to a proposed care home and all related infrastructure. This development constitutes a Class C2 use (which is a Residential Institution) aligned with its definition in the Town and Country Planning Use Classes Order as amended in 2020. This proposed development is stated to be phase 7 of the overall development which is now being progressed on a large strategic housing site allocated as SER1 by the Allocations Plan (hereafter referred to as the 'Wolsey Park development') further to the granting of outline planning permission on 3 June 2016 under planning reference 15/00362/OUT which was granted for the following described development: Outline Planning Application (with all Matters Reserved) for the erection of Residential Development with associated Open Space, Landscaping, Parking Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-Residential Floor Space to Part of Site, Uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre).
- 2.2 Planning condition 6 attached to the outline consent limited the residential development to no more than 500 units. The outline application also approved other uses within the larger development site, shown on an approved parameter plan, including a primary school, health provision, outdoor sports facilities, natural/semi-natural green space, attenuation basins, amenity green space, non-residential uses, play space, allotments, green infrastructure, local greens, site access and parts of the spine road. Since this 2015 application there has been a subsequent application that Members of the Development Committee resolved to approve at the Development Committee meeting on 1<sup>st</sup> June 2021. It is still pending the signing of the section 106 legal agreement and issuing of the decision. This application permits a further 222 dwellings at the wider allocation site. The parameters plan for this application shows the current site as non-residential use, this does not differ from the 2015 outline parameters plan.
- 2.3 The proposed care home will provide a total of 60 bed spaces on three floors, with associated landscaping, access arrangement, and parking provision. The substation indicated on the originally submitted proposed site layout plan has been omitted from the proposal on the basis that it was found upon scrutiny to affect the root protection zone of a protected tree. The applicant has confirmed that an electric supply can be provided such that the substation can and has been designed out of the scheme. The proposed development site is stated to cover a site area of 0.44 Hectares whilst the building is indicated to comprise a gross floorspace of 3,475 square meters, bearing a footprint of 1230 square metres.
- 2.4 The submitted Design and Access Statement, which was updated coinciding with revised plans, states that the facility is designed for the care of elderly

residents, over 65, who have an assessed age-related frailty. The proposed care home will benefit from ample internal and external ancillary spaces for residents to interact, dine, live, and perform their daily activities. It explains that Barchester Healthcare Ltd aims to provide a high-quality care facility designed to meet the needs for the elderly and dementia residents. The proposed care home will be in full compliance with the care standards monitored by the Care Quality Commission (CQC).

- 2.5 The Care Standard Act of 2000 and the aging population has caused the government to realise that more funding for long term care is required. This has created a burgeoning new market for Care Homes. The demand for new build homes has been further exacerbated by the introduction of the benchmarked standard as laid out by the National Minimum Standards, which older care homes often do not meet and, as a result, have to be closed down. The modern standard of care home is based around a perception that residents should have the option of ensuite facilities as opposed to a communal WC and bathroom.
- 2.6 Day space should be ample and plenty of amenity should be provided within the property. Care homes should be homely and resemble quality hotels as opposed to a cramped guest house or institutional environment. Spacious living facilities should enable residents and their families to continue to live well with the appropriate level of skilled support. The overall quality of the care homes across the country remains extremely varied and the continual closure of small, less appropriate homes, together with the ageing population, drives the requirement for the modern care home. The financial pressures facing the care home sector is well documented with many care provider organisations failing despite a steadily increasing demand for long term care facilities. The care organisations who continue to operate successfully have recognised the need to provide spacious and well-appointed accommodation with consistently high-quality person-centred care.

### **3 MATERIAL PLANNING CONSIDERATIONS**

#### **The Site**

- 3.1 The site constitutes a flat area of land located to the north east extremity of the wider strategic site located immediately south of Rawreth Lane and east of the highway which serves Rawreth Industrial Estate which accesses onto Rawreth Lane. The south east extremity of the site is located approximately 130 metres north of Rawreth Industrial Estate. The east of the site is flanked by a public footpath being 83 meters in length and which runs from the south east corner of the site to the north east corner parallel to an overgrown hedge which is located within the planning application site. This hedge forms a boundary between the footpath and the rear aspects of residential properties located at Laburnum Way. The site has no water courses present and consists of a grassed area framed by a post and rail fence.



- 3.2 The site frontage to Rawreth Lane measures approximately 65 metres, whilst the site depth is 95 metres at its maximum (north to south). Currently, there is no existing vehicular access available to this site. The site was previously overgrown but has recently been cleared of all vegetation, trees, and scrub. However, ruderal plant communities and scrub regrowth now dominate the site. In terms of topography, the site is generally flat with gentle slope running from the west to the east of the site.
- 3.3 To the west of the site and the highway serving Rawreth Industrial Estate Countryside Properties are currently building out Phase 1 of the development (under approval of 17/00578/REM). Phase 1 comprises of 192 dwellings across 5.45 hectares with related access, parking, and landscaping.

### **Planning History**

- 3.4 There is significant planning history relating to the site, not all of which is directly relevant to this particular application. The wider site history is cited as follows:
- 3.5 Application No. 14/00627/OUT - Outline Planning Application (with all Matters Reserved apart from Access) for the erection of Residential Development with associated Open Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-Residential Floor Space to Part of Site, Uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). REFUSED on 10th February 2015.
- 3.6 Application No. 15/00362/OUT - Outline Planning Application (with all Matters Reserved) for the erection of Residential Development with associated Open Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-residential Floor Space to Part of Site, Uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). APPROVED on 3 June 2016.
- 3.7 Application No. 16/01236/DOC - Submission of details of phasing (condition 4) and Density (Condition 25) to outline permission granted for residential development on 3 June 2016 under application reference 15/00362/OUT Discharged 27 January 2017.
- 3.8 Application No. 17/00578/REM - Reserved Matters Application for 192 Residential Units with Associated Access, Parking, Servicing, Landscaping and Utilities. (Phase 1). APPROVED..
- 3.9 Application No. 17/00588/REM - Reserved Matters Application for Strategic Landscaping Proposals for Phase 1. APPROVED on 9 January 2018.

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- 3.10 Application No. 17/00857/DOC - Discharge of Condition 23 (Great Crested Newts) of Approved Application Reference 15/00362/OUT. DISCHARGED.
- 3.11 Application No. 17/00943/DOC - Discharge of conditions no. 13 and 34 of 15/00362/OUT. DISCHARGED by letter dated 19 January.
- 3.12 Application No. 17/01117/DOC - Discharge of Conditions 28, 29, 30 of approved planning application 15/00362/OUT. DISCHARGED.
- 3.13 Application No. 18/00077/NMA - Outline Planning Application (with all Matters Reserved) for the erection of Residential Development with associated Open Space, Landscaping, Parking, Servicing, Utilities, Footpath and Cycle Links, Drainage and Infrastructure Works, and Primary School. Provision of Non-residential Floor Space to Part of Site, Uses including any of the following: Use Class A1 (Retail), A3 (Food and Drink), A4 (Drinking Establishments), C2 (Residential Institutions), D1a (Health or Medical Centre) or D1b (Crèche, Day Nursery or Day Centre). PENDING CONSIDERATION (as intended to be left undetermined to address any other change which may emerge and be needed during the course of the development).
- 3.14 Application No. 18/00936/NMA - Application for a Non Material Amendment Following Grant of Planning Permission Reference 17/00578/REM to Amend 19 Plots (plots 3,10,12, 21, 46, 61, 64, 67 and 181 - Previously 4-bed house type 4.05 becomes 4-bed house type 4.12V2 or 4.12V3, plots 17, 38, 39, 44, 45, 63, 175 and 170 - previously a 2 ½ storey 4-bed house type 4.11 becomes new 2 storey 4-bed house type 4.01, plot 22 - previously 3-bed house type 3.07 becomes 4-bed house type 4.12v3, - plot 35 - previously 4-bed house type 4.11 becomes 3-bed house type 3.08v2. APPROVED.
- 3.15 Application No. 18/00995/DOC - Discharge of Conditions 15 (Construction Method Statement) and 38 (Construction Surface Water Management) in Relation to Phase 1 of Approved Application Reference 15/00362/OUT. APPROVED.
- 3.16 Application No. 18/00997/NMA - Non material amendment to Condition 3 (materials) to update the approved schedule of materials (primarily in respect of brick details). Reference in condition no. 3 to change from "material schedule date stamped 9 June 2017" to "the materials schedule titled Rayleigh Phase 1 Material Schedule and referenced Revision A dated 11/10/2018 by Saunders Architects". APPROVED.
- 3.17 Application No. 18/01108/DOC - Discharge of Condition 23 (Great Crested Newts) of Approved Application Reference 15/00362/OUT. Discharged 21 April 2019.
- 3.18 Application No. 18/01136/DOC - Discharge of condition 22 (Tree Protection) of approved planning application reference 15/00362/OUT. Discharged 21 April 2019.

- 3.19 Application No. 18/01205/DOC - Discharge of condition 22 (tree protection) of approved application reference 15/00362/OUT. APPLICATION WITHDRAWN.
- 3.20 Application No. 19/00065/REM - Reserved Matters Application for Utility Infrastructure (Gas and Electricity Stations) - Amendment to Approved Application Reference 17/01114/REM. Outline application was EIA development because an ES was submitted at that time. APPLICATION RETURNED.
- 3.21 Application No. 19/00328/ADV - 2 No. Internally Illuminated Totem Signs and 8 No. Flag Signs. Advert Consent issued 4 November 2019.
- 3.22 Application No. 19/00391/REM - Reserved Matters for utility Infrastructure (gas and electricity) - Partial amendment to details previously approved under Reserved Matters approval 17/01114/REM. Approved 28 October 2019.
- 3.23 Application No. 19/00409/DOC - Discharge of Condition 7 on approved application 15/0362/OUT. PARTIAL DISCHARGE 3 April 2020.
- 3.24 Application No. 19/00420/DOC - Discharge of Conditions 12 (driveway/garage gradients) and 13 (discharge of surface water) of application reference 15/00362/OUT and conditions 4 (ground surface finishes) and 11 (path lighting and drainage) of application reference 17/00578/REM. DISCHARGED 27 January 2021
- 3.25 Application No. 19/00424/DOC - Application to Discharge Conditions 21 (landscaping) to residential development approved on 3 June 2016 under application reference 15/00362/OUT. DISCHARGED 8 January 2021.
- 3.26 Application No. 19/00456/DOC - Discharge of condition 34 (surface water drainage scheme) on approved application reference 15/00362/OUT, drainage details relating to the Spine Road Stage II as defined by works under application reference 19/00315/REM. (Part Discharge Spine Road Phase): PART DISCHARGE 26 June 2020.
- 3.27 Application Number. 19/01023/REM – Reserved Matters Application for the construction of a spine road (Southern Link) granted approval 15 May 2020.
- 3.28 20/00875/DOC: Part discharge of condition no. 19 (Noise Assessment) relating to whole site other than Phase 1 (which is the subject of separate application 19/01016/DOC) and relating to planning consent ref. 15/00362/OUT. Condition Discharged 23<sup>rd</sup> February 2021.
- 3.29 Application Number 20/00912/REM: Application for Reserved Matters (Access, Layout, Appearance, Scale and Landscaping relating to proposed Strategic Landscaping on Western part of site: Granted Reserved Matters Approval 26<sup>th</sup> April 2021.

- 3.30 Application Number 20/00996/REM: Application for Reserved Matters (Access, Layout, Appearance, Scale and Landscaping relating to proposed details of spine road bridge crossing: Granted Reserved Matters Approval 26 February 2021.
- 3.31 21/00540/REM Proposed Substation: Application for reserved matters (access, appearance, landscaping, and scale) for the construction of a pumping station relating to outline planning consent reference 15/00362/OUT (further details subsequent to details approved under 19/00315/REM). Application Pending.
- 3.32 21/00591/REM: Application for Reserved Matters (Access, Appearance, Layout, Scale and Landscaping) for strategic landscaping proposals for eastern part of the site (including a 2-meter-high acoustic fence and a new vehicular access onto the spine road. (pending consideration).

**Planning Policy Overview: The National Planning Policy Framework: July 2021.**

- 3.33 The National Planning Policy Framework which sets out the government's planning policies for England was revised on 20th July 2021. The revisions increased the focus on design quality, not only for sites individually but for places as a whole. Terminology is also now more firm on protecting and enhancing the environment and promoting a sustainable pattern of development. The Framework at Chapter 2 highlights how the planning system has a key role in delivering sustainable development in line with its 3 overarching objectives (Economic, Social and Environmental) which are interdependent, and which need to be pursued in mutually supportive ways such that opportunities can be taken to secure net gains across each of the different objectives.
- 3.34 The social objective of national policy is to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful, and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- 3.35 The National Planning Policy Framework at Chapter 12 emphasises that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The Framework at paragraph 130 advises that planning policies and decisions should ensure that developments will, among other things, function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping and be sympathetic to local character and history,

including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities where appropriate).

- 3.36 It also emphasises that development should establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space). New development should support local facilities and transport networks and create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience.
- 3.37 The Framework at Chapter 12, paragraph 131, indicates that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. It indicates that planning policies and decisions should ensure that new streets are tree-lined and that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.
- 3.38 The Framework at paragraph 134 indicates that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

These principles at the district level are embedded within the council's Local Development Framework's Development Management Plan and Core Strategy including policies DM1 (Design of New Developments), DM25, DM30, and Core Strategy policies CP1 (Design) and ENV13 (BREEAM) and in the Essex Design Guide and Supplementary Planning Guidance. The five key headings as cited below must therefore be considered within this planning policy context. Each matter is considered as follows:

### **Access**

- 3.39 Article 2(1) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines "access", in relation to reserved matters as the accessibility to and within the site, for vehicles, cycles and

pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where “site” means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made.

- 3.40 The Access and Movement Parameter Plan (Drawing No. 180605\_URB\_PP\_AMP\_007) approved under the outline planning permission 15/00362/OUT establishes the broad access and traffic movement arrangements across the whole development area subject of the SER 1 allocation.
- 3.41 The National Planning Policy Framework seeks to encourage opportunities within development proposals to promote walking, cycling and public transport use. It advocates development within sustainable locations, and which offers a choice of transport modes. The allocation of the strategic site (of which this parcel forms part of) as SER 1 within the Allocations Plan would have taken into account sustainability issues including access to the site by different transport modes and routes. In the wider context of its location the site is situated 3.1km south-east Rayleigh town centre. Residential dwellings are located to the west and east of the site. The information submitted in support of the application indicates that a regular bus service operates in close vicinity to the site running along Rawreth Lane with connections to Rayleigh Town Centre. Rayleigh Train Station is approximately 1.7 miles away, with regular links to Southend Victoria and London Liverpool Street.
- 3.42 The supporting information indicates that the main vehicular and pedestrian access to the site is direct from the road which serves Rawreth Industrial Estate. The access will take the form of a priority T junction. This proposed site access would include a linkage with the existing pedestrian footway on the eastern side of Rawreth Industrial Estate Road. The access geometry provides an access visibility of 2.4 meters by 43 metres which is the recommended X and Y distance for a 30mph zone.
- 3.43 Pedestrian access would be provided by the same access point which would link in with the length of public footpath which runs north to south along the eastern extremity of the site. Pedestrian movement would be aided via equally spaced street lighting, tactile paving and dropped kerbs. Footpath and cycle access would be facilitated in the same manner having a cycle storage facility at the south eastern aspect of the building close to the site entrance. A variety of surface types shown by the Landscape Plan would differentiate the pedestrian walkways within the site and those areas used for parking and for operational movements by delivery and collection vehicles.
- 3.44 Access for the disabled and physically impaired would be provided for by way of dropped kerbs, tactile paving. Car parking spaces, disabled bays, bicycle parking and powered two wheeler spaces are provided. External motorcycle space is also provided.

- 3.45 A swept path analysis is provided at Appendix E of the Transport Statement to demonstrate that the parking spaces will be fully usable and functional. An analysis has also been undertaken with regards to the swept path required by large 4 axle refuse vehicles which will be able to enter the site and gain access to a refuse storage area, turning around within the site and entering back onto the highway in a forward gear. It is considered that the access is acceptable providing that the provisions highlighted are constructed and available for use prior to the first use of the care home.
- 3.46 Routes around the site are designed to benefit from natural surveillance. Proposed hard and soft landscaping define pedestrian routes within the site, providing movement between the access, parking spaces, and building entrances.

### **Design and Appearance**

- 3.47 Article 2(1) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 relating to applications requiring approval of 'Appearance' at reserved matters stage requires the determining authority to consider the visual impression that the development would make in its context looking at its architecture and external facing materials.
- 3.48 The supporting Design and Access Statement sets out that the design of the proposed development is influenced by the local surrounding buildings. Although in general support of the development an initial consultation response received from Essex County Council Urban Design sought clarification and justification as to the design rationale. Justification was required with particular regard to the appearance of the development and the use of materials given the wider contextual setting in terms of the design and construction materials inherent in other residential developments in the area including the Phase 1 residential development which is well in progress to the west of the site along the southern fringe of Rawreth Lane and immediately west of Rawreth Industrial Estate access Road.
- 3.49 Although justification was sought in this respect and although the scale of the development in terms of its height was reduced culminating in a revised set of plans, which were subject of re-consultation, the applicant has strongly advocated within a revised Design and Access Statement the style of building proposed together with its material palette. The submitted elevation plans not only provide scaled drawings providing certainty on scale but also provide plans setting out the details of material palette supported by a materials plan. In addition, 3 computer generated images have also been submitted providing a visual impression of the development proposal from key public vantage points including an image of the north elevation facing onto Rawreth Lane and the west elevation visible from the same location and the highway serving Rawreth Industrial Estate. A further image shows the visual impression of the site from the south including associated parking areas.

- 3.50 The overall visual impression of the building is that, on the basis of its T shape layout, it offers visual interest on all elevations being multi aspect in its outlook, incorporating feature pitched roof gable projections which contrast with the terminal hipped features which gives the building visual texture and depth. These projecting pitched gable features are particularly prominent to the north and west elevations, where the latter accommodate balcony terraces and reflect the scale and vernacular of the built form to the west constructed under phase 1 of the residential development.
- 3.51 It is considered that the stepping of the building line on prominent elevations (which are all elevations other than the east elevation which is however visible from the public footpath) help break up the massing of the elevations. It is considered that the character features such as bays and gables to the main elevations (3 gable feature projections to the north elevation and 2 to the west elevation) (1 to the south and 1 to the East including a main entrance feature), soften the overall massing of the building and provide visual interest and contrast. In addition, recessed balconies (glass balustrade) punctuating the building elevations will provide usable external outside upstairs dining rooms creating further interest and details to the building façade. The full-length external chimney features prominent to the west elevation in particular would add to the visual interest of the building. It is considered that the proposed development would form an attractive piece of architecture functional to its purpose and use.
- 3.52 The application is supported by a number of plans which were more recently produced to address some minor points raised by the local planning authority and Essex County Council Urban Design as statutory consultee. One of these plans includes a proposed Building Materials Plan, reference AL(1) 110 Rev C which illustrates and details the materials to be incorporated into the development. It is indicated that the main brick to be used (which would be largely to the lower wall sections of the building contrasting with the boarded upper elevations of the building) would be a Red multi stock brick with cladding indicated to be a Cedral Click Wood finished in two colours of dark Grey and White Pearl. It is understood that this cladding would be a synthetic board incorporating a grained surface simulating the appearance of wood such that from a distance its construction would be indiscernible from timber. Officers did question the use of this material and its extent of use to the upper elevations, in terms of whether the use of timber boarding in traditional Essex boarding style would be more appropriate. Given the issue under consideration which is that of 'Appearance', providing that the finish of this boarding is not of a 'sheen' type finish, it is not considered that its use can reasonably be resisted, and the use of timber insisted upon.
- 3.53 The same plan indicates the use of a smooth Grey slate or tile on the roof. The wall elevations are shown to incorporate brick dental courses made out in Red multistock, whilst fenestration (the specification of which are not detailed (whether UPVC or powder coated Aluminium or other construction) would be finished in a dark Grey RAL 7016 colour. Although there is a widely held although disputed opinion that Aluminium is far more durable and of a higher



quality construction as compared to UPVC fenestration, depending on the thickness and depths of the frames which can be manufactured to specification, it is not considered in terms of appearance that the use of either would give rise to markedly different visual impression of the building as a whole. All cills and heads supporting the fenestration set within would comprise Artstone Bath Stone which would be of a sandstone colour. All rainwater goods are indicated to be constructed of Aluminium finished in black with fascias and soffits finished in dark grey. The glazed Balustrades to the balcony terracing prominent to the west elevation would be frameless extending to a height of 2100mm above finished floor level being obscured up to a height of 900mm above finished floor level.

- 3.54 It is considered that in terms of appearance, taking into account its scale, layout, and landscaping treatments (discussed under the relevant sections), and material palette that the development although comprising a large block is acceptable. The use of materials in the manner indicated as to be utilised in sections would reduce the monolithic appearance of the development within the streetscape. The overall visual impression of the development would be one of quality in terms of the physical built form and the spaces it provides within the site especially to the west aspect for quiet recreation framed by feature boundary treatments. The development would be located at a prominent corner location, highly visible within the public realm at the north east gateway to Wolsley Park befitting and reflective of the quality associated with other related strategic development within SER 1.

### **Landscaping**

- 3.55 Article 2(1) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines “landscaping” in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, as the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes— (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earth works; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features.
- 3.56 The Landscape Parameters Plan approved under the outline planning permission and the revised Landscape Parameter Plan approved under the application 18/00077/NMA indicates that the landscape arrangements for the application site largely remains independent from the wider development site due to its location and site area. The submission indicates that the landscaping scheme has been designed to reflect site topographical character, with the intention of forming enclosed external spaces accessible to the future residents. Due to the relatively level topography of the site, with the exception the southern edge of the site, no banks, terraces or earthworks are proposed as part of this development.

- 3.57 The site has previously been cleared of vegetation and trees, and the existing band of trees and vegetation situated adjacent to the existing footpath are of high amenity and ecological value, which will be retained and integrated into the site landscape scheme. Within the site, communal gardens for residents would be formed within the enclosed areas to the west and north of the proposed building. Within these landscaped areas, key features such as terraces, activity lawns, raised planters, box hedge, a potting shed, greenhouse, gazebo, and shaded seating area will be provided, with smooth, block paving surface routes laid in between to create a safe and non-slip footpath for the residents to access each part of the communal gardens. Given the sloping nature of the southern edge of the site, a low retention wall would be erected to form an elevated grassed buffer. Around the site boundaries, decorative black metal railing fence and brick wall/piers would be utilised in sections to meet the operational requirements of the facility.
- 3.58 The submitted plans are more specific in terms of the landscaping details. The submitted Landscape Plan (reference RLR L1 Rev B) shows the substation which subsequently has been omitted from the layout of the development as reflected by the updated Proposed Site Layout Plan reference AL (9) 901 Rev G. Other than this feature at the south east corner of the site, there is no change to the landscaping detail provided by that plan. In granting approval, the landscaping details as substantively laid out within the Landscape Plan will need to be implemented whilst the revised Proposed Site Layout Plan reference AL (9) 901 Rev G (omitting the substation) will provide clarity that the substation facility no longer forms part of the overall approved site layout.
- 3.59 Native shrub species are shown to be planted at the north east of the site adjacent to the 1.6-metre-wide footpath. This footpath would be flanked on the west aspect by a 1500mm high hoop top decorative iron railing which replaces the earlier proposed treatment which was close board fencing considered to be highly inappropriate creating a tunnelling effect enclosing public space in a manner which would make the use of this path less desirable. The use of open railings separating the east aspect of the site fronting the main entrance and its parking space and the footpath would provide natural surveillance which is a desirable design objective and outcome.
- 3.60 Raised brick planters opposite disabled parking areas to the east of the building flanking the feature entrance would provide a welcoming approach to the home. The Landscape Plan indicates that the existing tree group, located to the east of the footpath along its entire length (100 meters approximately) and still forming part of the planning application site, would be maintained by the applicant. With the exception of oak trees which must be retained, the growth comprising blackthorn hedge species needs to be managed. This vegetation, being almost 4 metres in width from the edge of the footpath to the boundary with the rear gardens of 4 residential properties to the east at Laburnum Way, provides visual relief and privacy to existing residents from the footpath and the proposed built form. The height of the current hedge is 3 to 4 metres in height which, it is considered through the use of condition, can

be maintained but managed to give this boundary greater screening and enhanced biodiversity value over the lifetime of the development.

- 3.61 The north boundary of the development with Rawreth Lane which totals a distance of approximately 62 metres is indicated to comprise two forms of boundary treatment, comprising hoop top decorative black metal railings (wall type B) along the frontage with Rawreth Lane and an 8-metre length of brick wall (1575mm in height) featuring intermittent piers topped with Artstone capping. The west aspect of the site, as shown by the computer-generated visual impressions, would comprise the same hoop top decorative black metal railings set in front of beech hedging over a length of approximately 124 metres. The Artstone entrance walling and signage, as is reciprocated at the main entrance to the site on its southerly aspect, is shown by plan references AL (9) 903\_1 Reb B (1 of 3) and AL (9) 903\_3 Artstone Entrance Walling (3 of 3).
- 3.62 The submitted Landscape Plan shows areas of wildflower lawns located to the north west aspect of the site between the built form and Rawreth Lane framed by low cover shrub planting and beech hedging set against the outer iron railings. Plug plants are also proposed to attract night-time insects. This theme is reciprocated along the west elevation as it curves around towards the southern entrance of the site where the boundary would consist, at the entrance, of the same brick wall and pier arrangement featured at the north west corner. The Landscape Plan also indicates the proposed planting of specimen trees 4.5-5 meters in height which would consist of root balled and containerised species including *Betula Utilis* 'Jaquemantis', *Catalpa Bignonioides* 'Aurea' multi stem. Native hedgerow planting is shown to be provided at the north west and north east flanks of the site in the form of *Acer Campestre*, *Crataegus monogyna*, *Prunus Cerasifer*, *Corylea Avellana* and *Cornus Sanguinea*.
- 3.63 The hard landscaping comprises the main vehicular entrance way which would be laid to tarmac due to its durability whilst the parking areas, of which there are shown to be 24 in number by the revised Site Layout Plan (reference AL (9) 901 Rev G, would be laid to block paving. General paved areas, including patio areas, would consist of Brett paving 'Yorkstone' set in a natural colour and laid in staggered joint fashion. General pedestrian areas are to be finished in Tobermore Tegula paving finished in a slate colour edged with grey blocks. Terraced areas serving areas adjacent to the pitched gable projections would be surfaced with Tobermore Artro paving finished in Platinum edged where possible with a sandstone trim. Other areas within that western area of the site which would be of communal purpose would be surfaced with beech pebbles laid into a Geotextile timber edge. 1800mm long Balmoral Beech benches would also be provided within the site whilst 2 decorative Gothic arches and 14 obelisks would be located within this area where there would also be a grow shed and greenhouse.
- 3.64 In concluding, it is considered that the landscaping details are acceptable in that the boundary treatments framing the site within its own private realm

would be of a high-quality construction and appearance. The landscaping provides a range of visual colours and textures ranging from beech and box hedging to individual trees and lawned areas framed by native hedge planting and shrub species. The overall effect of the development from a landscaping perspective, taking into account all aspects, would be of a high-quality development purposeful and befitting to its purpose and function as a care home. The provision of the facilities at the west aspect of the site is particularly notable in terms of the Kitchen Garden, Therapy Area, and shaded seating which, when combined with the planting, would create a high level of amenity for residents within the development.

### Scale

- 3.65 Article 2(1) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines Scale as “the height, width and length of each building proposed within the development in relation to its surroundings”. The key issue, which was identified on review of the submitted particulars by the case officer, was that the height of the proposed care home was outside the defined parameters as set by condition and as set out by the Building Heights Parameters Plan (reference 18605\_URB\_PP\_BH\_007) approved as part of the outline planning permission. This plan clearly showed the site as ‘Potential Non-Residential Use’ up to 3 storeys (12.5 metres). This plan is clearly referenced in the first condition on the 15/00362/OUT consent and clearly referenced also at condition 5 which stipulated compliance with the height plan as this plan is not illustrative or indicative.
- 3.66 The height of the building based on the initial plans submitted was shown to be approximately 13.25 metres, being 0.75 metres higher than the upper parameters of height which was established at the outline stage for any development that was to follow at Reserved Matters within any particular development parcel. The purpose of this plan, of course, was to set an upper height parameter within which future Reserved Matters applications have to work within for reasons of amenity, visual appearance and impacts. Importantly it is not an indicative or illustrative plan such that any development to follow is required to work within those set parameters.
- 3.67 Revised plans were subsequently submitted which show a reduction in the roof height which has involved the re-design of the roof and building elevations to bring the ridge level down to a maximum of 12.5m. These revised drawings are part of the updated details package which were revised further to change a flat roof narrow projection on the west elevation to a hipped roof feature. Officers are satisfied that by reason of its scale, particularly its height, that the development is within the defined parameters of scale set at outline planning permission stage and aligns with the height of the development set adjacent to the west progressing subsequent to approval of 17/00578/REM Phase 1 for 190 dwellings application where the flats were approved at a height of 12.3 metres.

- 3.68 In terms of other parameters, the gross footprint of the building is indicated to be 1230m<sup>2</sup> set out in a T shape. The length of the north elevation with Rawreth Lane is approximately 48 metres bearing a depth (north to south) of 18 metres approximately. The north/south section giving rise to the long west and east elevations is noted to be approximately 35 metres being 20 metres in width approximately at its widest point. The height of the eaves shown at its long elevations (west and east) are approximately 8.40 metres. The main north/south section of the east elevation of the building is set back 28 metres from the boundary of the development site with the garden areas of a limited number of properties (of which there are 4 opposite the planning application site), whilst the T shape section at the north-east corner which incorporates a stairwell and limited window openings, is approximately 14.3 metres from the boundary. It is emphasised that this distance is from the built form to the boundary whilst any built form is considerably further in distance to the elevations of those neighbouring dwellings than the boundary.
- 3.69 The case officer visited one of the residential properties located to the east at 46 Laburnum way to gain an insight into the relationship between the development site and neighbouring properties. Given the separation distances indicated it is not considered that the scale of the development would cause harm to the visual amenity of the area nor the amenity of any property at Laburnum Way. It is concluded as a result of the adjustments made that the development from the perspective of scale given its relationships to adjoining developments is acceptable.
- 3.70 As part of the design development process, consideration has been given to the impact on the surrounding context and the streetscapes along Rawreth Lane and Rawreth Industrial Estate Road. The care home site at Rawreth Lane is proposed as a gateway point to the new area of development in Rayleigh and as such requires a building that will address the active frontages and sits well within the existing streetscape. The proposal has been designed to reflect the residential nature of the area and yet provide standout features to highlight it as a gateway building. The building is not considered to be out of character in terms of height and mass with other houses and developments along Rawreth Lane.

### **Layout**

- 3.71 Article 2(1) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines 'Layout' as the way in which buildings, routes and open spaces within the development are provided, situated, and orientated in relation to each other and to buildings and spaces outside the development
- 3.72 The design and layout of the home has been carefully considered to provide a safe and secure environment with infection control having the utmost importance. The development has been designed with each bedroom having its own private full wet room and en-suite facilities. Each wing and floor have also been designed to function autonomously from one another allowing any

isolation to be able to take place with a virus break out without impacting the residents use of the home and its amenity. The layout has been carefully considered so that the public access is to the east of the site with public access linking round to the footpath which leads into the site and provides a safe access/egress onto Rawreth Industrial Estate. This layout provides for a safe and secure south west facing garden and activity area.

- 3.73 Drawing Number AL (01) 100 Rev D (Proposed Ground Floor Plan) shows the north elevation of the building being set back approximately 6.3 metres relative to Rawreth Lane with the Plant Room, Laundry Room and Refuse being within the south-eastern head of the T shaped area where the service element of the facility are concentrated. The north south section accommodates lounges, a Hairdresser & Therapy room, Caffé at the west aspect ground floor and a management office, administration office, a family room and cycle storage area on the east and southerly aspects. In terms of layout it's noted that dining areas and lounge areas are served by patio and terrace areas leading out onto and overlooking communal garden space. The refuse store is considered to provide sufficient space for the storage of refuse at the site.
- 3.74 A wide range of ancillary facilities are also incorporated into this proposal in order to meet the operational needs of the care home. Those ancillary facilities include a total of four Post & Panel signs which are to be displayed along the site boundary, adjacent to the site access and next to the main entrance of the proposed care home. Two wall mounted signs are to be displayed on the proposed boundary wall of the site whilst a range of LED wall mounted lights, post top mounted LED lanterns, LED recessed doorlights, and self-contained weatherproof bulkhead lights will be provided within the application site. A detailed external lighting layout and lighting impact assessment are provided within the Plan 1788-EX-100-P01. It is not considered that the development by reason of its layout given its degree of separation from neighbouring properties will result in direct overlooking nor overshadowing of neighbouring properties to the east at Laburnum Way. Any advertisements may require a separate application for advertisement consent.
- 3.75 The parking layout shows the provision of 24 car parking spaces accessed via a central area which would also be used by service vehicles. Following comments by the case officer on this matter revisions were made to the layout of the development to accommodate an optimum number of car parking spaces increasing the area dimension of the spaces from 2.5 x 5m to 2.9 x 5.5m as prescribed by the Essex Parking Standards. The applicant as shown by the most proposed site layout plan increased the number of parking spaces and provided a justification for the overall number of spaces provided. The overall parking has been increased from the original 22 spaces shown at the lowered standard to 24 shown at the preferred maximum standard whilst the addendum to the Transport Statement sets out the justification in this regard.

- 3.76 The Parking Standards for non-residential institutions (C2) uses indicate the required provision for 1 car parking space per full time staff (on at any one given time) in addition to 1 visitor space per 3 beds. This is a maximum figure. Cycle space is set at 1 space per 5 staff with Powered Two Wheel Vehicles being set at 1 space in addition to 1 space per 20 car spaces for the first 100 cars. It is noted from the Proposed Site Layout Plan that the length of the parking area at the east aspect of the building frontage is 41.2 meters which given the number of parking spaces proposed at this location which is 14 in number (in addition to the ones opposite) would provide the precise 2.9 metres width required. On measuring the same plan officers confirm that the parking bay dimensions are to the required maximum and preferred standard length of 5.5 metres.
- 3.77 The position set out by officers is that ultimately where there is a perceived shortfall against the Parking Standards which is adopted policy, the applicant would need to justify the proposal in the light of relevant information to be provided. An updated Transport Statement sets out that the care home will employ approximately 63 part and full-time equivalent staff with a maximum of 32 staff per daytime shift. The approximate breakdown of staff is as follows: Team Leader/Senior Care Assistant per floor/Manager/Deputy Manager (14 total), the maximum per daytime shift will be 6. Care Assistants numbers will total 38 with a maximum per daytime shift being 15. Catering & Household staff would account for 7 persons in total with which would also equate to the maximum total. Administration and maintenance staff would total 3 persons. An activities co-ordinator would total 1 person. The maximum stated at any one given daytime shift would be 32 persons.
- 3.78 On the basis of the Essex Parking Standards there would be a suggested requirement for 32 car parking spaces for staff and an additional 20 visitor car parking spaces based on the provision of 1 visitor parking space per 3 bed of which in total there are 60. Based upon the standards a maximum of 52 spaces would be required compared with the 28 spaces proposed. The applicant has sought to justify this shortfall by comparison with planning approvals for other similar care home developments setting out examples of three care homes granted planning permission by local authorities across England. These care homes, it is indicated, provide a similar level of parking provision and employ a similar number of staff. A table has been submitted setting out additional evidence that these care home car parks have additional spare capacity (3 car parking spaces) throughout the day. It is also stated that these care homes are primarily located in a semi-rural location, similar to that of the proposed development.
- 3.79 The information seeks to justify this shortfall in the light of existing consented operations which are of similar size and scale to the proposed development. The applicant's position is that the number proposed is sufficient for the operational requirements of the care home. It is the applicant's case that this standard of parking provision proposed at the development has also been granted planning approval by many local authorities across the south of England where it has been shown there is also an average of 3 vacant car

parking spaces per day. It is the applicant's case that the Essex Parking Standard provision for land use class C2 (Care Homes) is notably higher than other local authorities. It is the applicant's position that this element should be re-considered based on the evidence presented above. In addition, it is the applicant's case that the application is supported by a robust travel plan provided by Hydrock (dated 28th October 2020) in support of Planning Application No 20/01041/REM. As such, in Hydrock's opinion the parking provision is adequate for this type and scale of development.

- 3.80 The applicant's rationale and case is understood as are the comparisons in terms of consented care home schemes which fall short of the required standards, but which are stated to be operating effectively and without harm despite this shortfall. At officer level, without detailed knowledge of each development proposal and the precise considerations and the circumstances around each case including the arguments each applicant made in this regard and how a decision was reached, it is not considered that the acceptance of other schemes similar in scale and location provide a direct and necessary basis for a decision in this regard (although it is understood why comparisons have been applied). As a council the authority is required by section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine applications in accordance with the provisions of the development plan and other relevant guiding and adopted policy unless material planning considerations indicate otherwise. The Essex Parking Standards is prescriptive in its approach setting clarity as to what the provision should be to support a particular kind of development.
- 3.81 The applicant has also sought to justify the quantum of parking by way of the Travel Plan which sets out reasonable walking and cycling distances and distances from Bus stops and the train station. There is a potential that staff employed at any one given shift may use other transport modes to get to work but this is not known at this time as this is a factor which depends upon the individual circumstances of the individuals concerned whether they be staff or visitors.
- 3.82 The local highway network provides pedestrian footways on the eastern side of Rawreth Industrial Estate and on both sides of Rawreth Lane with dropped kerbs and a pedestrian refuge island for crossing the T-Junction. Street lighting is also provided on the highway network within the vicinity of the site. While there are no dedicated bicycle facilities in the immediate vicinity of the site, given the relatively wide carriageways, low speeds and light traffic, the conditions are generally conducive to encouraging cycling. This provides access for cyclists to connect the development site to the wider area. There is the availability of the existing Trender Avenue bus stop, serving the Bus Service No. 3, which travels directly to Chelmsford City Centre. There are also additional bus stops located on the A129 London Road to the south, which is about 1.6km from the site, approximately a 20minute walk. Whilst these are outside of the 800m threshold it is the applicant's position that they are still accessible within 2km of the which is considered to be within the upper limit of



reasonable walking distance (based on the provisions of the Manual for Streets [MfS] Guidance).

- 3.83 The applicant does make very relevant points within the Technical Design Note in that the adjacent consented outline planning application included the provision for a new bus service to Rayleigh Town Centre and Rayleigh Railway Station. This increases the potential for staff and visitors of the proposed development to access the site via sustainable modes of transport and reduces single occupancy car journeys. The nearest railway station to the site is Rayleigh Railway Station, located approximately 2.6km to the south east. The railway station is within reasonable cycling distance to the site and is a circa 30minute walk. The weekday off-peak services are 3 times per hour to Southend Victoria and 3 services to London Liverpool Street. Services at peak times increase to up to 12 per hour.
- 3.84 It is the applicant's case, having regard to the above, that the site is accessible through walking, cycling and public transport, and prospective staff and visitors to the proposed site will have a good range of sustainable travel choices. On this basis, the proposed development is better placed to discourage car travel and create a viable alternative to using the private car which further exemplifies that the provision of car parking is acceptable. In addition to the above, due to the residential nature of the surrounding area, it is the applicant's position that it is likely that a proportion of employees will reside within close proximity of the proposed development and therefore have the ability to reduce single occupancy journeys by utilising the sustainable measures outlined above.
- 3.85 It is important to highlight that the 52 spaces referred to within the Parking Standards SPD, when applying the criteria to this site, is a maximum figure rather than a minimum figure. There is no set minimum figure for parking spaces for a care home facility such as this. ECC Highways have not raised objection to the quantum of parking spaces provided although they have suggested conditions be imposed. Taking this into consideration along with the assessment undertaken within the Travel Plan, it is not considered that the number of parking spaces is insufficient or that it would represent a justified reason for refusal here.
- 3.86 With regards to cycle provision, there is a minimum requirement for 7 spaces for staff. The cycle store shows provision for 8 spaces in accordance with this. There is a minimum requirement for 2 powered two wheeler spaces. The cycle store would also act as a scooter store with the ability to park 5 scooters in accordance with this. The disabled bay minimum is based on individual merit although it is expected to be significantly higher than business or recreational development requirements. Under the business use class part of the Parking Standards SPD 2 bays are required. 2 bays are proposed here which would compare with the business use class requirements. Whilst not significantly higher it is considered sufficient here and ECC Highways do not specifically object to the quantum of disabled bays proposed.

**Other Considerations.**

- 3.87 Although not strictly related to the subject headings the applicant has submitted information relating to surface water drainage and flooding and sustainable design including the achievement of BREEAM standards for commercial buildings. It was considered imperative as part of this current Reserved Matters application to demonstrate sustainable drainage solutions to the site. This has now been established addressing the initial holding objection from the ECC LLFA. However, the outline planning permission 15/00362/OUT set out a number of key requirements relating to aspects including details to prevent surface water discharge onto the highway for every subsequent reserved matters application (condition 13), BREEAM (condition 16), protection of hedgerows (condition 22), Ecology Mitigation Strategy (condition 23). Condition 30 of the outline planning permission requires all residential development at reserved matters stage to require 10 per cent of the energy from the development within the phase to be provided from a decentralised and renewable or low carbon sources unless this is not feasible or viable or unless provision of such would be at the expense of provision of a higher specification energy efficient building fabric. The wording refers to 'dwellings' and all other developments exceeding 1000 square meters such that this condition need not be repeated for this application.
- 3.88 As the site is within flood risk zone 1, and the site area is under the 1 hectare threshold, there was no requirement to submit a site-specific Flood Risk Assessment with this planning application, given advice contained within the NPPF. The site is in an area of low annual probability of flooding and the surface water run-off would be discharged into a cellular soakaway system within the site (subject to the surface water conditions attached to the outline application).
- 3.89 Conditions 34 and 38 of the outline application address matters of surface water drainage for each subsequent reserved matters approval which, given the information submitted as part of this application, would entail that this requirement is met. However, its formal sign off would be correctly approached via a discharge of condition application subsequent to the outline planning permission.
- 3.90 Some bespoke conditions are required as such relating directly to the subject matter of this application including a condition requiring details of the ongoing management of the hedgerow along the east aspect of the site, a condition requiring a walkover of the site by an ecologist prior to the commencement of any site clearance work in accordance with the recommendations of the preliminary ecological appraisal and a condition requiring development to be undertaken in accordance with the provisions of the Construction Method Statement dated 12<sup>th</sup> October. The highway conditions as recommended are also considered relevant such as to be attached as conditions where necessary.

- 3.91 It should be noted that this application must be read alongside the approved 2015 outline application and its planning conditions. Those that are relevant to the current application site will require compliance and where required, submission and agreement of details.

### **RAMS**

- 3.92 The site is within the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) zone of influence for the Crouch and Roach Estuaries Special Protection Area and Ramsar site. The proposed development however being a C2 use, which is distinctively different from a C3 use, is not considered to fall within the scope of the RAMS as relevant development. The statutory response received from Natural England is noted in that it raises this very issue in that it is for the local planning authority to determine whether the provisions of the Habitat Regulations apply based on the type of development concerned. As confirmed by colleagues in Planning policy, this development would not be subject to adopted RAMS policy.

## **4 CONSULTATIONS AND REPRESENTATIONS**

### **Rawreth Parish Council: Comments as follows:**

- 4.1 Members, having referred to all the documents and can only find nine parking spaces, is this sufficient and the required number for a 60 bed home, allowing and catering for staff, visitors and other services.
- 4.2 Members also observe the garden space is limited and given the location of what is a relatively small site, close to roads is there a risk of air pollution from those surrounding roads, which are already recognised as being in a high air pollution area.

### **Natural England:**

#### **First response – comments as follows:**

- 4.3 It has been identified that this development falls within the 'Zone of Influence' (Zol) for one or more of the European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS); see our recent advice to your authority on this issue (our ref: 244199, dated 16th August 2018) for further information.
- 4.4 In the context of your duty as competent authority under the provisions of the Habitats Regulations, it is anticipated that, without mitigation, new residential development in this area and of this scale is likely to have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressure when considered 'in combination' with other plans and projects. The Essex Coast RAMS is a large-scale strategic project which involves a number of Essex authorities, including Rochford District Council working together to mitigate the effects arising from new residential development. Once adopted, the RAMS will comprise a

package of strategic measures to address such effects, which will be costed and funded through developer contributions.

- 4.5 We therefore advise that you consider, in line with our recent advice, whether this proposal falls within scope of the RAMS as 'relevant development'. Where it does, this scale of development would fall below that at which Natural England would offer bespoke advice on this issue. However, in such cases we advise that you must undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation; you should not grant permission until such time as the HRA has been undertaken and the conclusions confirmed.

**Second response – comments as follows:**

- 4.6 The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

**Rochford District Council Arboricultural and Ecology Advisor:**

**First response – comments as follows:**

- 4.7 There is a group TPO beyond the eastern aspect near to the proposed parking. I would suggest a planning condition for a suitable tree protection plan and method statement to ensure the construction of the parking does not cause damage to the protected trees and that the trees can be adequately protected for the duration of the proposed development.

**Second response – comments as follows:**

- 4.8 I have no objections to the suggested tree planting.

**Rochford District Council Housing Options Allocations and Enabling Officer:**

**First response - comments as follows:**

- 4.9 We have no objection to this application and whilst we do have a waiting list for Nursing Homes based on the Current SHMA there is a need for such accommodation within the District. Placements for nursing homes are done via Essex County Council.

**Second response – comments as follows:**

- 4.10 We would support this application as it would provide Affordable Housing in a high demand area. There has been a large increase in demand for Affordable Housing in the last 12 months and as of today there are 997 applicants awaiting housing.

**Essex County Council Lead Local Flood Authority SuDS:**

**First response – comments as follows:**

- 4.11 Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we wish to issue a holding objection to the granting of planning permission based on the following:

Discharge rates - Discharge rates from the site should be limited to 1:1 greenfield runoff rates for all storm events up to and including 100 year plus 40% climate change.

**Second response – comments as follows:**

- 4.12 Having reviewed the Surface Water Drainage Strategy and the associated documents which accompanied the planning application, we do not object to the granting of the planning permission 20/01041/REM. It is in line with the approved outline drainage strategy and as such should be subject to the same conditions applied to the outline application (15/00362/OUT).
- 4.13 The proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the Drainage strategies and the documents submitted with this application are implemented as approved.

**Essex Country Council Urban Design:****First Response – comments as follows:**

- 4.14 The principle of development is supported from an urban design perspective. It is considered the approach provides a high-quality development responding well to on and offsite constraints. However, we have outlined some observations and questions from reviewing the application, these are outlined below.

Layout

- 4.15 The layout of the confined site provides a well-considered approach, considering the restrictions of the gas easement and public right of way, the massing and siting of the built form addresses the key approaches and elevations in providing a key focal building for both London Road and the emerging Countryside development to the West. There were initial concerns around the location of both the communal garden and parking provision, but as highlighted above, it is assumed this is a response to the easement in why the arrangements have been proposed as shown. Given the use, it is considered that having the communal gardens facing West creates the sense of activity and visual links externally to the home which users can find comforting.

Architecture

- 4.16 It is considered the approach to design and architecture are generally supported where the application shows a strong commitment to quality and detail within the built form. The variety of fenestration, materials and arrangement of elevation is supported in providing a key gateway building. Place Services is a traded service of Essex County Council. We would however question the precedent of the style of architecture. It's not clear within the Design and Access Statement in how the approach to architecture has been derived where it appears its character and approach have been forced. From our understanding the emerging development to the west plays around more of a contemporary style of architecture while the character to London Road and eastward is that, again of more modern new builds. It is hard to see the rational around the approach to this more traditional style of architecture where we would encourage the application is either reviewed in identifying where this approach has come from, or alternatively, should this link not be present, then a review of the architectural approach to the building maybe needed to respond in a stronger sense to its context. Currently the building appears out of context with little visual links to the surrounding character where a more contemporary approach appears to be more suited. We will be more than happy to review the additional rational which will come forward. We would expect to see a clear link to the surrounding character and its context where further explanation within the application is needed. There holds a risk that this application will dictate and confuse the existing built character should it not respond in a positive and well-balanced approach.

#### Landscape

- 4.17 It is again considered the approach to the landscape is positive where suitable boundary treatments have been proposed to the north south and western boundaries. The quality of landscaping to the communal gardens again appears of a high quality. We were unable to locate both a detailed soft and hard landscape proposal plan where this would provide detail around surface materials and tree planting. These are two details that would be important in complimenting the built form and we would consider these should be submitted as part of this application. It was raised the boundary treatment of the public right of way. The approach of containing the footpath between two close board fences does not appear the most suitable approach in terms of security and wellbeing of users. We would have expected to see a more transparent boundary ensuring users were left safe when using. The existing site has a low post and rail fence which we would consider to be more practical and respond better to the character and identity of the development coming forward. A car park facing onto a close board fence is seen as a low-quality detail.

#### Summary

- 4.18 On reflection the application demonstrates a high-quality development addressing many of our initial concerns. Despite this there are large concerns around the approach to architecture and its style. We would need to see strong rational around why this approach is best suited to this location within

Rayleigh. The application does not currently demonstrate this. A clear analysis of the direct built context, review of surrounding listed or heritage properties which influence this approach are needed as currently it is considered to not respond outside of its red line boundary where we would consider a modern new build character is its direct influence.

**Second response – comments as follows:**

4.19 I have no objection when the built form is viewed as a whole.

**Essex Highways – comments as follows**

4.20 No objection subject to conditions:

1. Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4metres by 43 metres in both direction, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.
2. Prior to development the areas within the site identified for the purpose of loading/unloading/reception and storage of materials and manoeuvring associated with the proposal shall be provided clear of the highway and retained at all times for that sole purpose.
3. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
4. There shall be no discharge of surface water onto the Highway.
5. The development shall accord, including any ground works or demolition, with the approved CEMP. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - (i) the parking of vehicles of site operatives and visitors
  - (ii) loading and unloading of plant and materials
  - (iii) storage of plant and materials used in constructing the development
  - (iv) wheel and underbody washing facilities
  - (v) Routeing of vehicles
6. The any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
7. The parking shall be provided in accordance with the EPOA Parking Standards. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be

retained in this form at all times. 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.

8. Prior to occupation of the proposed development, the existing PROW footway no. 57 on the eastern boundary of the site from the junction of Rawreth Industrial Estate in a northerly direction to the junction of Rawreth Lane shall be upgraded and resurfaced with associated infrastructure. Details to be agreed with the Planning Authority in consultation with the Highway Authority.
9. The powered two wheeler/cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the development and retained at all times.
10. Prior to first occupation of the proposed development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £6,000 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5 year period.
11. Prior to first occupation the bus stops, in both directions, on Rawreth lane immediately to the east of the proposed development shall be upgraded to include raised kerbs, flag pole and timetable to the satisfaction of the Highway Authority and has been provided entirely at the Developer's expense.

**Essex Public Rights of Way – comments as follows:**

- 4.21 Please note the ECC Highways response (inc. PROW) will be provided by ECC Strategic Development officer Mark Lawrence.

**Third Party Representations**

- 4.22 2 in number of representations of objection have been received from the following households: 14 Exmouth Drive, Rayleigh, 46 Laburnum Way Rayleigh. The key points of concern are summarised as follows:
  - Fundamental infrastructure issues for the total build which should not have been passed in the first place. This together with many other local responsible objections.
  - (The representations relates to the strategic development site as a whole) It's an unsustainable project leading to local disruption and more additional unbearable traffic and green belt issues which are totally unacceptable. I would strongly suggest that those involved with any thoughts of passing such an application look seriously into the implications of this development as already outlined.



- As this development is very close to our boundary at 46 Laburnum Way we are concerned about the height of the proposed building. Our objection is made on the grounds of privacy owing to the building being three stories high.
- We would also like to be reassured that the public footpath and vegetation/trees between our boundary and the proposed development will be retained and maintained.

## 5 EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the 'Equality Act' 2010

## 6 CONCLUSION

- 6.1 Subject to the conditions relevant to this parcel of development as covered by the relevant conditions of the outline planning permission reference 15/00362/OUT and the recommended conditions attached to this approval, it is considered that the development constitutes sustainable development on the basis of which the development should be approved.



Marcus Hotten

Assistant Director, Place and Environment

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### Relevant Development Plan Policies and Proposals

National Planning Policy Framework (July 2021)

Rochford Council Local Development Framework Allocations Plan SER 1

Rochford Council Local Development Framework Core Strategy (2011) Policies: T1 (Highways), T3 (Public Transport), T5 (Travel Plans) T6 (Cycling and Walking) T8 (Parking Standards), H2 (Extension to Residential Envelopes and Phasing), CP1 (Design), ENV 3 (Flood Risk), EN4 (Sustainable Drainage Systems SuDS), ENV 8 (On Site Renewable and Low Carbon Energy Generation), ENV 10 (BREEAM), CLT 4 (Healthcare).

Rochford Council Local Development Framework Development Management Plan Policies: DM 1 (Design and New Developments), DM2 (Density of New Developments), DM25 (Trees and Woodland, DM26 (Other Important Landscape

Features), DM27 (Species and Habitats Protection), DM28 (Sustainable Drainage Systems), DM30 (Parking Standards),

Parking Standards: Design and Good Practice Supplementary Planning

Document adopted December 2010

**Background Papers**

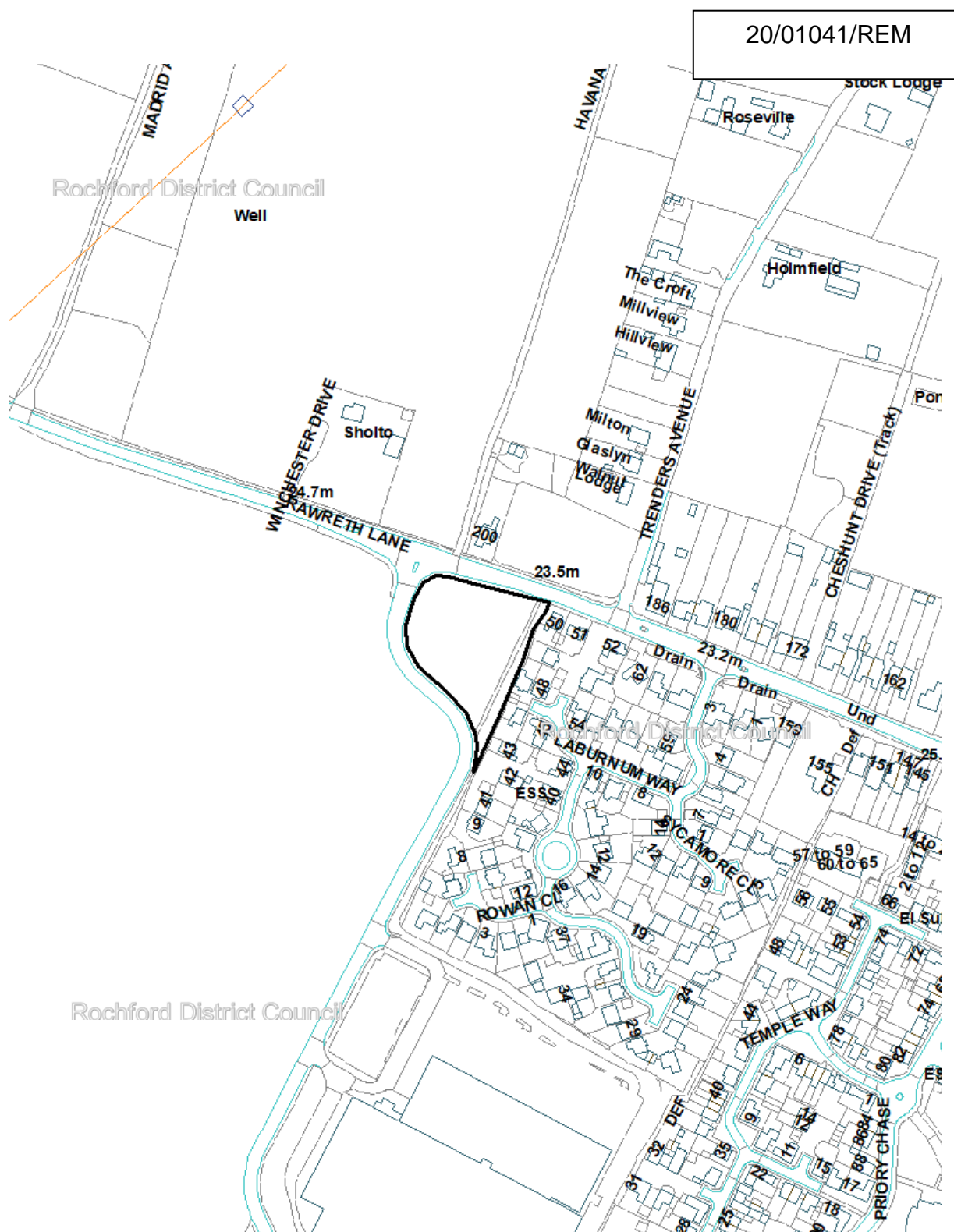
None.

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