

<p><b>Item 6</b>  <b>17/00807/FUL</b></p> <p><b>Castle Point and Rochford Adult Community College, Rocheway, Rochford</b></p>	<p><b>Contents.</b></p> <ol style="list-style-type: none"> <li><b>1. Representation Received from Rochford Parish Council</b></li> <li><b>2. Representation from Occupier of 21, Rocheway, Rochford</b></li> <li><b>3. Representation received from Sport England</b></li> <li><b>4. Confirmation of Further Matters by the Applicant/Agent</b></li> <li><b>5. Revised Officer Recommendation</b></li> </ol> <ol style="list-style-type: none"> <li><b>1. Rochford Parish Council</b> <p>Members objected to this application as they felt it was inappropriate development in a limited area, especially as a Community Asset had been taken away and the applicants wanted to replace this with a portable structure.</p> </li> <li><b>2. Occupier of 21, Rocheway, Rochford</b> <p>I object to the provision of demountable changing rooms. I would have no objection should the changing facilities be constructed from traditional (i.e. brick) materials. Demountables, by their very nature, I would consider to be temporary structures. The area will lose a very considerable community resource in this development. Common sense suggests that the building be used, following refurbishment, to re-locate the Rochford Primary School, thus removing it from its current, polluted site, which is also hazardous by virtue of the considerable congested traffic. As I have said, that would be common sense which, sadly, is not very common.</p> </li> <li><b>3. Sport England</b> <p><b>Summary:</b> No objection is made as a statutory consultee, subject to two planning conditions being imposed on any planning permission relating to the details of the design and layout of the demountable buildings and the phasing and delivery of the demountable buildings.</p> <p>It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement. Sport England has considered the application in light of the National Planning Policy Framework (particularly Paragraph 74) and Sport England’s Playing Fields Policy, which is</p> </li> </ol>
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presented within its Planning Policy Statement titled "A Sporting Future for the Playing Fields of England" (see link below):

[www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy)

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

### **The Proposal and Impact on Playing Field**

The application principally involves the provision of a car park to support the use of the playing fields on the site of the former Castle Point and Rochford Adult Community College. The application is directly related to an undetermined planning application (17/00102/FUL), which proposes the re-development of the former college buildings and associated external areas for residential development. As the related planning application would result in the loss of the existing car park adjoining the college buildings that currently supports the use of the playing field, this proposal would provide a new car park to replace the parking area that would be lost in order to provide continuity of parking provision for users of the playing field. The new car park would encroach onto the northern periphery of the playing field.

### **Assessment against Sport England Policy/NPPF**

In general terms, proposals for car parking that are sited on playing fields can meet exception E2 of Sport England's playing fields policy if they are considered to be genuinely ancillary to the principal use of the site as a playing field and where they do not affect the quantity or quality of pitches or adversely affect their use. However, proposals for replacement car parking that are intended to just replace existing car parking in order to ensure continuity of parking provision would not in general terms meet this exception as they would not offer any additionality compared to maintaining the current parking provision i.e. from Sport England's perspective it would be preferable to protect existing car parking areas (and maintain the playing field area) rather than endorse replacement parking that would reduce the size of a playing field and potentially have an impact on playing pitches or affect the use of the playing field. However, each proposal is considered on its merits and if a replacement car parking proposal contains benefits that would mitigate the impact on the playing field and offer some additionality compared to protecting the current situation then

	<p>it may be considered as meeting the exception in practice. The proposed car park on the application site would make a relatively significant encroachment (around 1,900 sq.m) onto the playing field in terms of area and as shown on the Proposed Site Layout Plan, the development would encroach onto an area of the playing field where an 11v11 junior football pitch is currently marked out. While the plans demonstrate that the football pitch layout could be revised to relocate the affected pitch while maintaining all of the existing pitches, there would still be a net loss of overall playing field space which may reduce flexibility in the future for marking out a wider range of pitches or extending pitches. Furthermore, the scope to rotate playing pitch areas from season to season to allow heavily used areas such as goal mouths to recover may also be reduced.</p> <p>To mitigate the impact and provide some additionality, it is proposed that part of the car park would be used for siting two demountable buildings that would provide users of the playing field with changing and toilet facilities. At present, Hambro Colts Youth FC, have a licence to use the football pitches on the site and have been the established user of the pitches for many years. The club does not have access to any toilet or changing facilities on the site which is an undesirable situation for both players and spectators and playing fields without such facilities would not accord with Sport England's design guidance. The proposed demountable buildings would provide basic toilet and changing facilities and help the club to improve the facilities that are available at the site. As demonstrated by the letter submitted with the application, the club are supportive of the toilet/changing facilities proposed as well as the replacement car parking. While details of the design and layout of the demountable buildings have not been provided with the application, a minimum specification (submitted by the applicant's agent on 29 September 2017) for informing the design and layout details has been prepared in consultation with the club and Sport England which is considered acceptable. It is also acknowledged that the quality of the replacement car parking in terms of surfacing and markings will be superior to the existing car parking area and that the delivery of the replacement car parking will secure long term continuity of car parking provision for formal users of the playing field if the related planning application for residential development is permitted and implemented.</p>
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	<p><b>Conclusion</b></p> <p>In view of the mitigation offered in the form of the demountable changing/toilet facility buildings and the benefits associated with the delivery of the new car park, on this occasion I am satisfied that this would outweigh the detriment caused by the impact on the playing field especially as the proposals would not affect existing playing pitch provision and the football club that uses the pitches is supportive of the proposals. Sport England is therefore satisfied that on this occasion the proposed development broadly meets the intentions of the following Sport England Policy exception:</p> <p>E2 - The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use.</p> <p>However, this position is strictly subject to the following conditions being attached to the decision notice should the local planning authority be minded to approve the application: Demountable Buildings: Design and Layout Details.</p> <p>As the detailed design and layout of the proposed demountable buildings is not available at this stage, details will need to be submitted and approved prior to commencement of development which accord with the minimum specification (outline specification document submitted on 29/09/2017). This is necessary to ensure that the design and layout of the changing and toilet facilities are fit for purpose and responsive to the needs of the users as well as according with the proposed specification in practice. I expect that the Council would also require such a condition to be imposed to assess the acceptability of the buildings in terms of meeting other planning considerations in any case. A condition along the following lines is suggested:</p> <p>No development shall commence until details of the design and layout of the demountable buildings which accord with the approved Outline Specification document (September 2017) have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The demountable buildings shall not be constructed other than in accordance with the approved details.</p> <p>Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy</p>
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Demountable Buildings: Phasing & Delivery

As the proposed toilet/changing facilities provide the mitigation for the impact of the development on the playing field, it will be essential that the buildings are completed and operational within an acceptable timescale in practice. A condition should therefore require the demountable buildings to be completed and operational before the car park is operational which would accord with the applicant's intention set out in the outline specification document. Without such a condition, there would be no certainty offered that the buildings would be delivered in practice to mitigate the impact on the playing field. A condition along the following lines is therefore suggested:

The demountable buildings shall be provided and made available for use prior to beneficial use of the car park hereby permitted.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision and to accord with Development Plan Policy.

If your Council decides not to attach the above conditions, Sport England would wish to raise an objection to this application. Should the local planning authority be minded to approve this application without the above conditions, then given Sport England's subsequent objection and in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 the application should be referred to the Secretary of State via the National Planning Casework Unit.

The Council is also requested to ensure that the determination of this planning application is co-ordinated with the determination of the related planning application (17/00102/FUL) for the residential development because from Sport England's perspective, the approval of the application for the car park would be a pre-requisite of a "no objection" position as a statutory consultee on the residential application as set out in separate representations made on the related application.

Sport England would like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

If you would like any further information or advice please contact the undersigned at the address below.

**4. Confirmation of Further Matters by the Applicant/Agent**

**Confirmation of Adequacy of Car Parking Spaces:**

The bay sizes would meet the preferred standard – this is annotated on the proposed layout plan. In respect of space numbers, it is necessary to bear in mind that the proposals are for the re-provision of an area of existing car parking, which is currently provided at the front of the Rocheway site and used by the Hambro Colts. The number of spaces proposed with this application have been formulated in accordance with the requirements of the Hambro Colts, who we consulted prior to submission of the application and support the scheme. This approach has followed the advice of Roy Warren from Sport England, who throughout the process has informed us that the proposals must be informed by the Colts' requirements.

The potential for the car parking area to be used for purposes other than parking in connection with the use of the sports pitches has been taken into consideration. The matter of how unauthorised access to the site can be managed can be addressed by planning condition requiring a barrier to be installed which can be unlocked prior to football matches. The applicant has indicated that it would be content with a planning condition requiring the installation of a planning condition specifying the provision of this barrier prior to the first use of the car park.

**5. Revised Officer Recommendation**

**Revised recommendation of approval**, subject to the 6 heads of conditions set out in the report, and a further condition, as set out below:

7. A condition requiring the provision of a barrier to the entrance of the parking areas, which is to be provided prior to the first use of the car park.

<p><b>Item 7 17/00102/FUL Castle Point and Rochford Adult Community College, Rocheway, Rochford</b></p>	<p><b>Contents:</b></p> <ol style="list-style-type: none"><li><b>1 Further Clarification Provided by Agent</b></li><li><b>2 Representation Received from Mr Tim Fransen</b></li><li><b>3 Sport England Consultation Response</b></li><li><b>4 Essex County Council Response</b></li><li><b>5 Revised Officer Recommendation</b></li></ol> <p><b>1. Further Clarification Provided by Agent</b></p> <p>The agent has provided further clarity on the following matters.</p> <p><b>Affordable Housing within the C3 Part of the Site</b></p> <p>Adopted Policy H4 requires 35% affordable housing provision on sites of 15 or more units, or on sites greater than 0.5 hectares. The C3 residential part of the site accommodates 14 units, so it does not trigger an affordable housing requirement under this policy.</p> <p>The application site is 1.03 hectares but use of the policy's size threshold would not be applicable in this case because the site would also be accommodating 60 Independent Living units falling within C2 use.</p> <p>Provision of 14 C3 residential units falls short of the policy's numerical threshold by 1 unit, but it can be demonstrated that this amount of development has not been artificially lowered to avoid the threshold; firstly because the density of development on this 0.49ha part of the site would be 29 dwellings per hectare, which is entirely acceptable for this edge of settlement location. Secondly, it would not be possible to fit a 15th C3 residential unit into the site in a policy compliant manner, because to do so would unduly compromise garden sizes, parking provision and general residential amenity of the proposed dwellings. The proposed development is therefore considered compliant with policy H4.</p> <p><b>Parking for Mobility Scooters Within the Independent Living Scheme</b></p> <p>Provision of a dedicated scooter parking facility on the ground floor, as well as having accessible apartments, ensures the long term flexibility of use so that the scheme meets the needs of any user group and is more adaptable to accommodate older people as their needs change. This is a requirement of ECC's Independent Living Design Guidance</p>
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which has informed the proposed design.

**Contributions Towards Community Sports Facilities**

This is addressed by the concurrent planning application for the car park pending consideration under reference number 17/00807/FUL. That application proposes mitigation for the displacement of existing car parking provided for the users of the playing pitches (and partial loss of playing field land to accommodate the car park) through improved facilities set out in a written specification as agreed by Sport England. No other contributions to community facilities have been requested by Rochford District Council or the statutory consultees.

**Continued Access to Disability Essex**

The agent indicates that the applicant is under a legal obligation to maintain right of access to the Disability Essex land.

**2. Representation by Mr Tim Fransen: Objects to the Proposed Development**

I write at the eleventh hour to highlight the negative impact of the wrecking ball and hopefully prevent the proposed demolition of Rochford's former Adult Community College (and Secondary Modern School (1937-59)) - such an action will strip Rochford's townscape of its historicity and its people of cherished memories of past learning, sporting and dramatic activities. I regularly pass and admire this distinctive building en route to my allotment and on walks to the River Roach. Unfortunately, I missed the associated planning advertisement presumably in local papers and attached to street furniture - perhaps this is also a call for more effective communicative methods in the future (e.g. planning announcements via email subscription - particularly for such large scale developments). Nevertheless, despite missing the neighbourhood consultation deadline, I trust these belated comments will be taken into consideration.

Whilst not having any objections to the re-development's general purpose, I strongly oppose the annihilation of the former Adult Community College building. To demolish this building rather than conserve and integrate its fabric into the present and future would be an irreversible, bad design decision. Additionally, it seems rather thoughtless considering the potential 'Independent Living' residents may well have

been schooled in this now endangered building. Notably, this building provides a focus of fond reminiscence for the older generation in Rochford (which I have experienced through face-to-face conversations and via the online Rochford District Community Archive). Further, this locally distinctive building with decorative lintel (featuring the 1937 construction date and Essex County Council three-seax emblem), quadrangle structure/walled garden, fine period brick work and general golden stain of time provides an authentic vernacular that should inform the development but is completely ignored within the Design and Access Statement.

I strongly encourage an approach similar to the successful Rochford Hospital Boiler House conversion and re-development - an approach that retains the site's significant meanings, historic values, local distinctiveness and civic pride.

I implore that planning decision makers champion the same protective approach in this case and demand Stanley Bragg Architects/Essex Housing go back to the drawing board and rethink. We need to retain and repurpose this glorious building, as John Ruskin noted 'glory is in its Age ... which we feel in walls that have long been washed by the passing waves of humanity ... it is in that golden stain of time, that we are to look for the real light, and colour, and preciousness of architecture ... of language and of life.'

### **3. Sport England Response**

#### **17/00102/FUL - Castle Point And Rochford Adult Community College, Rocheway, Rochford (Sport England Reference E/ROC/2017/46119/S)**

I refer to Sport England's formal response to the consultation on the above planning application dated 19 July 2017 which in summary objected to the loss of car parking on the site and the associated impact on the use of the adjoining playing field. A decision by the Council on the application was subsequently deferred to allow a permanent and deliverable parking solution to support the use of the adjoining playing fields to be fully explored. In response, the applicant has since prepared a permanent parking proposal in consultation with Sport England which involves siting a replacement car park on part of the playing field area. A separate planning application (17/00807/FUL) has recently been submitted for the replacement car parking area which includes proposals for demountable buildings to be erected that will provide toilet and changing facilities to support the use of the playing field.

	<p>Sport England's comments on the related planning application for the replacement car parking area are set out in separate representations but in summary Sport England has no objection to the application subject to planning conditions being imposed relating to the demountable buildings.</p> <p>The proposed car parking area proposed in application 17/00807/FUL would consist of 50 spaces comprising grasscrete pavers with marked out bays. The proposed amount and quality of the replacement car parking would appear to be superior in quantity and quality to the existing parking provision adjoining the former college buildings plus it would be specifically for use by users of the playing field. Hambro Colts Youth FC who are the established formal user of the football pitches on the playing field have confirmed that they are supportive of the proposed parking arrangements. In terms of phasing, the applicant has advised that the replacement car parking (if permitted) would be made in advance of phase 2 of the residential development commencing. The submitted plans have confirmed that temporary car parking to serve the playing field will be provided on the eastern part of the site before construction starts on phase 2. The proposals would therefore be considered to accord with exception E4 of our playing fields policy <a href="http://www.sportengland.org/playingfieldspolicy">www.sportengland.org/playingfieldspolicy</a>:</p> <p>E4 The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development.</p> <p>While exception E4 is worded to apply to playing fields, the same principle applies to ancillary facilities that support the use of playing fields such as car parking. To ensure that the requirements of exception E4 are fully accorded with in practice, there will be a need for a planning condition to ensure the delivery of the proposed replacement car park before construction commences on phase 2 of the residential development.</p> <p>In view of the above assessment, I can therefore confirm that Sport England withdraws its previous objection and can now advise that it does not wish to raise an objection to this application as it is considered to meet exception E4. However, this is strictly subject to the following condition (or similar provision being made in a section 106 agreement)</p>
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	<p>being attached to the decision notice should the local planning authority be minded to approve the application:</p> <p>Replacement Car Parking Provision</p> <p>To provide continuity of car parking provision for existing users of the playing field it will be essential that the replacement car park that is subject of planning application 17/00807/FUL is permitted and subsequently completed and operational before phase 2 of the residential development commences. A planning condition (or section 106 agreement provision) is therefore requested which requires the car park to be constructed and made available for use before phase 2 of the development commences. A planning condition along the following lines is suggested:</p> <p>Phase 2 of the development hereby permitted (as shown on Drawing No: X) shall not be commenced until the car park permitted by planning permission 17/00807/FUL dated xx has been implemented and made available for use.</p> <p>Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with Development Plan Policy.</p> <p>If your Council decides not to attach the above condition, Sport England would wish to raise an objection to this application. Should the local planning authority be minded to approve this application without the above condition, then given Sport England's subsequent objection and in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State via the National Planning Casework Unit.</p> <p>Sport England's position on this application is dependent on the related planning application 17/00807/FUL for the replacement car park being permitted by the Council. The Council is therefore requested to ensure that the determination of the two planning applications are co-ordinated to avoid a potential scenario where the car park application is refused or remains undetermined following a decision to approve the residential application. In the event that it is not possible to impose the above condition due to uncertainty about whether the car park application will be permitted, Sport England's position would revert to an objection, and the provisions of The Town and Country Planning (Consultation) (England) Direction 2009 would</p>
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	<p>apply, as there would then be no certainty that the replacement car park could be delivered.</p> <p>Sport England would like to be notified of the outcome of the application through the receipt of a copy of the decision notice.</p> <p><b>4. Essex Highways Response</b></p> <p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority for the following reasons:</p> <ol style="list-style-type: none"><li>1. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.</li></ol> <p>Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.</p> <ol style="list-style-type: none"><li>2. There shall be no discharge of surface water onto the Highway.</li></ol> <p>Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.</p> <ol style="list-style-type: none"><li>3. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide areas within the curtilage of the site for the purpose of:<ol style="list-style-type: none"><li>i. the parking of vehicles of site operatives and visitors</li><li>ii. loading and unloading of plant and materials</li><li>iii. storage of plant and materials used in constructing the development</li><li>iv. wheel and underbody washing facilities.</li></ol></li></ol>
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	<p>Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway and to ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.</p> <p>4. The any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.</p> <p>Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.</p> <p>5. The parking shall be provided in accordance with the EPOA Parking Standards.</p> <p>Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.</p> <p>6. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers / or smartcard to same value for use with the relevant local public transport operator.</p> <p>Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011</p> <ul style="list-style-type: none"><li>• All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.</li></ul>
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	<p>The applicants should be advised to contact the Development Management Team by email at <a href="mailto:development.management@essexhighways.org">development.management@essexhighways.org</a> or by post to:</p> <p>SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, CM2 5PU</p> <ul style="list-style-type: none"><li>• The Highway Authority cannot accept any liability for costs associated with the developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.</li><li>• Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.</li><li>• The above is required to ensure the proposal complies with the County Council's Highways and Transportation Development Control Policies, as originally contained in Appendix G of the Local Transport Plan 2006/2011 and refreshed by Cabinet Member Decision dated 19 October 2007.</li><li>• The requirements above should be imposed by way of negative planning condition or planning obligation as appropriate.</li><li>• Prior to any works taking place in the public highway the developer shall enter into the appropriate legal agreement with the Highway authority under the Highways Act 1980 to regulate the construction of the highway works.</li><li>• In all cases where spoil is unavoidably brought out onto the highway, the applicant / developer must be reminded of their responsibility to promptly remove such spoil at their own expense and to the satisfaction of the Highway Authority.</li><li>• Full details of SUDS should be provided and agreed.</li></ul>
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	<p><b>5. Revised Officer Recommendation</b></p> <p><b>Revised recommendation of approval. The 21 heads of conditions as originally recommended still apply.</b></p> <p>Given the provisions made to safeguard the existing open space via the provision of a car park as proposed by planning reference 17/00807/FUL, It is recommended that point 7.1 a and b of the original recommendation is revised in that the approval should be subject of a Section 106 agreement which specifies the triggering point and timing including the completion of works in connection with the provision of the car park aligned with the recommendations set out by Sport England which will form part of the planning conditions which should be attached to the concurrent 17/00807/FUL application.</p>
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