Planning Statement
on Behalf of Countryside Properties Ltd

Erection of residential development, provision of non-residential floorspace (uses falling within Use Classes A1, A3, A4, C2, D1a or D1b), and provision of primary school, alongside associated open space, landscaping, parking, servicing, utilities, footpath and cycle links, drainage and infrastructure works.

Land West of Rayleigh, Rayleigh

Our Ref: C15045

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0. Preface: 2015 Update

0.1 This Planning Statement was originally prepared to accompany an application for outline planning permission for residential development (with associated non-residential uses) on land to the north of London Road (and south of Rawreth Lane), Rayleigh, which was submitted to Rochford District Council in August 2014.

0.2 The original application (reference 14/00627/OUT) was refused permission on 9th February 2015, on four grounds, which can be summarised as follows:

1. An alleged under-provision of outdoor sports space, having regard to the NPPF;
2. Concerns that the submitted Flood Risk Assessment did not pay proper regard to downstream flooding events, removal of a section of culvert, and maintenance;
3. Concerns regarding a lack of certainty over future improvements at the Rawreth Lane/Hullbridge Road junction; and
4. An alleged lack of space to expand secondary school capacity.

0.3 In May 2015, the applicants submitted an appeal in respect of the above decision, which remains to be determined. In the meantime, the previous planning application is being re-submitted to Rochford District Council, alongside additional supporting information which provided to address the four reasons for refusal identified above. Specifically, the re-submitted application is accompanied by the following additional/amended documents:

1. An Open Space and Playing Field Assessment, which addresses the first reason for refusal;
2. A Flood Risk Addendum, in respect of the second reason for refusal, which raised specific matters in respect of the previously submitted Flood Risk Assessment;
3. An updated Transport Assessment, which explains more clearly the manner in which the Proposed Development will contribute towards the future improvement of the Rawreth Lane/Hullbridge Road junction;
4. A statement explaining the position in respect of education provision and secondary school capacity.

0.4 In other respects, the plans and supporting information submitted with the re-application for planning permission are largely the same as those submitted in August 2014, but taking into account amendments made to the original application in November 2014. The cover letter submitted in connection with this re-application for planning permission provides a table that lists of the application documents and plans.

0.5 The list of application plans at Paragraph 3.4 of this Statement remains correct, with the exception of the additional application plan for the internal estate road submitted as part of the November 2014 update (see the application cover letter for the updated list of plans).
The original 2014 application was submitted in Outline with all matters reserved except access. In this resubmission, access is treated as a reserved matter (and therefore references to access not being reserved in the remainder of this document should be ignored). However, this application includes the same details for access to the site from London Road, Rawreth Lane and the industrial estate road, and as these are submitted as detailed plans, the principal means of access to the site can be established through this application.

Section 6 of this Planning Statement sets out the Heads of Terms for the s106 agreement. Since the preparation of the original Planning Statement, the s106 agreement has progressed and is now substantially drafted and agreed between the applicants and the Council’s Officers. The Heads of Terms however have not materially changed since the original application was submitted.

Finally, since the original preparation of this Planning Statement, Rochford District Council has adopted its Development Management Plan. However, the policies contained in that document relate primarily to matters of detailed development control, rather than matters relating to the principle of development, and the primary policy which governs the Application Site remains Policy SER1 of the Site Allocations Plan.

In all other respects, the description of the Proposed Development and its assessment against national and local planning policy remain essentially the same as for the previous application, and therefore the remainder of this document comprises the previous 2014 version of the Planning Statement, unchanged.
1. **Introduction**

1.1 This Planning Statement has been prepared on behalf of Countryside Properties, in support of an application for outline planning permission for residential development (with associated non-residential uses) on land to the north of London Road (and south of Rawreth Lane), Rayleigh.

1.2 The application site lies in a location identified in Rochford District Council’s Core Strategy for the construction of a minimum of 550 new homes by 2021. The application site forms part of the land subsequently identified as site SER1 in the Council’s adopted Site Allocations Plan, which similarly proposes the construction of 550 new homes.

1.3 This outline application seeks consent on the land within the SER1 boundary controlled by Countryside Properties, primarily for residential development. The plan below shows the application site boundary with the SER1 policy area superimposed. No building is proposed on the area of land outside the SER1 boundary, other than a small section of highway works associated with the London Road access point. Open space, landscaping, and drainage works are proposed outside of the SER1 boundary, but such uses are normally not considered inappropriate in the Green Belt.
1.4 The outline application is accompanied by a Land Use Parameter Plan which defines the extent of the area upon which residential development is proposed, and the extent of land proposed for non-residential use, open space, landscaping and other uses within the application site. It is also accompanied by a Density Parameter Plan which sets the maximum density of development on the various development parcels, and a Heights Parameter Plan which sets the maximum height of buildings.

1.5 On the basis of the Land Use and Density Parameter Plans, it has been calculated that the application site is capable of delivering between 430 and 500 new homes. The accompanying Environmental Impact Assessment and Transport Assessment have been prepared on the basis of a scheme of 520 homes, on the basis that this quantum of development covers the maximum number of new homes that could be delivered in accordance with the application plans, with a small additional margin to ensure that the assessment is robust. The Environmental Impact Assessment and Transport Assessment also consider the potential cumulative impact of the proposed development in the context of the development of site SER1 as a whole, and in the context of other confirmed schemes in the wider area (specifically, the potential redevelopment of Rawreth Industrial Estate, and the strategic development at Hullbridge, both identified as development sites in the Council’s adopted Core Strategy and Site Allocations Plans), in both cases with an additional margin for robustness.

1.6 The application proposals are described in more detail in Section 3, but essentially, this outline application is seeking approval for the principle of residential development on the land already identified in the adopted Core Strategy and Site Allocations Plan for that purpose. Detailed design would be subject to future applications for Reserved Matters.
2. **Site and Surroundings**

2.1 The application site extends to 46.7 hectares, lying to the west of Rayleigh, between London Road and Rawreth Lane. The centre of the application site lies around 2km north-west of Rayleigh Town Centre.

2.2 With the exception of a small area of vacant land to the north-east corner of the application site, adjacent to the entrance to the Rawreth Industrial Estate, the entirety of the application site is currently in agricultural use.

2.3 To the east, the application site adjoins the existing built-up area of Rayleigh, which on the immediate boundary of the application site comprises a mix of residential uses, a Makro store, and the Rawreth Industrial Estate. The adjoining Sweyne Park neighbourhood also includes Sweyne Park Secondary School, St Nicholas Primary School, an Asda supermarket, Rayleigh Leisure Centre, and Sweyne Park itself.

2.4 To the north, the application site abuts Rawreth Lane, beyond which the land is predominantly open farmland. To the west lies adjoining farmland as well. To the south, the application site has a frontage to London Road, but also adjoins the Rayleigh Town Sports and Social Club site, which provides a range of outdoor playing pitches.

2.5 The Rawreth Brook crosses the application site, flowing from east to west. The topography of the application site is characterised by three main features:

(a) The Rawreth Brook forms a shallow valley in the centre of the application site;
(b) There is a general fall from east to west, with the existing urban area being generally higher than the adjoining application site;
(c) There is a general fall from north to south, with Rawreth Lane lying on higher ground compared to London Road.

2.6 The changing levels on the application site, and the need to ensure that no residential development occurs on land potentially liable to flooding from the Brook, are factors that have influenced the proposed layout of the application site, both in terms of the layout of development and how it responds to wider views, and in terms of the drainage strategy for the development (see the separately submitted *Design and Access Statement* and *Flood Risk Assessment at Appendix H of the Environmental Statement* for further information).

2.7 A feature of the application site is the high voltage cables that cross the application site in a north-south direction. The eastern pylon line has been used by the District Council in the Site Allocations Plan to define the edge of the Green Belt. Accordingly, all new residential development is located east of the pylon line, on land excluded from the Green Belt. The only works proposed in the vicinity of the pylons and west of the pylons are landscaping, open space, attenuation ponds for drainage, and part of a slip road associated with the proposed design of the vehicular access to the application site from London Road.
2.8 Section 3 that follows provides more details in respect of all of the components of the proposed development.
3. The Proposed Development

3.1 This application for planning permission is submitted in outline, with all matters reserved for future approval (with the exception of access). In accordance with the adopted Core Strategy and Site Allocations Plans, the predominate use proposed for the application site is residential development (although alongside the residential element, the application includes two potential locations for an element of non-residential development and land for a primary school).

3.2 Because this is an application for outline permission with matters such as the location, scale and appearance of buildings reserved for later approval, the Masterplan submitted alongside this application is indicative, and is submitted for illustrative purposes only. It does not form part of the application for which planning approval is sought.

3.3 However, in order to assist the process of Environmental Impact Assessment, a series of Parameter Plans have been prepared, covering Land Use, Density, Height, and Access and Movement. Together, these four Parameter Plans define:

(a) The location for development within the overall application site boundary;
(b) The locations for non-residential development within the overall application site boundary;
(c) The height and density of development;
(d) The overall extent of land which may be used for open space, landscaping, surface water storage and other ‘green infrastructure’;
(e) The principal routes of movement for vehicular and non-vehicular traffic.

3.4 As noted above, the means of access to the application site is being submitted for approval at this stage, and therefore in addition to the Parameter Plans described above, the details of the means of access from London Road, Rawreth Lane and the Rawreth Lane Industrial Estate Road (which will form part of the bus route through the site) are also submitted for approval at this stage. The complete list of application plans is therefore as follows:

- Application Site Plan (Ref 180605_PP_RL_001);
- Land Use Parameter Plan (Ref 180605_URB_PP_LUB_009);
- Density Parameter Plan (Ref 180605_URB_PP_DP_008);
- Building Heights Parameter Plan (Ref 180605_URB_BH_007);
- Access and Movement Parameter Plan (Ref 180605_URB_AMP_005)
- Rawreth Lane Access (Ref MBSK140623A);
- London Road Access (Ref MBSK140623B);
- Rawreth Industrial Estate Road Access (Ref MBSK140623C).

3.5 The paragraphs below explain each of the proposed elements of the development in more detail.
The Residential Development

3.6 Based upon the area defined within the Land Use Parameter Plan for residential development (15.11 ha), and based upon the density range set out in the Density Parameter Plan, the development will produce between 430 and 500 residential units. This equates to a density range of 28.5 dwellings per hectare and 33 dwellings per hectare. The Density Parameter Plan shows how different parts of the application site are intended to be developed at different densities. The Design and Access Statement explains the rationale behind the different densities shown.

3.7 The Council’s emerging Development Management Plan sets a minimum density of 30 dwellings per hectare overall for any new development site. The Density Parameter Plan shows that this policy requirement can be met on this application site.

3.8 Between them, the adopted Core Strategy and Site Allocations Plan require at least 550 new homes to be delivered from SER1 as a whole. At the time the Site Allocations Plan was prepared and Examined, the Council had proposed that Rayleigh Town Sports and Social Club would relocate from its current location, and that site would have been redeveloped for housing as part of the overall 550 homes. The Council has subsequently decided however that the Sports and Social Club will not relocate, which leaves only two comparatively small parcels of land with development potential elsewhere in SER1. The largest of these parcels comprises two existing paddocks immediately north of London Road, to the east of Lower Barns Farm, which has a site area of around 1.35 ha. The second parcel lies to the rear of Timber Grove, but is affected by a Tree Preservation Order, which Policy SER1 states should be retained. We estimate these two areas to have a combined capacity for around a further 50 dwellings, thereby bringing the total of SER1 up to the 550 required.

3.9 The previous Masterplan for the application site, shown at the Public Exhibition in April 2014, had estimated around 475 units on the application site. Given the limited capacity of those additional parts of SER1 outside the application site, SER1 would potentially not have been able to deliver the full 550 homes required. The more detailed design work that has been undertaken since April 2014 and leading up to the submission of this application helps to demonstrate that, even following the landscaped-led approach explained in the Design and Access Statement, the application site has the capacity for up to 500 dwellings at appropriate densities.

3.10 The completion of the on-line planning application form requires the applicant to enter the split between market units, social rented affordable units, and intermediate affordable units. Based upon an assumed maximum of 500 residential units, assuming 35% affordable housing in accordance with adopted policy, and assuming an 80%/20% split between rented and intermediate properties (as per Policy H4 of the Adopted Core Strategy), we have completed the application form (Question 17) accordingly. However, please note that the actual number, and split of units between these categories, is indicative, and may be subject to variation, for example if at Reserved Matters stage less than 500 units are proposed, or if an alternative split of affordable housing tenure is preferred by the District Council in due course.
3.11 The exact location, orientation and form of the residential properties, and their associated parking and servicing, is a ‘Reserved Matter’ and not for consideration as part of this application. However, the illustrative Masterplan submitted alongside this application shows a general layout and form of development for the application site, which has been the subject of pre-application consultation and input from the District Council and Essex County Council (the latter in their capacity as design advisors to the District Council). It is anticipated therefore that the form of development at Reserved Matters stage will substantially accord with the submitted Masterplan, and it is anticipated that any planning permission granted would be subject to conditions which would:

(a) Limit the overall number of residential units to 500;
(b) Limit the location, density and height of residential properties to the submitted Parameter Plans.

The Non-Residential Development

3.12 The non-residential element of the application is split between two proposed locations, being a site of 0.15 ha for a medical use (Use Class D1a) as part of the residential development, and a site of 0.38 ha adjoining Rawreth Lane, for which a range of possible uses is proposed: Use Classes A1 (retail) and/or A3 (restaurant) and/or A4 (public house) and/or C2 (residential institution) and/or D1a (health) and/or D1b (creche/nursery). As explained in the table below, the maximum floorspace for non-residential uses is calculated to be 5,050 sq m. Land is also shown for a primary school, discussed further below under the heading of Education.

3.13 The floorspace figure is the maximum for all of the non-residential uses combined, rather than the amount for each use individually. At Question 18 on the application form, we have entered the maximum floorspace under the category of “Other” to reflect the fact that the application is seeking a flexible consent for any of the Use Classes stated above and referred to on the Land Use Parameter Plan, rather than a specific floorspace for each use.

3.14 The grant of consent for the range of uses specified does not mean of course that each and every use would necessarily be provided. The flexible nature of the consent sought also means that, unless otherwise restricted by condition or through any s106 agreement, the use of the non-residential buildings could change over time (within the range of Use Classes sought), to cater for market demand.

3.15 The figure of 5,050 sq m above would represent the maximum cumulative total of all non-residential uses. However, it is envisaged that the Council may consider it appropriate to set lower maximum floorspace figures for some of the non-residential uses applied for. In order to assist with the drafting of conditions for maximum floorspace limits, the table below explains how the figure of 5,050 sq m has been derived, and the assumptions for floorspace for the various uses.
<table>
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<th>Site/Use Class</th>
<th>Floorspace Assumption</th>
<th>Maximum floorspace from each site (gross)</th>
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<tr>
<td>Health Use site (Class D1a)</td>
<td>The site identified on the Land Use Parameter Plan for health use is 1500 sq m. Assuming a 40% site coverage and remainder for parking, a single storey facility would be 600 sq m. However, NHS advise that net space required per GP is 120 sq m, so 4 GP surgery circa 480 sq m net, or up to 550 sq m gross.</td>
<td>550 sq m</td>
</tr>
<tr>
<td>Flexible-use site (Class A1 retail)</td>
<td>Maximum total floorspace of 1,000m2, of which no 1 unit is more than 500m2 (Convenience store).</td>
<td></td>
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<tr>
<td>Flexible-use site (Class A3 restaurant or Class A4 Public House)</td>
<td>Typical size for public house/restaurant operator up to 800 sq m.</td>
<td>4,500 sq m</td>
</tr>
<tr>
<td>Flexible-use site (Class C2 care home)</td>
<td>Assumed 40% footprint (1500 sq m) with maximum 3 stories, so maximum 4500 sq m. Suitable for a facility of approximately 80 bedrooms.</td>
<td></td>
</tr>
<tr>
<td>Flexible-use site (Class D1b creche)</td>
<td>Assumed maximum 40% footprint coverage and single storey, therefore 1,500 sq m.</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>550 sq m + 4,500 sq m</strong></td>
<td><strong>5,050 sq m</strong></td>
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3.16 As noted above, the Land Use Parameter Plan shows that the non-residential floorspace may be provided in either of two locations, as follows:

- Health (D1a) – a specific site for a health facility, large enough to accommodate a 4 GP Surgery, is shown on the north-eastern side of the application site, potentially with access direct from the Rawreth Industrial Estate access road;

- Mixed-use site – a second site fronting Rawreth Lane, again on the north-eastern side of the application site, is shown as being for either A1 (retail), A3 (restaurant), A4 (public house), C2 (care home), D1a (medical/health) or D1b (creche/nursery) use. In the event that Outline permission is granted for this range of uses, potential operators for the site would be sought, and then a Reserved Matters application for the detailed design of any development would follow.

3.17 The rationale for these uses and the locations is as follows:
- **A1 (retail)** – Policy SER1 of the adopted Site Allocations Plan states that, as part of the development of the application site, the potential for a neighbourhood shop should be explored. A neighbourhood shop could provide a useful facility for local residents, and reduce the number of external car trips from the application site. However, there are already existing shops providing day to day shopping options in the vicinity of the application site, both in the form of local shops on London Road, and the Asda supermarket, which may make the provision of an additional retail facility unviable. That part of the application site fronting Rawreth Lane is considered to offer the most likely potential for a retail operator;

- **A3 (restaurant)/A4 Public House** – The site fronting Rawreth Lane offers an appropriate location for a restaurant or pub, subject to any detailed design ensuring that the operation is compatible with adjoining residential uses, and where the location offers the potential for a commercial operator to benefit from passing trips along Rawreth Lane;

- **C2 (residential institution)** – The Rawreth Lane site offers an appropriate location for a residential care home, being compatible with adjoining uses, and being in a location likely to be attractive to operators. Based upon the floorspace of 4,500 sq m, we calculate that the number of bed-spaces that could be provided for residential care would be around 80, and the Council would be able to condition any consent to either the floorspace or the number of bed-spaces in order to more closely define the scope and extend of any permission issued, should it consider it necessary to do so.

- **D1a (medical facility)** – From pre-application discussions with the NHS Commissioning Directorate, we understand that there is a shortage of GP capacity in the local area. One option for increasing capacity is a contribution to the NHS to expand capacity at existing surgeries in the area, but an alternative is to make additional provision on-site. Accordingly, a site for a GP facility within the development is included (and the potential would also exist for such a use to be located on the site fronting Rawreth Lane in the alternative);

- **D1b (crèche/nursery)** – As with a care home, the Rawreth Lane site offers an appropriate location for such a use, in terms of compatibility with neighbouring uses and suitability for commercial operators.

3.18 The accompanying Environmental Statement takes in to account the potential impact of the non-residential uses applied for, but, given the flexible nature of the consent sought, the Environmental Statement does not presume the delivery of any particular non-residential use when assessing the impacts of the scheme.

3.19 If the Council considered for any reason that one or other of the uses applied for should only be granted subject to a lesser floorspace than the total non-residential floorspace applied
for, or subject to other specific conditions or restrictions, then it would be open to the Council to impose such restrictions through the use of appropriate planning conditions, if it considered it necessary to do so (we would welcome discussion with the Council should this situation arise).

3.20 In respect of the Health use, we propose that the s106 agreement will contain provisions requiring the site to be marketed for that use for a set period of time, after which if no operator can be found, a financial contribution will be made in respect of the health impacts of the scheme in lieu (see Section 6 of this Statement regarding the potential heads of terms for the s106 agreement). The other non-residential use area will also be marketed for the various uses listed.

**Access to London Road and Rawreth Lane**

3.21 The points of access to the development from the existing public highway is the only part of the application that is not reserved for subsequent approval i.e. consent for these access points and the design of the accesses from London Road and Rawreth Lane as shown on plans MBSK140623A and MBSK140623B, and consent for a secondary access from the Rawreth Industrial Estate as shown on plan MBSK140623C, form part of the application for which permission is sought.

3.22 The Council’s adopted Site Allocations Plan Policy SER1 requires the development to provide a minimum of two points of access, with one on Rawreth Lane and one on London Road (paragraph 3.27 of SER1). The inclusion of the two access points shown therefore accords with the Council’s policy.

3.23 The access point on London Road is located such that the majority of the works required for the new access fall to the east of the pylon line (and therefore avoids the Green Belt). The location of the access point is as far to the east as is possible, whilst still maintaining an appropriate visibility splay between the access point and Lower Barn Farm. As a result of discussions with the Highway Authority, the proposed junction works include a short stretch of road widening to provide both a right turn lane, and a short stretch of slip road in to the new junction – it is that short stretch of slip road that lies to the west of the eastern pylon line, and therefore falls within the Green Belt. The impact on the Green Belt is considered further in section 4 in our analysis of Planning Policy.

3.24 The access point on Rawreth Lane is located centrally within the frontage between the pylons and the existing built-up area of Rayleigh. Appropriate visibility splays are provided in both directions, along with road widening to provide a new right-turn lane.

3.25 The locations of both access points have been agreed with the Highway Authority during pre-application consultation.

3.26 SER1 states that the potential for a secondary access point on to London Road should be explored. This option has been considered, but has been discounted for two reasons:
(a) The Highway Authority has not identified a need for an additional secondary access on to London Road;

(b) At the time that SER1 was written, the Council were intending to relocate the Rayleigh Town Sports and Social Club, which may have opened up another possible route from the application site to London Road. The Council has subsequently advised that it does not wish to relocate the sports pitches, and therefore there is no position in which a secondary access could be provided (other than to the west of the pylons, using land in the Green Belt) or eastwards, across 3rd party land and an area of woodland protected by a Tree Preservation Order.

3.27 Taking in to account both the lack of any highway justification for a secondary access, and the lack of a deliverable route, no such route has been included. However, on the northern side of the application site, a loop to facilitate the running of bus services has been included, with a secondary access created on to the existing Rawreth Industrial Estate access road.

3.28 The detailed design of the link road between London Road and Rawreth Lane is being progressed, and it is anticipated that a separate full planning application for the alignment and design of the link road will be submitted in the near future.

Education Provision

3.29 The Local Education Authority (Essex County Council) had previously identified the potential for a new primary school site within the development, and Policy SER1 of the Site Allocations Plan refers to this. However, during consultation with the Education Authority early in 2014, the applicants were advised that the Education Authority intended to meet the demands for additional primary school pupils from the development via the expansion of existing schools, and it therefore advised that it did not wish to see a primary school site provided within the proposed development. The closest primary school is St Nicholas, and in pre-application discussions with St Nicholas School, it has been confirmed that St Nicholas has both the space and the wish to expand. Indeed, it is understood that St Nicholas has been designed with future expansion in mind.

3.30 As of July 2014, however, the Education Authority has revised its advice and now wishes to reserve a site for a primary school, on the basis that this may be needed. Accordingly, the Land Use Parameter Plan makes provision for a 1.1 ha primary school site. It remains the applicants' view however that the most appropriate means of providing the additional primary school places generated by the proposed development is via the expansion of existing schools, not through the provision of a new school. St Nicholas in particular operates at less than 1FE, and rather than have a second primary school also operating at less than 1FE, it would appear logical to expand St Nicholas. Expansion of existing schools in advance of the construction of new schools is both more sustainable in terms of construction and makes better use of land.

3.31 The location of the school takes in to account a number of considerations, and in particular takes account of the “Education Site Suitability Criteria Checklist” provided by the Education Authority.
Authority. The selected site is relatively level compared to other more steeply sloping parts of the site, it is located next to the proposed bus route, offers opportunities for access from more than one location, and, importantly, is sited adjacent to what is likely to be the first phase of residential development, and therefore if the site is required, it can be made available relatively early in the construction programme (including potentially with a temporary means of access from the Rawreth Industrial Estate for construction purposes).

3.32 A proposed s106 agreement (see Heads of Terms in Section 6) will detail the mechanism by which it is intended to offer the primary school site to the Education Authority. It will also commit to financial contributions which will be required towards the expansion of capacity for early years/childcare, primary school places, and secondary school places.

Open spaces, landscaping and green infrastructure

3.33 The Land Use Parameter Plan shows that substantial parts of the land within the application site boundary are identified for open space, landscaping, or other forms of ‘green infrastructure’ (which could include areas for ecological enhancement and areas for drainage and surface water attenuation).

3.34 Policy SER1 requires the following to be provided within the SER1 site as a whole:

- An area of approximately 3.1 ha of open space to be provided within the centre of the site to correspond with the extent of the flood plain identified by the Environment Agency for the Rawreth Brook;
- A total of at least 4 ha of natural/semi-natural greenspace within the site as a whole (i.e. the 3.1 ha referred to above and a minimum of 0.9 ha elsewhere in the site);
- An area of 0.3 hectares of allotments;
- An area of greenspace to the west of the site (within the Green Belt) to form publically accessible parkland, and to form a buffer at the western edge of the development;
- An area of at least 0.03 ha for outdoor youth facilities.

3.35 Policy SER1 also sought the relocation of the Council owned Rayleigh Town Sports and Social Club playing pitches. However, during pre-application discussions, as mentioned above, the Council has advised that it no longer wishes to relocate these pitches, and therefore this application does not make any alternative provision. The Land Use Parameter Plan does however show the potential for the provision of land for additional sports use (a site of 1.61 ha), located on the boundary of the existing sports ground, in the event that the Council considers additional sports provision appropriate. The Council’s 2012 Playing Pitch Strategy identified a shortfall of mini-soccer pitches in Rayleigh, and the site identified has the potential to contribute towards meeting that demand.

3.36 The Land Use Parameter Plan defines the extent of land available for such uses within the application site boundary, and shows that there is more than sufficient land available to meet all of the requirements of SER1 within the application site, and that there are various
locations within which the specific uses listed above could be provided. However, the
detailed design of any formal and informal open space areas would be covered at Reserved
Matters stage, alongside the design of the residential properties themselves.

**Surface water drainage**

3.37 This application is accompanied by a *Flood Risk Assessment* (see Appendix H of the
*Environmental Statement*) which sets out the strategy by which both:

- Development is to be located so that it avoids any land which is currently liable to
  flooding (or, taking in to account climate change, could potentially be liable to flooding
  in the future); and
- New on-site surface water storage is to be provided which will ensure that additional
  surface water run-off generated by the development can be stored on-site to prevent
  any risk of flooding downstream being exacerbated.

3.38 The methodology for the Flood Risk Assessment has been the subject of pre-application
consultation with the Environment Agency. The Assessment explains how surface water
flows from the proposed new development are calculated, and the amount of additional
storage required in order to ensure that the surface water generated can be contained
within the application site. At the detailed design stage, the calculations will be refined
further to accurately reflect the proportion of the application site that is subject to non-
permeable surfaces compared to green space, and the detailed design of the attenuation
ponds, swales and ditches can be confirmed.

3.39 The Flood Risk Assessment demonstrates overall that not only are the proposed
development areas themselves not liable to risk of flooding, but that with the on-site
mitigation, the proposed development creates no additional risk to flooding downstream or
upstream of the application site.

**Pedestrian and cycle links**

3.40 The indicative Masterplan submitted alongside this application shows the potential to create
a network of routes suitable for pedestrians and cyclists within the development. These
routes connect the residential parts of the development with the adjoining open spaces. The
detailed alignment and treatment of these routes will be a matter to be determined at
Reserved Matters stage.

3.41 The network of indicative routes shown also provides the opportunity to connect the
development with the existing urban area, and to other destinations. Potential external
linkages include the following:

- Link to St Nicholas Primary School and Victoria Avenue (via Stirling Close);
- Link to London Road via Timber Grove – As part of pre-application discussions, the
  District Council has noted that the potential may exist for additional development to
occur on land to the rear of Gunn Close, north of London Road, otherwise known as Timber Grove. If that land were developed, the potential exists for there to be pedestrian access between the two sites, and the illustrative Masterplan shows this potential future linkage;

- Link to Rawreth Lane;
- Link to London Road (and countryside to the south via Greenway 13).
4. **Relevant Planning Policy**

4.1 This application is for outline planning permission only (with the exception of the access points), and not for the detailed layout or design of the application site. As such, the principal planning policies (covered in more detail in the section below) that are relevant to the determination of the planning application are:

(a) Policy SER1 (and EDU1) of the adopted Site Allocation Plan, which set out site specific policy requirements;
(b) Relevant policies of the adopted Core Strategy, which identifies land North of London Road as a strategic housing location, and which also sets out other relevant generic development policies;
(c) Saved policies from the Replacement Local Plan of 2006 – although there are a number of extant policies, with the exception of Policy CS4 (Accessible and High Quality Housing and Services), there are no other relevant policies within that document which are directed towards the principle of development, as opposed to the detail. We therefore briefly cover CS4 of the Replacement Local Plan below as well;
(d) The National Planning Policy Framework.

4.2 We recognise that at the detailed design stage, adopted policies from both the Core Strategy and the Replacement Local Plan/Development Management Plan will become more relevant, as will the application of design guidance in those Supplementary Planning Documents adopted by the Council (currently SPD2 Housing Design 2007 and Parking Standards 2010). In the interim, the Design and Access Statement explains the overall approach to design, and the manner in which the indicative layout seeks to meet the objectives of the Council’s design policies.

**Site Allocations Plan (February 2014)**

4.3 As the most recent and site specific policy document, it is appropriate to commence this review of relevant policies with this document. We are aware that at the time of preparing this document, a challenge has been made to the Council’s adoption of the Site Allocations Plan, and the outcome of any proceedings is unknown. However, the Site Allocations Plan remains an adopted document unless and until a decision by the Courts indicates otherwise, and we therefore give consideration to its contents in the following paragraphs.

4.4 Policy SER1 is the primary policy that affects the application site, but Policy EDU1 is also relevant in so far as education provision is concerned, and we deal with this policy when considering the issue of education provision below.

4.5 The matters raised by Policy SER1 are as follows:
Paragraphs 3.17, 3.18 and Figure 6 of Policy SER1 state that the area shown on Figure 6 should deliver 550 homes. The development area set by the Parameter Plans proposed with this application falls entirely within the area shown in Figure 6, and, at a maximum density of 33 dwellings per hectare, delivers 500 of the 550 new homes.

Given that the Council owned playing pitches are not now to be relocated (as discussed further below), and taking into account the limited capacity of the remaining parcels of land, the figure of 500 units within the application site is considered to be appropriate in order to ensure that there is the potential for the allocated 550 homes to be provided from the SER1 area.

The proposed development is therefore compatible with the scale and location of development set by Policy SER1.

Masterplan/Design Brief

Paragraph 3.20 refers to an expectation that a Masterplan or design brief would be submitted to the Council prior to the submission of an application. An illustrative Masterplan will be submitted alongside this application to help inform the Council’s consideration of the application. This Masterplan is an evolution of the Masterplan that was the subject of pre-application consultation in February, and has subsequently been the subject of pre-application consultation in June with Rochford District Council.

Lifetime Homes

Paragraph 3.21 relates to the provision of Lifetime Homes – this is a matter that will be addressed at Reserved Matters stage, and does not impact upon the principle of the residential development applied for. If necessary it is a matter that can be covered by condition.

Code for Sustainable Homes and on-site renewable energy

Paragraph 3.22 relates to Code for Sustainable Homes and the provision of 10% on-site renewable energy – these matters are discussed in the separate Sustainability Statement submitted as part of the application documentation. The means by which the policy objectives for improved energy efficiency and reduced resource use can best be achieved is a matter that will need to be discussed and agreed with the Council, in advance of the setting of appropriate planning conditions.

Education

Paragraph 3.23 requires an area of land for a 1.1 ha primary school site to be provided, as does Policy EDU1. The illustrative Masterplan and proposed Land Use Parameter Plan make provision for this potential facility accordingly.
Youth facilities

4.13 Paragraph 3.24 seeks the provision of either indoor or outdoor youth facilities of a minimum area of 0.03 hectares. The indicative Masterplan shows a possible location for such a facility within the general extent of the area set aside for open space and green infrastructure. The detailed location and design of this facility is a matter that would be considered further at Reserved Matters stage, alongside the layout of the rest of the open space areas, and following further consultation. It is expected that a condition preventing a certain level of development in advance of the approval of those details would be used in any planning permission granted.

Play Space

4.14 Paragraph 3.25 seeks the provision of at least 0.07 ha of play space within the site. The indicative Masterplan shows a possible location for such a facility. As with youth facilities above, the exact location and design of this area would be a matter that would need to be addressed at Reserved Matters stage, and can be subject to an appropriate condition or provision in the s106 Agreement.

Vehicular Access

4.15 Paragraph 3.27 requires at least two vehicular access points to the site. As described at paragraphs 3.16-3.20 above, vehicular access points from London Road and Rawreth Lane are provided, along with a link to the Rawreth Industrial Estate access road to facilitate bus operation within the site.

4.16 This paragraph also refers to limiting access for cars between London Road and Rawreth Lane, but also states that a through link for all vehicles can be explored. As a result of discussions with the Highway Authority, it is understood that a through link is the preferred solution, and the separately submitted Transport Assessment has therefore considered the impact of traffic flows on that basis. The road will be designed to reduce vehicle speeds. The detailed design of the link road is expected to be the subject of a separate full application in the near future.

Pedestrian and cycle links within the site

4.17 Paragraph 3.28 requites the provision of routes for pedestrians and cyclists within the site. The indicative Masterplan shows a network of routes, the detail of which would be considered at Reserved Matters stage.

Transport Assessment and Off-site highway works

4.18 Paragraphs 3.29-3.31 relate to the assessment of traffic impacts through a Transport Assessment and the upgrading of any highway works. The Transport Assessment (see Appendix G to the ES) addresses these issues, and explains how the effects of development...
traffic can be mitigated. The Transport Assessment has been prepared following pre-application consultation with the Highway Authority. In summary, the Assessment concludes overall that the proposed development will not lead to serious harm to the operation of any of the junctions assessed, which is the relevant test as set out in the NPPF. However, it is acknowledged that queuing occurs on London Road, particularly in the PM peak, and that queuing occurs at the Rawreth Lane/Hullbridge Road mini-roundabout in both the AM and PM peaks, and accordingly, the operation of the London Road and Rawreth Lane corridors are considered in detail, and mitigation measures have been developed and discussed with the Highway Authority.

- In terms of the London Road corridor, there are a number of junctions along this route, which contribute to queuing. The assessment has therefore considered various potential mitigation measures that could be implemented along London Road, although it must be stressed that mitigating the proportionate impact of the new development would not justify implementing all of the measures identified. The package of potential improvements does however show that there is scope through various alternative works to appropriately mitigate the impact of the new development on the London Road corridor. Options for improvement (which could be delivered either by undertaking specific works or via a proportionate financial contribution to the Highway Authority) are:
  - Providing a wider two lane merging area on to London Road from the Chelmsford Road/London Road roundabout to improve operation of the roundabout;
  - Amending the phasing of the Victoria Road/London Road lights to assist eastbound traffic;
  - Introduce ghost right turn lanes at three new locations along London Road to reduce queuing behind right turning traffic;
  - Signalising the Down Hall Road/London Road junction, to facilitate both pedestrian movements and traffic flow;
  - Introducing box junction markings at London Hill/Station Hill priority junction.
- For the Rawreth Lane corridor, whilst the detailed analysis of the Rawreth Lane/Hullbridge Road junction has shown that the proposed development would make only a limited impact in terms of existing queuing, it is acknowledged that the Highway Authority are developing proposals to improve the operation of this junction, and a proportionate financial contribution could be made towards those works as part of the overall s106 package.
- In addition to highway works, the proposals include for the provision of a bus service between the development and Rayleigh town centre, via the railway station, to provide a practical alternative to car trips to these destinations. Travel Packs will be provided to help encourage take up of bus travel (as successfully implemented elsewhere);
- Furthermore, the scheme also proposes enhancements to the existing pedestrian link that connects the application site to St Nicholas School, Sweyne Park, Asda, and Sweyne Park Secondary School, to further offer practical alternatives to car travel.
On-site facilities such as the potential medical centre and primary school will also help to reduce car trips from the development.

**Formal and Informal Open Space**

4.19 Paragraphs 3.32 to 3.36 set out a number of requirements for the delivery of open space, being principally the provision of at least 4 ha of natural/semi-natural greenspace (of which 3.1 ha to be adjacent to the Rawreth Brook), the provision of publically accessible parkland to provide a buffer on the west side of the development, and the provision of 0.3 ha of allotments.

4.20 The indicative Masterplan shows a potential location for the allotments, but additionally shows substantial areas of natural/semi-natural greenspace, considerably in excess of the policy requirement. This greenspace includes a central area that includes the 3.1 ha around the Brook, and a large publically accessible buffer west of the development.

4.21 Policy SER1 does not set out any specific requirement for formal open space. Based on the Council’s 2012 Playing Pitch Strategy, an appropriately sized area of formal playing fields is identified on the indicative Masterplan, suitable for the provision of Mini football pitches.

4.22 As set out in Section 6, it is intended that the playing pitches would be offered to the District Council for adoption, and therefore the location of the pitches has been selected on the basis that this area of the application site is relatively flat, and because it borders the Council’s existing land holding at Rayleigh Town Sports and Social Club.

4.23 Section 6 also summarises the proposed s106 provisions in respect of the future management of the other areas of open space comprised within the development.

**Rayleigh Town Sports and Social Club**

4.24 Paragraph 3.37 of Policy SER1 states that the existing playing pitches used by Rayleigh Town Sports and Social Club should be relocated. However, in pre-application discussions with Rochford District Council, it has been advised that the Council no longer wishes to relocate these playing fields, and that they are to remain. As such, no alternative site is proposed within the illustrative Masterplan.

**External Pedestrian and Cycle Links**

4.25 Paragraph 3.38 refers to the need for the development to provide linkages to the surrounding area. Paragraph 3.29 above explains the external linkages proposed as part of the development.

**Trees**

4.26 Paragraph 3.39 refers to the protection of existing trees, in particular those subject to Tree Preservation Orders (TPO). As previously noted, there is a woodland TPO which protects the
area of woodland on the Timber Grove site (outside the application area). The illustrative Masterplan notes the potential to provide a pedestrian link in this location in the event that the Timber Grove site is redeveloped, on the basis that a pedestrian link would be likely to be compatible with the retention of the existing TPO.

4.27 There is also a TPO on the boundary of the site with the Rawreth Industrial Estate, and the illustrative Masterplan shows these trees retained within the natural/semi-natural greenspace provided to that boundary. The illustrative Masterplan has also taken into account the location of individual unprotected trees that are considered to be of merit, and shows how at the detailed design stage individual specimens could be accommodated within the design.

Sustainable Drainage Systems

4.28 Paragraph 3.40 states that drainage of the development should be via sustainable drainage systems, with attenuation features located either within the greenspace provided on or adjacent to the site. The Flood Risk Assessment contained at Appendix H of the Environmental Statement explains the basis for the design of the proposed surface water drainage system, which will act to accommodate the additional surface water runoff generated by the development and ensure that there will be no increased risk of flooding downstream. The illustrative Masterplan shows how the key/larger elements of the sustainable drainage features referred to in paragraph 3.40 can be accommodated and integrated as part of the design of the built development and adjoining open spaces.

4.29 The detailed design of the surface water drainage will evolve alongside the detailed design of the built development, and will therefore be considered further at the detailed design stage.

Pylons

4.30 Paragraph 3.41 requires residential development to be at least 30 metres from the pylon line. The illustrative Masterplan and the development Parameter Plans meet this requirement.

Rawreth Industrial Estate

4.31 Paragraph 3.42 notes that any development of the SER1 site in advance of any potential future development of the Rawreth Industrial Estate should provide for a buffer between any residential uses and the existing industrial uses. An acoustic assessment has been undertaken as set out in Appendix F of the Environmental Statement. Using the methodology set out in BS4142, the acoustic assessment shows that, whilst some noise from the industrial estate is clearly audible, the extent to which the application site is exposed to noise from the industrial estate is not likely to give rise to general noise nuisance or complaints from future residents.
4.32 Notwithstanding the above, it is recognised that the Industrial Estate does contain uses (including scaffolding/metal recycling/waste transfer etc) that on occasion create occasional incidences of noise which it would be preferable to mitigate against, notwithstanding this is not a significant effect for the purposes of the Environmental Impact Assessment which would lawfully require mitigation.

4.33 The proposed development seeks to provide a quality environment for new residents, and therefore the design of the proposed development has responded to the results of the acoustic surveys by locating residential development on those parts of the application site least effected by noise from the industrial estate. The resulting area of greenspace between the proposed development and the existing industry offers opportunities for the provision of noise attenuation measures, in particular the provision of acoustic bunding, to further reduce any impact of noise from industrial activities.

4.34 Although the surveyed results show that noise from the Rawreth Industrial Estate is not an constraint on the location of noise-sensitive development within the application site, the design for the application site has nevertheless responded to the requirements of Policy SER1 and has incorporated measures to ensure that future residents are not unduly affected by the neighbouring operations.

4.35 If the Rawreth Industrial Estate is redeveloped at some point in the future, the opportunity would exist to integrate with any residential development on the Industrial Estate, which may for example enable the removal of any bunds or fencing to this boundary.

**Rawreth Hall**

4.36 There is a Grade II Listed barn at Rawreth Hall. The illustrative Masterplan and Parameter Plans show that a significant area of either open space (including tree and shrub planting) or retained agricultural land between the development and the application site, such that there would be no adverse impact on the setting of that barn or indeed the farm complex.

**Archaeology**

4.37 A programme of archaeological work has been undertaken in accordance with the requirements of Paragraph 3.47, and has been the subject of pre-application discussion with the Archaeological section of Essex County Council. The results of that work are set out in Appendix C of the Environmental Statement.

**Health**

4.38 Paragraph 3.45 requires a health impact assessment to be undertaken as part of the planning application. The accompanying Environmental Assessment contains a review of health provision. Pre-application consultation has taken place with NHS England, who have noted that there are two existing single GP practices in the area, and that additional capacity will be needed. NHS England have suggested that an off-site financial contribution would be appropriate, but that the development also allowed for the provision for an on-site health
facility. As described in Section 6, the intention is that in the first instance, efforts would be made to secure a new on-site facility, but if that is not possible, then the financial contribution will be made instead.

Retail

4.39 Paragraph 3.46 requires that the potential for a small scale retail facility should be explored at the application stage. The application includes for the potential provision of a retail store on the site identified for non-residential uses on the Land Use Parameter Plan.

Topography

4.40 Paragraph 3.47 notes that in any design for the site, the topography of the site should be considered (see Section 2 of this statement for a description of the topography). The notes accompanying the illustrative Masterplan explain how both the layout of the development and the layout of the spine road respond to the changing levels of the application site, and how the design takes account of views from the approaches to Rayleigh, matters that will be considered in more detail at the detailed design stage.

Conclusion in respect of the Site Allocations Plan

4.41 In summary, therefore, the application proposes residential development on the land allocated by Policy SER1 for residential development, of a scale compatible with the number of new homes required by the Policy.

4.42 In all respects, the development proposals meet with the specific requirements of the SER1 Concept Statement, with the exception of the absence of any proposals for the relocation of the London Road playing pitches, which has not been addressed on the basis that Rochford District Council has made clear that it no longer wishes to pursue relocation.

Core Strategy (December 2011)

4.43 A primary purpose of the Core Strategy is to set out the overall strategy for delivering the homes, jobs and facilities needed in the District up to 2025. The Core Strategy Key Diagram sets out the locations for the major development areas required to provide the development needed.

Core Strategy Housing Delivery

4.44 Land to the west of Rayleigh is identified as a location for housing development on the Key Diagram (alongside other locations at Hockley, Hawkwell, Ashingdon and Rochford), and Policy H2 states that this location (i.e. the land North of London Road) should deliver 550 new homes between 2015 and 2021. This is a relatively short time frame, and the Council’s latest Annual Monitoring Report (AMR) of February 2014 already suggests that the delivery of houses from this site is behind schedule, with the Housing Trajectory showing the new
homes to be built between 2018/19 and 2022/23. This outline application represents an essential step in the process to ensuring that delivery does not slip still further.

Core Strategy Green Belt Policy

4.45 Policy GB1 of the Core Strategy relates to Green Belt protection. The first part of the policy states that the Council will allocate the minimum amount of land necessary to meet the Council’s housing requirement. The amount of land allocated for this development has subsequently been established through Policy SER1 of the Site Allocations Plan.

4.46 Policy GB1 goes on to state that the Council will direct development away from the Green Belt as far as is practicable. In this instance, a small part of the London Road access lies within the Green Belt, because it is not practical (having regard to visibility splays) to locate the junction further eastwards. National policy in respect of Green Belt protection is addressed in the section on the NPPF below.

Other Core Strategy Policies

4.47 In addition to the Key Diagram, Policy H2 and GB1, the Core Strategy also contains a number of generic development management policies which are relevant to this application, and these are summarised briefly in the table below:

Table 4.1: Summary of Adopted Core Strategy Policies in addition to Policy H2

<table>
<thead>
<tr>
<th>Policy</th>
<th>Summary of Policy</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>H4</td>
<td>Affordable housing – seeks 35% provision, with 80% social rented and 20% intermediate.</td>
<td>35% Affordable housing to be provided – see s106 Heads of Terms at Section 6. Application form notes 80/20 split between rented and intermediate, but this is indicative and could be subject to change in the event the Council seeks an alternative mix.</td>
</tr>
<tr>
<td>H5</td>
<td>Dwelling Types – seeks a range of property types in new development.</td>
<td>The application is in outline, and the detailed property types will be determined at Reserved Matters stage.</td>
</tr>
<tr>
<td>H6</td>
<td>Lifetime Homes – requires all new homes to be Lifetime Homes, and 3% of homes to be built to full wheelchair accessibility.</td>
<td>This application is in outline, and the detail of the property types will be determined at Reserved Matters stage.</td>
</tr>
<tr>
<td>CP1</td>
<td>Design – seeks high standards of design and use of design briefs.</td>
<td>The detailed design of the site will be the subject of consideration at Reserved Matters stage.</td>
</tr>
<tr>
<td>ENV4</td>
<td>Sustainable Drainage systems required on large sites.</td>
<td>The application site incorporates a sustainable drainage system.</td>
</tr>
</tbody>
</table>
| ENV8   | Requires 10% on-site renewable energy generation. | Specific requirements to be discussed with the Council. This is a matter that can be
<table>
<thead>
<tr>
<th>Code</th>
<th>Requirement</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENV9</td>
<td>Code for Sustainable Homes</td>
<td>Specific requirements to be discussed with the Council. This is a matter that can be conditioned.</td>
</tr>
<tr>
<td>CLT2</td>
<td>Requires primary school provision as part of the West Rochford and north of London Road sites.</td>
<td>The issue of education provision is addressed in the context of Policy SER1 above.</td>
</tr>
<tr>
<td>CLT4</td>
<td>Requires major application to be accompanied by an assessment of their impacts on health care.</td>
<td>The Environmental Statement addresses the impact of the development on healthcare in Chapter 6.</td>
</tr>
<tr>
<td>CLT5</td>
<td>Requires open space provision as part of major new developments.</td>
<td>The issue of open space provision is addressed in the context of Policy SER1 above.</td>
</tr>
<tr>
<td>CLT7</td>
<td>Requires play space provision in major new developments.</td>
<td>The issue of play space provision is addressed in the context of Policy SER1 above.</td>
</tr>
<tr>
<td>CLT8</td>
<td>Requires youth facilities in major new developments</td>
<td>The issue of youth space provision is addressed in the context of Policy SER1 above.</td>
</tr>
<tr>
<td>T1</td>
<td>Requires developers to work with the Highway Authority to address impacts of development on the highway network.</td>
<td>The Transport Assessment explains the manner in which the development proposes to address highway impacts. This document has been the subject of discussions between the applicants and the Highway Authority.</td>
</tr>
<tr>
<td>T3 (and T5 Travel Plans)</td>
<td>Requires major developments to plan for public transport.</td>
<td>The Transport Assessment explains the manner in which the development proposes to address public transport provision.</td>
</tr>
<tr>
<td>T6</td>
<td>Requires developments to plan for access by cycling and walking.</td>
<td>The issue of cycle and pedestrian routes is addressed in the context of Policy SER1 above.</td>
</tr>
</tbody>
</table>

4.48 In conclusion in respect of the Core Strategy, this application is intended to deliver the housing set out in the Core Strategy in the location set by the Core Strategy. The proposals either meet the policy requirements of the Core Strategy, or, where these relate to detailed matters, can be designed to meet the Core Strategy policy requirements at Reserved Matters stage.

Replacement Local Plan (June 2006)

4.49 As noted above, the remaining extant policies of the Replacement Local Plan are primarily directed to development management, and will therefore be of relevance only at the detailed design stage (and by that time they are likely to be superseded in any event by the
emerging Development Management Plan). We do not therefore consider the development management policies of this Plan further.

4.50 Policy CS4 is a strategic policy in respect of housing provision, and states that the Council will look towards compact developments built at appropriate densities that help to minimise land requirements. It also notes support for mixed-use developments, and developments sited close to existing facilities and services.

4.51 The location of the site has been determined through the Council’s Core Strategy and Site Allocations Plans, is well located in respect of facilities in the adjoining Swyene Park neighbourhood, and is well located in respect of its position on the edge of Rayleigh, which is the largest town with the greatest range of facilities in the District. The application shows possible locations for non-residential uses of a scale and type commensurate with other development plan policies and the location. In addition, the illustrative Masterplan and Parameter Plans show that 475 units can be delivered within the allocated area at a density appropriate to the application site and surrounding area.

National Planning Policy Framework

4.52 The NPPF sets out Government policy on a range of topics, but paragraph 14 explains that at the heart of the NPPF is the “presumption in favour of sustainable development”, described as a golden thread running through Plan-making and Decision-taking.

4.53 In respect of Plan-making, paragraph 14 notes that local planning authorities should positively seek opportunities to meet the development needs of their area. This the Council has done to date by adopting a Core Strategy that identifies locations for growth at each of the main settlements, and adopting a Site Allocations Plan that allocates land for development, including the application site.

4.54 In respect of decision taking, paragraph 14 states that proposals for development that accord with the development plan should be approved without delay.

4.55 Paragraph 14 also notes that planning permission should also be granted where a development plan is absent, silent or out of date, and in the context of this application, those parts of SER1 and the Core Strategy that relate to relocation of sports pitches and the provision of primary education on site are out of date, since both of these elements have been superseded by subsequent decisions of the Local Planning Authority and Education Authority respectively.

4.56 A key objective of the NPPF is set out at paragraph 47, and is to “boost significantly the supply of land for housing.” In part, this objective is to be met by Councils identifying a 5 year supply of deliverable sites. The Council’s adopted Core Strategy identified this site as needing to deliver 550 homes between 2015 and 2021, but the Council’s latest Annual Monitoring Report shows slippage, with the development now predicted to be built out between 2018/19 and 2022/23. Notwithstanding the slippage to date, the site is nevertheless still part of the Council’s 5 year land supply, and any further delay in delivery
increases the risk of the Council being unable to demonstrate a 5 year land supply. It is anticipated, depending upon obtaining the appropriate consents, that construction of strategic infrastructure will start in the Spring of 2015, with the first housing starting in the Autumn of 2015, with all works completed by around 2019.

4.57 Paragraph 49 notes that applications for housing development should be considered in the context of the presumption in favour of sustainable development i.e. where they accord with the Development Plan (or the Plan is out of date) they should be approved without delay (unless material considerations indicate otherwise).

4.58 Paragraph 87 of the NPPF notes that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in exceptional circumstances. Paragraph 89 of the NPPF states that the construction of new buildings is inappropriate development in the Green Belt. Accordingly, all new buildings associated with the proposed development are located within the land released from the Green Belt under Policy SER1.

4.59 Paragraph 90 identifies certain types of development that are not inappropriate in the Green Belt, provided that they preserve the openness of the Green Belt. The types of development that are not considered inappropriate development in paragraph 90 include engineering operations. The widening of London Road to provide a slip lane entry to the new London Road access is an engineering operation. In this case, the short length and width of road widening proposed would have no material impact on the openness of the Green Belt in this location, and therefore does not constitute inappropriate development (note, the Inspector for the Site Allocations DPD noted a concern that the construction of the entirety of the London Road access and estate road would be inappropriate development, but clearly the scale of road that the Inspector was addressing at that time is very different and significantly greater than the limited area of slip road actually proposed).

4.60 On the basis that the proposed slip road is an engineering operation that does not adversely affect the openness of the Green Belt, the ‘exceptional circumstances’ test of paragraph 87 does not apply. However, if the Council disagreed with this view, then it is nevertheless considered in this case that exceptional circumstances do exist, the exceptional circumstances being the importance of providing a means of access to the application site to deliver the new homes required under the adopted Development Plan, and which both meets highway safety standards and which ensures that the free flow of traffic on London Road can be effectively maintained.

4.61 As previously noted, the proposals also include for the construction of a surface water attenuation feature within the Green Belt west of the pylons. The location of this feature is determined by the topography of the application site and the provision of the attenuation feature close to the point of discharge to the Rawreth Brook. This attenuation feature is also an engineering operation that is not inappropriate development in the Green Belt, since it does not impact upon the openness of the Green Belt.

4.62 Paragraphs 186 and 187 are generally relevant to the determination of planning applications, stating that local planning authorities should approach decision-taking in a
positive way and should look for solutions rather than problems, approving applications for sustainable development where possible.

Conclusion

4.63 There is a clear planning policy framework at both the national and local level which supports the delivery of additional homes to meet housing requirements, and moreover a framework that supports the delivery of new homes from this particular site at the earliest opportunity.
5. **Conclusion and Summary of Planning Issues**

5.1 This is an outline application for residential development on a site identified for residential development in an adopted Core Strategy and allocated for residential development in an adopted Site Allocations Plan.

5.2 The purpose of an outline application is to establish the principle of development, rather than the detail, and therefore, given (a) the context of the existing residential allocation (b) the encouragement given by the NPPF for boosting new housing building and the fact that the application site is identified for delivery essentially from now onwards and (c) the requirement under s38(6) of the Planning Act for development that accords with the Development Plan to be granted (unless material considerations indicate otherwise), the planning issues in this case are relatively straightforward.

5.3 The Council will of course need to consider the technical information submitted alongside this planning application, to ensure that matters such as flood risk, drainage, transportation, archaeology and noise have properly been considered. It will also need to consider the findings of the Environmental Impact Assessment, and consider what conditions should be imposed on the grant of any consent to ensure that the mitigation measures identified in the Environmental Statement are given effect.

5.4 The only application plans for which approval is being sought are those listed at paragraph 3.4 of this statement, and which are:

- Plans showing the proposed access points from London Road, Rawreth Lane, and the Rawreth Industrial Estate access road, since Access is not a Reserved Matter;
- The Parameter Plans which show the physical location of the major components of the development, the height and density of built development, and the proposals for Access and Movement.

5.5 In respect of the application plans, the Council will need to consider whether or not the proposed means of access is safe and appropriate. The Highway Authority has been consulted at the pre-application stage on the proposed means of access.

5.6 In respect of the Parameter Plans, the Council will need to consider whether or not these comply with the requirements of relevant policies, and whether they can form the basis for an acceptable design at Reserved Matters stage. To assist in that consideration, the illustrative Masterplan and Design and Access Statement explain how a high quality development can be achieved which reflects those parameters.

5.7 It is appropriate at the outline stage to establish the key social and physical infrastructure that will be needed to ensure a successful development. Section 6 of this Statement identifies those matters that we would expect to be the subject of a s106 agreement in the event that planning permission is granted.
6. **S106 Heads of Terms**

6.1 Alongside the preparation of the application documentation, the applicants have given consideration to the content of the s106 agreement that would be required in the event that planning permission is granted. It is envisaged that the s106 agreement will primarily cover matters of social and community infrastructure (i.e. education, health and open space elements), along with the potential transfer of on-site sustainable drainage infrastructure to Essex County Council (as the expected adopting authority from 2015) or alternative adopting body.

6.2 Highway infrastructure would normally be secured under a separate s278 agreement under the Highways Act 1980 (with the timing for delivery secured by appropriate planning conditions), and other utility infrastructure (e.g. foul drainage) would be secured through the normal use of planning conditions. In this case, it is possible that some of the highway measures identified in the Transport Assessment would be delivered via a combination of off-site contributions towards improvements on Rawreth Lane, and some specific works on London Road (i.e. drawn from the ‘long list’ of possible interventions identified in the Transport Assessment to the London Road corridor).

6.3 Taking into account in particular the requirements of Policy SER1, the draft ‘heads of terms’ of the proposed s106 agreement are as follows:

- **Affordable Housing** – 35% of the new properties to be affordable housing units, the form, location and tenure of which to be provided in accordance with an Affordable Housing Scheme to be submitted and approved by the Council prior to the commencement of development in any development zone. It is anticipated at this stage that the tenure will be 80% social rented homes and 20% intermediate housing units, and that these will be transferred to a registered affordable housing provider.

- **Education** – the education element of the s106 covers two principal elements, being firstly the provision of land for a primary school, and secondly the provision of financial contributions to the Education Authority for the expansion of school and early years/childcare capacity in the local area.

  Primary School Site – it is proposed that the s106 provides that a site for a 1.1 ha primary school will be safeguarded within the application site for a set period of time, during which the Education Authority will have the ability to acquire the land for £1 for the purposes of constructing a primary school. In the event that the right to acquire the land is not exercised, or is exercised but a primary school is not built, then the land will transfer back to the owners.

  Financial Contributions – the proposed s106 agreement will also provide for three financial contributions directed towards Early Years and Childcare places, Primary School Places, and Secondary School Places. As this is an Outline application and the final mix of properties will not be determined until the Reserved Matters stage, the
s106 agreement will utilise the standard Education Authority formulae for pupil product, with contributions index linked. It is proposed that contributions are phased and paid at set triggers in line with the rate of housing completions.

- **Open Space/Leisure** – the proposed s106 will cover the arrangements for provision and future management of the various parts of the site identified for open space and leisure uses, and will include provisions to ensure that these areas are available for public use. The categories of open space covered by the agreement will reflect the requirements of Policy SER1, and will therefore be:

  o The establishment of a publically accessible “Greenway” on the western side of the development area;
  o The provision of other areas of Informal Open Space within the development site (comprising in large part land on either side of the Brook);
  o The provision of a 0.04 ha Local Equipped Area of Playspace (LEAP) and other areas for Children’s Play;
  o The provision of an area of 0.03 ha for youth and community use;
  o The provision of an area of formal open space suitable for sports use;
  o The provision of a minimum of 0.3 ha of land for allotments.

In each case, the s106 will make provision for the details of the works for laying out the relevant area to be agreed, and the arrangements for ensuring public access. It will also require the developers to submit details of the arrangements for future management, which could include the offer of the transfer of the land to Rochford District Council for future management, the potential for transfer of the land to another appropriate body (such as Rayleigh Town Council, for example), or for the facilities to be maintained in the future by a Management Company.

- **Footpaths and Transportation** – the proposed s106 covers three items under this heading, being a proportional off-site contribution towards improvements on Rawreth Lane and London Road, the delivery of enhancements to the existing footpath link to St Nicholas School, and the provision of enhanced public transport. It is envisaged that Travel Pack measures would be covered by condition. The main elements would therefore be as follows:

  Off-site Highways Contribution – Subject to further consultation with the District and County Councils, the s106 agreement will cover the quantum and timing of any off-site contribution to highway works required.

  St Nicholas Primary School Footpath – it is proposed that the s106 will provide for a specification for the enhancement of this route to be submitted for the approval of the County Council, and for the approved scheme to be implemented prior to a set proportion of the new homes on the development site being occupied;

  Bus Services – it is proposed that the s106 will include provisions to facilitate the extension of bus services between Rayleigh High Street and the development.
- **On-site sustainable drainage system** – it is proposed that the s106 agreement will provide for the on-site sustainable drainage system to be offered to the County Council for adoption, alongside a commuted sum for future maintenance, or provide for the drainage system to be transferred to a statutory undertaker or managed either by a Management Company on behalf of the owners or transferred to a Management Company.

- **Health Care** – the proposals for health care provision are for either the development of a facility on-site, or for the payment of a contribution to the Council for the provision of enhanced healthcare in the local area, in accordance with a formula developed by NHS England for this purpose. In respect of the on-site facility, the application identifies a site of 0.15 ha and allows for a medical facility of up to 550 sq m (sufficient space for a 4 GP practice). It is proposed that the s106 agreement will provide for a Marketing Strategy for the healthcare site to be submitted and approved by the Council, and for the site to be marketed for a set period of time in accordance with the approved Strategy. In the event that no healthcare provider is found within that period, then the financial contribution is triggered.