

Thurrock: A place of opportunity, enterprise and excellence, where individuals, communities and businesses flourish

## Planning Committee

The meeting will be held at **6.00 pm** on **19 January 2017**

**Council Chamber, Civic Offices, New Road, Grays, Essex, RM17 6SL.**

### Membership:

Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, Colin Churchman, Steve Liddiard, Tunde Ojetola, Terry Piccolo, David Potter and Gerard Rice

Richard Bowyer, Thurrock Business Association Representative  
Steve Taylor, Campaign to Protect Rural England Representative

### Substitutes:

Councillors John Kent, John Allen, Jan Baker, Brian Little and Graham Snell

### Agenda

Open to Public and Press

	<b>Page</b>
<b>1 Apologies for Absence</b>	
<b>2 Minutes</b>	<b>5 - 14</b>
To approve as a correct record the minutes of the Planning Committee meeting held on 15 December 2016.	
<b>3 Item of Urgent Business</b>	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
<b>4 Declaration of Interests</b>	
<b>5 Declarations of receipt of correspondence and/or any</b>	

**meetings/discussions held relevant to determination of any planning application or enforcement action to be resolved at this meeting**

**6 Planning Appeals 15 - 22**

**7 Public Address to Planning Committee**

The Planning Committee may allow objectors and applicants/planning agents, and also owners of premises subject to enforcement action, or their agents to address the Committee. The rules for the conduct for addressing the Committee can be found on Thurrock Council's website at <https://www.thurrock.gov.uk/democracy/constitution> Chapter 5, Part 3 (c).

**8 16-01035-TBC - The Tops Social Club, Argent Street, Grays, Essex, RM17 6JU 23 - 64**

**9 16/01374/FUL - Barn To North East Of St Cleres Hall, Stanford Road, Stanford Le Hope, Essex, SS17 0LX 65 - 76**

**10 16/01499/TBC - Aveley Primary School, Stifford Road, Aveley, Essex, RM15 4AA 77 - 84**

**11 16/01550/TBC - Belhus Park Leisure Complex, Belhus Park Lane, Aveley, Essex, RM15 4QR 85 - 94**

**Queries regarding this Agenda or notification of apologies:**

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Agenda published on: **11 January 2017**

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# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

## Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

## When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

**What is a Non-Pecuniary interest?** – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

### Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

### Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

**Vision: Thurrock:** A place of **opportunity**, **enterprise** and **excellence**, where **individuals**, **communities** and **businesses** flourish.

To achieve our vision, we have identified five strategic priorities:

**1. Create** a great place for learning and opportunity

- Ensure that every place of learning is rated “Good” or better
- Raise levels of aspiration and attainment so that residents can take advantage of local job opportunities
- Support families to give children the best possible start in life

**2. Encourage** and promote job creation and economic prosperity

- Promote Thurrock and encourage inward investment to enable and sustain growth
- Support business and develop the local skilled workforce they require
- Work with partners to secure improved infrastructure and built environment

**3. Build** pride, responsibility and respect

- Create welcoming, safe, and resilient communities which value fairness
- Work in partnership with communities to help them take responsibility for shaping their quality of life
- Empower residents through choice and independence to improve their health and well-being

**4. Improve** health and well-being

- Ensure people stay healthy longer, adding years to life and life to years
- Reduce inequalities in health and well-being and safeguard the most vulnerable people with timely intervention and care accessed closer to home
- Enhance quality of life through improved housing, employment and opportunity

**5. Promote** and protect our clean and green environment

- Enhance access to Thurrock's river frontage, cultural assets and leisure opportunities
- Promote Thurrock's natural environment and biodiversity
- Inspire high quality design and standards in our buildings and public space

## Minutes of the Meeting of the Planning Committee held on 15 December 2016 at 6.00 pm

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- Present:** Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, Colin Churchman, Steve Liddiard, Tunde Ojetola, David Potter, Gerard Rice and Brian Little (substitute for Terry Piccolo)
- Steve Taylor, Campaign to Protect Rural England  
Representative
- In attendance:** Andrew Millard, Head of Planning & Growth  
Ceri Armstrong, Senior Health and Social Care Development  
Manager  
Matthew Ford, Principal Highways Engineer  
Matthew Gallagher, Principal Planner (Major Applications)  
Jonathan Keen, Principal Planner  
Leigh Nicholson, Development Management Team Leader  
Chris Purvis, Principal Planner (Major Applications)  
Vivien Williams, Planning Lawyer  
Charlotte Raper, Senior Democratic Services Officer
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Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

### **67. Minutes**

The minutes of the Planning Committee held on the 24 November 2016 were approved as a correct record, subject to an amendment of Councillor Churchman's declaration of a non-pecuniary interest, from Councillor in Chadwell-St-Mary to Councillor in Aveley.

### **68. Item of Urgent Business**

There were no items of urgent business.

### **69. Declaration of Interests**

Councillor Churchman declared a non-pecuniary in relation to application 16/01120/OUT as he had previously had discussions with the manager of Intu Lakeside regarding its development. It was confirmed that the application would be considered on its own merits.

### **70. Declarations of receipt of correspondence and/or any meetings/discussions held relevant to determination of any planning application or enforcement action to be resolved at this meeting**

Councillors B. Little and Ojetola had received various correspondence regarding application 16/01424/OUT.

Councillor Churchman informed the Committee that he had had a conversation with the applicant regarding a previous application on the site adjacent to Martins Farmhouse a year ago and had declared this correspondence at the time. He agreed to take the new application on its merit.

## **71. Planning Appeals**

The report before Members provided information with regard to appeals performance.

**RESOLVED:**

**The report was noted.**

## **72. 16/01120/OUT - Intu Lakeside, West Thurrock Way, West Thurrock, Essex, RM20 2ZP**

Members were informed that the application sought planning permission for part demolition of the existing Debenhams store and the existing bus station and alteration and extension of the northern end of the shopping centre. The proposal included extensions to the Northern and North-Eastern side of the shopping centre with additional retail and commercial floorspace. A new bus station to the South-Eastern end of the shopping centre with additional retail facilities and a covered concourse area to the new bus station would be provided. A temporary bus station would be provided to the North-East corner of the site. This development also included provision of new public real and landscaping areas and alterations of existing and construction of new vehicular, pedestrian and cycle access.

Members welcomed the prospect of an additional 3,700 jobs in Thurrock but were concerned by the impact that both the increase in jobs and the disruption caused by the construction works could have on the local road network. The Committee heard that there were travel plans in place for Lakeside employees and that the main construction compound would be offsite with construction workers then bussed into the site, to reduce congestion. The application was supported by a transport assessment and there was a package of measures to improve public transport links and pedestrian and cycle access. There were aims to change people's perceptions of how they got around not just the shopping centre but the Lakeside basin as a whole.

Councillor Churchman queried section 6.39 of the report and the possibility of introduced parking charges. Members were assured that Intu had outlined that it would not be in their interest to introduce parking charges for the centre in terms of commercial competition.

Members discussed current issues of heavy traffic affecting the local area and asked whether there were any relief plans, particularly surrounding the B186. It was advised that these problems were not directly linked to the application and problems on the M25 or the Dartford crossing, along with the A13 widening process were responsible for much of the redirected traffic but now that the works had been completed the situation should alleviate itself. There were plans to introduce a Variable Messaging System but it would be a lengthy process and Members would be kept updated. It was stated that there would need to be a highway technical assessment to determine which roads in the area would be subject to the Variable Messaging System.

Councillor Little asked what provisions would be introduced for cycle storage at the centre if there were plans to encourage less reliance on private cars. Members heard that this was an outline application and more specific details would follow through the Reserved Matters application process. He also referred to the previous meeting of the Committee and the fact that the orbital link around the centre would be broken, he asked whether there was confidence that this would not lead to gridlocked congestion once development works started. The Committee was assured that a highways consultation had been carried out regarding the changes to the orbital road as part of the previous application and there would be a phased approach towards the development.

Councillor Ojetola sought clarity as to why the Complementary Planning Strategies Contribution referred specifically to Grays town centre and was advised that it would aim to mitigate the impact upon the closest town centre.

The Applicant Marc Myers was invited to the committee to make his supporting statement.

Councillor Ojetola welcomed the increase in jobs and offered his support for the application but recognised the challenge of the increased vehicle usage in the area and the impact on the road network.

Councillor Rice offered his apologies for entering the meeting late and was advised that he was not eligible to participate in the debate for this application.

It was proposed by the Chair and seconded by Councillor Churchman that the application be approved as per the Officer recommendation.

For: Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, Colin Churchman, Steve Liddiard, Tunde Ojetola, David Potter, Gerard Rice and Brian Little (Substitute) (substitute for Terry Piccolo)

Against: (0)

Abstain: (0)

**73. 16/01300/FUL - South 3, Pacific Avenue, Stanford-le-Hope, SS17 9FA**

Members were informed that the hybrid application, seeking part-outline and part-full permission, proposed the provision and use for a period of up to 10 years for a temporary lorry park providing a maximum of 441 HGV parking bays within a mix of haulage yard and ad-hoc parking areas. The proposal would also include ancillary facilities including administration/welfare buildings, refuelling facilities, access facilities including a new single carriageway access road, lighting, landscaping, drainage and a new electricity substation. The Committee also heard that there were to be slight amendments to the wording of Planning Conditions 15 and 16. Members were advised that, due to the location of the site close to a European designated site for nature conservation, it was necessary to screen the proposals pursuant to the Habitats Regulations (Recommendation A).

Members discussed the problem of inappropriately parked HGVs in the area, particularly on slipways and emergency laybys and asked whether these could be enforced more rigorously if a lorry park were to be introduced. Members were advised that the Urban Clearway restriction on the Manorway would be extended to include the slip roads and other areas which would take effect from the following week. The Council also employed an HGV parking team who performed late night enforcement to prevent inappropriate parking in the Borough. It was accepted that this was an issue far wider than the remit of this application, but the introduction of a lorry park should help to alleviate the issue.

The Committee asked whether the welfare buildings would be built before the rest of the development, as it would be preferable. Members were advised that whilst it could not be insisted upon, as a commercial entity it would not necessarily be desirable to have the yards operational without those buildings.

Councillor Little asked whether this proposal would deliver for all future demand or if there would be a staged process. The Committee was informed that this was a temporary provision and that the applicant was promoting a permanent facility as part of the Local Plan, but that would take time and so the temporary application was a means of meeting demand in the interim.

The Committee discussed the implications of a timeslot booking system on local roads and who the park would serve. It was confirmed that the intention was to serve vehicles associated with the London Gateway Port and Logistics Park, but the plan included a common user area to reduce the impact to the

local area if vehicles arrived early. There was also an obligation for London Gateway to limit the impact on the road network at peak times; this common user area would allow drivers to take their required rest periods and offered the port the ability to hold drivers during peak times. This area would not be associated with any specific haulage company. The matter of a security clearance process would be an operational matter for London Gateway as landowner and operator of the site. Suggested planning condition no. 17 of the recommendation offered further clarity and comfort on lorry park management.

Councillor Churchman asked whether the welfare buildings would be footed or stacked and was advised that the design would be a reserved matter to be considered at a later stage, within the context of a temporary permission.

Councillor Ojetola welcomed the proposal in principle but expressed concern at the implications as the issue of HGVs had been a real problem in the borough for some time, and sought to ensure that finer details regarding the impact would be considered, if not necessarily at this stage of the application.

Councillor Rice welcomed the application as the inappropriate parking of HGVs within Thurrock had become a nuisance. There was some debate over the site of the proposed application and it was confirmed that it was not Green Belt land.

#### Recommendation A:

It was proposed by the Chair and seconded by Councillor Liddiard that the development proposed would not have a likely significant effect on a European site either alone or in combination with other plans or projects, as per the Officer recommendation.

For: Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, Colin Churchman, Steve Liddiard, Tunde Ojetola, David Potter, Gerard Rice and Brian Little (Substitute)  
(substitute for Terry Piccolo)

Against: (0)

Abstain: (0)

#### Recommendation B:

It was proposed by the Chair and seconded by Councillor Ojetola that the application be approved as per the Officer recommendation, incorporating the suggested amendments to conditions 15 and 16.

For: Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, Colin Churchman, Steve Liddiard, Tunde Ojetola,

David Potter, Gerard Rice and Brian Little (Substitute)  
(substitute for Terry Piccolo)

Against: (0)

Abstain: (0)

**74. 16/01424/OUT - Land adjacent Martins Farmhouse, Church Lane, Bulphan, Essex**

Members were informed that the application sought planning permission for 52 assisted living apartments, in four blocks, with café/restaurant facilities, a separate convenience store and doctors surgery, changing rooms/ club room with outdoor sports pitch and ancillary parking and landscaping with two access points to Church Lane. It was considered inappropriate development of the Green Belt and the matters of detail were also deemed unacceptable.

Councillor Rice asked for clarity as to the proposed height of the buildings. Officers advised that they would be 2-storey buildings with pitched roofs, so around 8-9m high.

A Resident was invited to the committee to make a statement in objection to the application.

A Ward Councillor, Councillor Sue Little, was also invited to the committee to make a statement opposing the application.

The Agent Gary Coxall was invited to the committee to make his statement of support.

The Committee discussed claims that the applicant had worked closely with the Health and Wellbeing Board on the scheme. It was confirmed that there had been discussions around desirable schemes for elderly residents housing but the location had not been supported.

The committee discussed reference to bungalows and the nature of use of the farmhouse and sought clarity as there were conflicting statements. Officers advised there was no information regarding other nearby sites.

The Chair sympathised that there needed to be more choice for elderly residents as the Council seemed to favour town centre-based locations and asked whether there were any plans for similar developments in the future. The Head of Planning & Growth advised the Committee that the new Local Plan was currently being developed including these types of property, but the idea would be urban extension to ensure links to the community and prevent social isolation.

Councillor Rice discussed the controversial nature of the application as funding for social care was being reduced so there would be a need to encourage private funding for these types of development and though it would

be undesirable use of the Green Belt there was a dire need for these types of properties. Councillor Ojetola sympathised with this view but highlighted that the application did not comply with the Council's current policy.

The Vice-Chair expressed the need to protect the green Belt for future generations. The Campaign to Protect Rural England Representative supported the officers' recommendation and accepted that there may be a need to build on Green Belt moving forward but there was a need to be selective about which sites. This site was particularly inappropriate, regardless of its Green Belt status, due to the single carriageway access road. A previous application had shown laybys; there was a design to widen the carriageway but the land either side was privately owned land which was farmed.

Councillor Little noted the list of negative considerations which gave a very clear indication from officers. He considered that the development was an inappropriate use of the Green Belt, in the wrong location to benefit its intended residents, would cause chaos on the rural lanes and was not welcomed by local residents and so he would not support the application.

Councillor Churchman expressed the hesitance to build on Green Belt but understood from personal experience that it might be unwise to overlook these types of schemes, particularly in rural areas.

Members discussed possible future needs for housing in the Borough, which considered may result in additional 20,000 homes, 12,000 of which may be on Green Belt. Members queried when it had been undertaken and whether it was being updated. The Head of Planning and Growth indicated it had been carried out in early 2015 and though it was reviewed often the target figure remained the same.

The Chair sympathised with both sides of the debate. He considered there was a need for this type of development but at present the application went against the Council's policy. There had been little work from the applicant regarding the flood risk at the site which was a serious issue and would be cause for refusal on its own, notwithstanding the other reasons.

It was proposed by Councillor Liddiard and seconded by Councillor Little that the application be refused as per the Officer recommendation.

For: Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, Colin Churchman, Steve Liddiard, Tunde Ojetola, David Potter, Gerard Rice and Brian Little (Substitute)  
(substitute for Terry Piccolo)

Against: Councillor Gerard Rice

Abstain: Councillors Colin Churchman and Tunde Ojetola

**75. 16/01115/DVOB - Former St Chad's School site, St Chad's Road, Tilbury**

Members were informed that the application sought a Deed of Modification to the S106 legal agreement for planning permission reference 14/01274/FUL to remove the requirement to deliver affordable housing units. The request was deemed legitimate due to unforeseen costs surrounding the removal of unforeseen ground contamination, namely asbestos.

The Committee debated at length the implications of assessing an application made by Gloriana Thurrock LTD, but Members were assured that the standard procedure had been followed. The costs had been unforeseen; the contamination had come to light at the start of construction, despite an intrusive ground investigation having been undertaken in 2014. This had been evidenced and independently assessed, as would be the case with any developer. As with any brownfield site development it was legitimate to consider financial viability in terms of delivering affordable housing. Members were reminded that fundamentally the decision was to be made from a planning stance and as such the identity of the applicant was not a material consideration.

The Committee continued to question the length of time between discovery and application for the Deed of Modification, as the site was almost complete. There was also the question of any form of financial contingency on the part of the developer. It was a concern that there had been two years of reporting that there would be affordable housing as part of this development and at this late stage that would no longer be the case. Councillor Ojetola queried whether, if the 35% figure could not be met, a reduction could be made to 10% or 5% to reflect the unforeseen costs but so the site could still offer some affordable housing. Members were directed to section 6.18 of the application; the profits had been calculated under the assumption that the site would offer no affordable housing and no financial contributions would be made towards education however the applicant still intended to make those payments and as such the profit would be smaller.

Members also sought clarification as to the implications if they were to vote against the officers' recommendation and were advised that there was an official appeals procedure similar to the refusal of a standard planning application.

The Committee agreed to suspend Standing Orders and extend the duration of the meeting to allow for full discussion on the final application.

The Agent, Helen McCabe was invited to the committee to make her statement of support.

Members again queried the question of a contingency fund. There were also questions as to why the initial ground investigation had been repeated and why the application had been so delayed after the discovery of the level of contamination. It was deemed to be unfortunate but once the contamination had been discovered it had to be removed appropriately and therefore the financial viability was a legitimate consideration.

The Chair expressed the sentiment that it was disappointing for Thurrock Council to lose the affordable housing from the site but as Chair of the Planning Committee he would follow the officers' recommendation.

Councillor Rice interjected that there had been a legal agreement to provide affordable housing, there had been reference to a contingency fund and the gross value of the site was around £23million. It was his opinion that the application should be rejected.

Councillor Liddiard expressed his opinion that if a thorough ground survey had been undertaken there was no need to do another at the start of construction, and wondered why the application had been received recently despite the discovery having been made over a year ago.

Councillor Ojetola recalled a development on Chafford Hundred in 2008 where the developer went bankrupt and so the project was never finished and remained an eyesore. He was cautious not to cause a recurrence.

Councillor Little advised that he could not accept the variation, since the Council was continually pushing for more affordable housing from developers.

The Campaign to Protect Rural England Representative observed that Members were stuck between a rock and a hard place, but highlighted that if the Local Authority wished to encourage the development of brownfield sites it was dangerous to send the wrong message.

Councillor Baker asked whether it would be possible in future to insist developers investigated brownfield sites more thoroughly to prevent a recurrence. The Committee heard that this would not be feasible from a planning position.

Councillor Liddiard countered Councillor Ojetola's concern regarding the development remaining unfinished as it was almost complete, and raised concern that if the affordable housing aspect was removed there would be very little benefit to the people of Tilbury. Any extra cost however would fall to Gloriana and then Thurrock Council.

The Chair reiterated that the planning officers were professionals and the Committee should follow their recommendations. There was a risk that a decision otherwise could go to appeal. As Chair he would defend the recommendation but the final decision lay with Members.

It was proposed by Councillor Kelly and seconded by Councillor Ojetola that the application be approved as per the Officer recommendation.

For: Councillors Tom Kelly (Chair) and Tunde Ojetola

Against: Councillors Kevin Wheeler (Vice-Chair), Steve Liddiard, Brian Little, David Potter and Gerard Rice.

Abstain: Councillors Chris Baker and Colin Churchman.

Councillor Rice proposed the obligation be amended, so that the development would still provide some affordable housing to the residents of Thurrock. Councillor Ojetola raised a Point of Order regarding correct procedure of the Committee. Advice on the constitution was sought from the Committee Clerk. In line with Chapter 5, Part 3(b), Paragraphs 6.4 and 6.5, Members were advised that there were two options available to them, the application could be deferred or an alternative recommendation given, IE refusal.

It was proposed by Councillor Rice and seconded by Councillor Wheeler that the application be deferred to allow officers to give due consideration to the possibility of a reduced affordable housing figure.

For: Councillors Kevin Wheeler (Vice-Chair), Chris Baker, Colin Churchman, Brian Little, David Potter and Gerard Rice

Against: Councillor Tom Kelly (Chair)

Abstain: Councillors Tunde Ojetola and Steve Liddiard

**The meeting finished at 9.40 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

**Any queries regarding these Minutes, please contact  
Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)**

<b>19 January 2017</b>	<b>ITEM: 6</b>
<b>Planning Committee</b>	
<b>Planning Appeals</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Not Applicable
<b>Report of:</b> Leigh Nicholson, Development Management Team Leader	
<b>Accountable Head of Service:</b> Andy Millard, Head of Planning and Growth	
<b>Accountable Director:</b> Steve Cox, Director of Environment and Place	

## Executive Summary

This report provides Members with information with regard to planning appeal performance.

### 1.0 Recommendation(s)

#### 1.1 To note the report

### 2.0 Introduction and Background

2.1 This report advises the Committee of the number of appeals that have been lodged and the number of decisions that have been received in respect of planning appeals, together with dates of forthcoming inquiries and hearings.

### 3.0 Appeals Lodged:

#### 3.1 Application No: 15/01510/FUL

Location: 30 Whitehall Road Grays Essex RM17 5NX

Proposal: Demolition of existing dilapidated garages at the rear of 30 Whitehall Road and construction of 2 No 2 bedroom dwellings

- 3.2 **Application No: 15/00643/FUL**  
Location: The Bricklayers Arms Bridge Road Grays  
Proposal: Conversion and extension of existing public house into 15 one bedroom flats
- 3.3 **Application No: 16/00375/CWKS**  
Location: Malgraves Meadow, Lower Dunton Road, Horndon On The Hill  
Proposal: Erected barn with a large chimney without planning permission.
- 3.4 **Application No: 16/01118/HHA**  
Location: 22 Alderton Road, Orsett  
Proposal: Proposed two storey side extension.
- 3.5 **Application No: 16/01094/HHA**  
Location: 50 King Edward Drive, Grays  
Proposal: Conversion and extension of existing garage to form ancillary granny annexe
- 3.6 **Application No: 16/00926/HHA**  
Location: Silverside, Vange Park Road, Vange  
Proposal: Proposed side/rear extension and two dormer roof extensions.
- 3.7 **Application No: 16/00881/HHA**  
Location: 19 Field Road, Aveley  
Proposal: Part single storey and part two storey rear extension with two storey side extension.
- 3.8 **Application No: 16/01098/HHA**  
Location: Monchique, Rainbow Road, Chafford Hundred  
Proposal: Loft conversion with dormer

**3.9 Application No: 16/00781/FUL**

Location: Tooth Shine Dental Clinic, 126 Orsett Road, Grays

Proposal: Subdivision of existing site and erection of single storey 2 bedroom dwelling with pitched roof.

**4.0 Appeals Decisions:**

The following appeal decisions have been received:

**4.1 Application No: 16/00462/FUL**

Location: 14 Cardinal Road, Chafford Hundred, Grays

Proposal: Convert existing garage into premises for a small 'by appointment' business (dog grooming salon)

**Decision: Appeal Allowed**

Summary of decision:

4.1.1 The Inspector considered the main issue to be the effect of the dog grooming business on highway safety.

4.1.2 In considering the impact of the development, the Inspector gave limited weight to the Council's draft parking standards and did not consider there to be any demonstrable evidence of on-street parking pressure arising from the development. The Inspector acknowledged that visitors would be limited to daytime hours only and would be staggered throughout the day. The Inspector found no grounds to support the Council's rejection of the application and consequently allowed the appeal subject to conditions.

4.1.3 The full appeal decision can be found [here](#)

**4.2 Application No: 16/00405/FUL**

Location: Wharf Shipping Services, Wharf Road, Stanford Le Hope

Proposal: Replacement and extension of existing timber storage building and improved maintenance facility.

**Decision: Appeal Dismissed**

Summary of decision:

4.2.1 The Inspector considered the main issues to be:

- i. Whether or not the proposal is inappropriate development in the Green Belt;
- ii. The effect of the proposal on the openness of the Green Belt; and
- iii. If the proposal is an inappropriate development, whether or not there are material considerations which, together, clearly outweigh the harm to the Green Belt, and any other harm, and which amount to very special circumstances which would be necessary to justify the proposal.

4.2.2 In relation to (i), the Inspector concluded that the proposed building would constitute an inappropriate development based upon the fact that the new building would be substantially larger in terms of volume, mass, height and bulk than the existing building.

4.2.3 In relation to (ii), the Inspector found that owing to the increase in height and mass, the building would be more prominent in the landscape and would therefore inevitably affect the openness of the site and surrounding area.

4.2.4 In relation to (iii), the Inspector considered the appellant's case for the development but concluded that no very special circumstances exist that would justify inappropriate development being allowed.

4.2.5 The full appeal decision can be found [here](#)

4.3 **Application No: 16/00232/FUL**

Location: Malgraves Meadow, Lower Dunton Road,  
Horndon on the Hill

Proposal: Retrospective planning application for the retention of a biomass building containing biomass boiler with external flue and associated wood storage

**Decision: Appeal Dismissed**

Summary of decision:

4.3.1 The Inspector considered the main issues to be:

- i. Whether or not the proposal is inappropriate development in the Green Belt;
- ii. The effect of the proposal on the openness of the Green Belt; and

iii. If the proposal is an inappropriate development, whether or not there are material considerations which, together, clearly outweigh the harm to the Green Belt, and any other harm, and which amount to very special circumstances which would be necessary to justify the proposal.

4.3.2 In relation to (i), the Inspector concluded that the biomass building constitutes inappropriate development.

4.3.3 In relation to (ii), the Inspector concurred with the Council in that the biomass building and flue erodes the spatial qualities of the site and area and consequently leads to a harmful loss of openness within the Green Belt, contrary to the aims of the NPPF.

4.3.4 In relation to (iii), the Inspector afforded only limited weight to the appellant's case for the development and concluded that no very special circumstances exist to justify the development in the Green Belt.

4.3.5 The full appeal decision can be found [here](#)

**4.4 Application No: 16/00361/FUL**

Location: 6 Tennyson Avenue Grays Essex RM17 5RG

Proposal: Conversion of existing 5 bedroom house to 3 one bedroom apartments

**Decision: Appeal Dismissed**

Summary of decision:

4.4.1 The Inspector considered the main issues to be the effect of the development on the living conditions of the occupiers of 8 Tennyson Avenue with particular regard to noise and privacy; and the character of the area.

4.4.2 The Inspector concurred with the Council and concluded that the activity associated with the rear parking area's use would be harmful to the living conditions of No.8. The Inspector found there to be conflict with LDF CS Policy PMD1 and the NPPF in this regard.

4.4.3 The Inspector did not find the development to unduly affect the wider character of the area, but owing to the impact identified above found the proposal to be unacceptable.

4.4.3 The full appeal decision can be found [here](#)

**5.0 Forthcoming public inquiry and hearing dates:**

5.1 The following inquiry and hearing dates have been arranged:

5.2 None.

## 6.0 APPEAL PERFORMANCE:

6.1 The following table shows appeal performance in relation to decisions on planning applications and enforcement appeals.

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	5	2	4	0	0	4	1	3	1	4	0	0	24
No Allowed	2	0	0	0	0	4	1	1	1	1	0	0	10
% Allowed													41.6%

## 7.0 Consultation (including overview and scrutiny, if applicable)

7.1 N/A

## 8.0 Impact on corporate policies, priorities, performance and community impact

8.1 This report is for information only.

## 9.0 Implications

### 9.1 Financial

Implications verified by: **Sean Clark**  
**Head of Corporate Finance**

There are no direct financial implications to this report.

### 9.2 Legal

Implications verified by: **Vivien Williams**  
**Principal Regeneration Solicitor**

The Appeals lodged will either have to be dealt with by written representation procedure or (an informal) hearing or a local inquiry.

Most often, particularly following an inquiry, the parties involved will seek to recover from the other side their costs incurred in pursuing the appeal (known as 'an order as to costs' or 'award of costs').

### 9.3 Diversity and Equality

Implications verified by: **Rebecca Price**  
**Community Development Officer**

There are no direct diversity implications to this report.

9.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

10. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- All background documents including application forms, drawings and other supporting documentation can be viewed online: [www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning). The planning enforcement files are not public documents and should not be disclosed to the public.

11. **Appendices to the report**

- None

**Report Author:**

Leigh Nicholson

Development Management Team Leader

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<b>Reference:</b> 16/01035/TBC	<b>Site:</b> The Tops Social Club Argent Street Grays Essex RM17 6JU
<b>Ward:</b> Grays Riverside	<b>Proposal:</b> Redevelopment of the Tops Social Club site with the erection of one part 5 storey/part storey residential block comprising of 29 dwellings and one retail unit on the ground floor. Repositioning of the existing playground to the north part of the site. Creation of 8 associated parking spaces on the western side of Exmouth Road.

<b>Plan Number(s):</b>		
Reference	Name	Received
5485-1000B	Location Plan	5th December 2016
5485-1001A	Existing Site Layout	10th August 2016
5485-1020A	Sections	10th August 2016
5485-1021A	Sections	10th August 2016
5485-1022A	Existing Elevations	10th August 2016
5485-1101C	Proposed Site Layout	5th December 2016
5485-1200D	Proposed Floor Plans	3rd January 2017
5485-1201D	Proposed Floor Plans	3rd January 2017
5485-1202B	Proposed Floor Plans	10th August 2016
5485-1203B	Proposed Floor Plans	10th August 2016
5485-1204B	Proposed Floor Plans	10th August 2016
5485-1207B	Roof Plans	10th August 2016
5485-1600D	Proposed Elevations	3rd January 2017
5485-1601D	Proposed Elevations	3rd January 2017
5485-1602D	Proposed Elevations	3rd January 2017
5485-1603D	Proposed Elevations	3rd January 2017
5485-1604D	Proposed Elevations	3rd January 2017
5485-1700A	Sections	10th August 2016
5485-1701A	Sections	10th August 2016
L004	Landscaping	5th December 2016
L101	Landscaping	5th December 2016

L102	Landscaping	5th December 2016
L201	Landscaping	5th December 2016
L401	Landscaping	5th December 2016
PLANTING SCHEDULE	Landscaping	5th December 2016
TOPS CLUB LANDSCAPE	Landscaping	5th December 2016

The application is also accompanied by:

- Flood Risk Assessment
- Design and Access Statement
- Tree Report
- Daylight and Sunlight Report
- Energy and Water Statement

**Applicant:** Thurrock Council

**Validated:**

15 August 2016

**Date of expiry:**

31 January 2017 [extension of time agreed with applicant]

**Recommendation:** Approve, subject to conditions.

## 1.0 BACKGROUND

- 1.1 At the meeting of the Planning Committee held on 20<sup>th</sup> October 2016 Members considered a report on the above proposal. The report recommended that planning permission be approved subject to conditions.
- 1.2 A copy of the report presented to the 20<sup>th</sup> October 2016 meeting is attached as Appendix 1.
- 1.3 At the meeting the application was deferred to allow revisions to be made to the scheme to increase parking provision. In addition, Members requested consideration be given to the viability of the retail unit, and the layout of the proposed playground. Members also requested the outline scheme be revisited.
- 1.4 Following the deferral of the application, the applicant has given consideration to Members concerns and submitted revised plans in response.

## 2.0 CONSULTATIONS AND REPRESENTATIONS

- 2.1 Upon receipt of the revised plans, a further round of consultation was carried out. Detailed below is a summary of the consultation responses received. The full

version of each consultation response can be viewed on the Council's website via public access at the following link: [www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)

## 2.2 PUBLICITY:

No further responses have been received.

## 2.3 EMERGENCY PLANNER:

No further comments made other than those covered in the main report.

## 2.4 ENVIRONMENT AGENCY

No further comments made other than those covered in the main report.

## 2.5 ENVIRONMENTAL HEALTH

No further comments made other than those covered in the main report.

## 2.6 FLOOD RISK MANAGER

No further comments made other than those covered in the main report.

## 2.7 HIGHWAYS

No objection.

## 2.8 LANDSCAPE AND ECOLOGY ADVISOR

No objection.

## 2.9 PARKS AND OPEN SPACE

No further comments made other than those covered in the main report.

## 3.0 ASSESSMENT OF PROPOSED CHANGES AND INFORMATION

The revised plans / information submitted by the applicant addresses the following areas:

- i. Additional parking provision
- ii. Removal of the proposed ground floor retail unit
- iii. Playspace
- iv. Outline consent

i. Additional parking provision

- 3.1 The revised plans provide 23 parking spaces for the 29 dwellings which represents an increase of 15 parking spaces from the original scheme.
- 3.2 Previously 8 parking spaces were proposed along the western side of Exmouth Road in two banks of 4 spaces. These have been increased in size to accommodate a total of 12 spaces, 6 in each bank. In addition, there would be 2 on-street spaces to the west of the playground area in Exmouth Road and 7 on-street spaces along Argent Street to the south of the development and Wyvern House. 2 further car parking spaces would be provided to the rear of the building.
- 3.3 The parking ratio now proposed reflects the parking ratio of the outline consent granted in 2014 (under reference 14/00975/OUT). The Council's Highway Officer has no objection to these changes.

ii. Removal of the proposed ground floor retail unit

- 3.4 The plans have been revised to omit the ground floor shop unit. Instead, a glazed entrance foyer is proposed to the front and side elevation providing access to the lift and internal staircase. To the rear of the foyer, a larger cycle store, plant room and refuse / recycling store are proposed.
- 3.5 The new entrance foyer would project fractionally further forward than the previously proposed retail unit but would maintain a glazed appearance to the building and maintain the appearance of an 'active' frontage. Whilst it is somewhat regrettable that the shop unit has been removed, the applicant has considered the long term viability of the unit and resolved to remove it from the scheme.

iii. Playspace

- 3.6 The applicant has highlighted that the playground would provide more playspace than the existing playground and through the use of new equipment and layout, the development would create an improved playspace. The information shows that the existing playground is mostly used by children under 5; the playspace has therefore been designed to accommodate this age range but also includes provision of different play areas for other aged children. No objections are raised to this revised playground layout. In addition, landscaping details have been provided for this and

the remainder of the development with the exception of the roof garden which still requires information to be provided through a planning condition.

IV. Outline consent

3.7 Outline planning consent was granted in 2014 for a development of 24 one bedroom units on a smaller part of the site. That consent remains implementable however all matters were reserved for future consideration. The current detailed application, with the revisions proposed, represents a significant improvement over the outline scheme in terms of design quality, use of land and housing provision.

**4.0 CONCLUSIONS**

4.1 The development would provide much needed affordable housing in a location that has good accessibility and is close to the town centre area for services, facilities and transport hubs. The proposal is for a high quality designed development that would visually improve the area. The latest revisions to the plans respond to the concerns raised by Members and, based upon the assessment contained in this update paper and the original report, the recommendation is to approve the application.

4.2 Members are advised that owing to the changes to the scheme it has been necessary to update and remove some conditions that were originally recommended. The revised recommended condition list is set out below.

**5.0 RECOMMENDATION**

Approve, subject to the following conditions:

**Standard Time**

1. The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission.

Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

**Approved Plans**

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

<b>Plan Number(s):</b>		
Reference	Name	Received

5485-1000B	Location Plan	5th December 2016
5485-1001A	Existing Site Layout	10th August 2016
5485-1020A	Sections	10th August 2016
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5485-1600D	Proposed Elevations	3rd January 2017
5485-1601D	Proposed Elevations	3rd January 2017
5485-1602D	Proposed Elevations	3rd January 2017
5485-1603D	Proposed Elevations	3rd January 2017
5485-1604D	Proposed Elevations	3rd January 2017
5485-1700A	Sections	10th August 2016
5485-1701A	Sections	10th August 2016
L004	Landscaping	5th December 2016
L101	Landscaping	5th December 2016
L102	Landscaping	5th December 2016
L201	Landscaping	5th December 2016
L401	Landscaping	5th December 2016
PLANTING SCHEDULE	Landscaping	5th December 2016
TOPS CLUB LANDSCAPE	Landscaping	5th December 2016

Reason: For the avoidance of doubt and in the interest of proper planning.

### **Playground Area**

3. Notwithstanding the details stated within the application, no development shall commencement until full details of the new playground area including all details of new playground equipment and landscaping and planting schedules for this area have been submitted to and approved by the Local Planning Authority. The playground area details shall be implemented in accordance with the details.

Reason: Due to the loss of the existing larger playground area an enhanced playground area shall be provided for the benefit of local people in accordance with the requirements policy PMD1 of the LDF Core Strategy and Policies for the Management of Development DPD.

### **Playground Implementation**

4. The new playground area shall be developed and made available for use prior to the commencement of the development of the development unless otherwise agreed in accordance with a phasing programme to be submitted to and approved by the Local Planning Authority. If a phasing programme is provided the playground area shall be implemented in accordance with the agreed phasing programme.

Reason: To ensure minimum disruption to the users of the playground area and that the loss of playground facility is only for a minimal temporary period of time to allow for an enhanced playground area to be developed and made available for use for the benefit of local people in accordance with the requirements policy PMD1 of the LDF Core Strategy and Policies for the Management of Development DPD.

### **Materials**

5. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to ensure that the proposed development is satisfactorily integrated with its surroundings in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Boundary treatment**

6. No development shall take place until details of the locations, heights, designs, materials and types of all boundary treatments to be erected on site have been submitted to and approved by the Local Planning Authority. The boundary treatments shall be erected/installed in accordance with the approved details and retained as such thereafter.

Reason: In the interests of visual amenity, privacy and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings as required by policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Landscaping Scheme**

7. The landscaping details shall be implemented as approved with all planting, seeding or turfing comprised in the approved scheme to be carried out in the first available planting and seeding season following commencement of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Landscape Protection**

8. No development shall commence until the details contained in the 'BS 5837 Arboricultural Report' accompanying this planning application have been implemented including protective fencing to be erected prior to the commencement of any works on the site; no materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside this fencing; no changes in ground level may be made or underground services installed within the spread of any tree or shrub without the previous written consent of the Local Planning Authority.

Reason: To ensure that all existing trees are properly protected, in the interests of visual amenity and to accord with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Obscure Glazing to Eastern Elevation Windows Above Ground Floor**

9. All windows above ground floor level in the eastern side elevation of the building hereby permitted shall be finished with opaque glazing and shall be fixed shut with the exception of top-hung fanlights and shall be permanently retained as such.

Reason: To ensure that adjoining residential amenity is protected in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Removal of Permitted Development Rights**

10. Notwithstanding the provisions of the Town & Country Planning [General Permitted Development] Order 2015 [or any order revoking and re-enacting that Order with or without modification] no development falling within Classes A, D, E, G, H of Part One of the Second Schedule of that Order shall be carried out on the site for the 'maisonettes' hereby approved as part of this development.

Reason: In the interests of amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings in accordance with Policies PMD1 and PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD.

### **Parking Provision**

11. The development hereby permitted shall not be first occupied/provided with connection to utility services until such time as the vehicle parking area indicated on the approved plans has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area(s) shall be retained in this form at all times.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with policy PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Cycle Provision**

12. Prior to first occupation of the development the 'Bike Store' as shown on drawing number 1200 Rev D 'proposed GA Ground Floor Plan' shall be implemented in accordance with the details as shown this approved plan and shall be retained as such thereafter.

Reason: To ensure appropriate parking facilities for bicycles/powered two wheelers are provided in accordance with policy PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Levels**

13. No development shall commence until details showing the proposed finished ground and finished floor levels of the development in relation to the levels of the surrounding area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the scheme as approved.

Reason: In order to protect the visual amenity of the area in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Surface Water Drainage**

14. No development shall commence until a scheme for the provision and implementation of surface water drainage incorporating sustainable urban drainage schemes (SuDS) and details of who will be responsible for the detailed maintenance and management of the SuDS has been submitted to and approved in writing by the local planning authority. The scheme shall be constructed and completed in accordance with the approved plans and prior to the occupancy of the development.

Reason: To ensure that appropriate drainage is installed to prevent the site from flooding and environmental harm in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Flood Warning and Evacuation Plan**

15. Prior to first occupation/usage of the site a Flood Warning and Evacuation Plan shall be submitted and approved by the Local Planning Authority. The Flood

Warning and Evacuation Plan as approved shall be implemented and be made available for inspection by all users of the site and shall be displayed in a visible location all times thereafter.

Reason: To ensure that maximum flood protection for future users of the development hereby permitted in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Refuse/ Recycling Storage**

16. No development shall commence until details of the means of refuse and recycling storage including details of any bin stores to be provided shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and provided prior to the first occupation/usage of the development and retained for such purposes at all times thereafter.

Reason: To prevent any environmental harm in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Renewable energy installation**

17. No development shall commence until details of proposed photovoltaic panels and any other proposed renewable energy measures to demonstrate that the development will achieve the generation of at least 15% of its energy needs through the use of decentralised, renewable or low carbon technologies have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented and operational upon the first use or occupation of the buildings hereby permitted and shall thereafter be retained in the agreed form unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that development takes place in an environmentally sensitive way in accordance with Policy PMD13 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **External lighting**

18. No development shall commence until details of the external lighting for the site including the luminance and spread of light and the design and specification of the light fittings have been submitted to and approved in writing by the Local

Planning Authority, excluding one individual security lighting per dwelling. All illumination shall be implemented and retained as such in accordance with the details as approved.

Reason: To minimise light pollution upon nearby property including residential properties in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Communal TV/Satellite**

19. Notwithstanding the provisions of the Town & Country Planning [General Permitted Development] Order 2015 [or any order revoking or re-enacting that Order with or without modification] the flats and maisonettes hereby permitted shall be equipped with a communal satellite dish(es). Details of the number, size, external appearance and the positions of the satellite dish(es) shall be submitted to and agreed in writing by the local planning authority prior to the installation of such systems. The agreed communal satellite dish systems shall be installed prior to the residential occupation of the flats and thereafter retained. Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 2015 [or any Order revoking or re-enacting that Order with or without modification] other than those agreed by way of the above scheme, no additional satellite dish(es) or aerials shall be fixed to the building without the prior written approval of the local planning authority.

Reason: In the interests of visual amenity and to ensure that the development can be integrated within its immediate surroundings in accordance with Policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Construction Environmental Management Plan (CEMP)**

20. No construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the Local Planning Authority in writing. The CEMP should contain or address the following matters:
- (a) Hours of use for the construction of the development
  - (b) Hours and duration of any piling operations,
  - (c) Vehicle haul routing in connection with construction, remediation and engineering operations,
  - (d) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site,
  - (e) Details of construction access and details of temporary parking requirements;

- (f) Location and size of on-site compounds [including the design layout of any proposed temporary artificial lighting systems]
- (g) Details of any temporary hardstandings;
- (h) Details of temporary hoarding;
- (i) Method for the control of noise with reference to BS5228 together with a monitoring regime
- (j) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime
- (k) Dust and air quality mitigation and monitoring,
- (l) Water management including waste water and surface water discharge,
- (m) Method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals,
- (n) A Site Waste Management Plan,
- (o) Ecology and environmental protection and mitigation,
- (p) Community liaison including a method for handling and monitoring complaints, contact details for site managers.
- (q) Details of security lighting layout and design;
- (r) A procedure to deal with any unforeseen contamination, should it be encountered during development.

Works on site shall only take place in accordance with the approved CEMP.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with Policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD.

### **Details of the Communal Roof Garden**

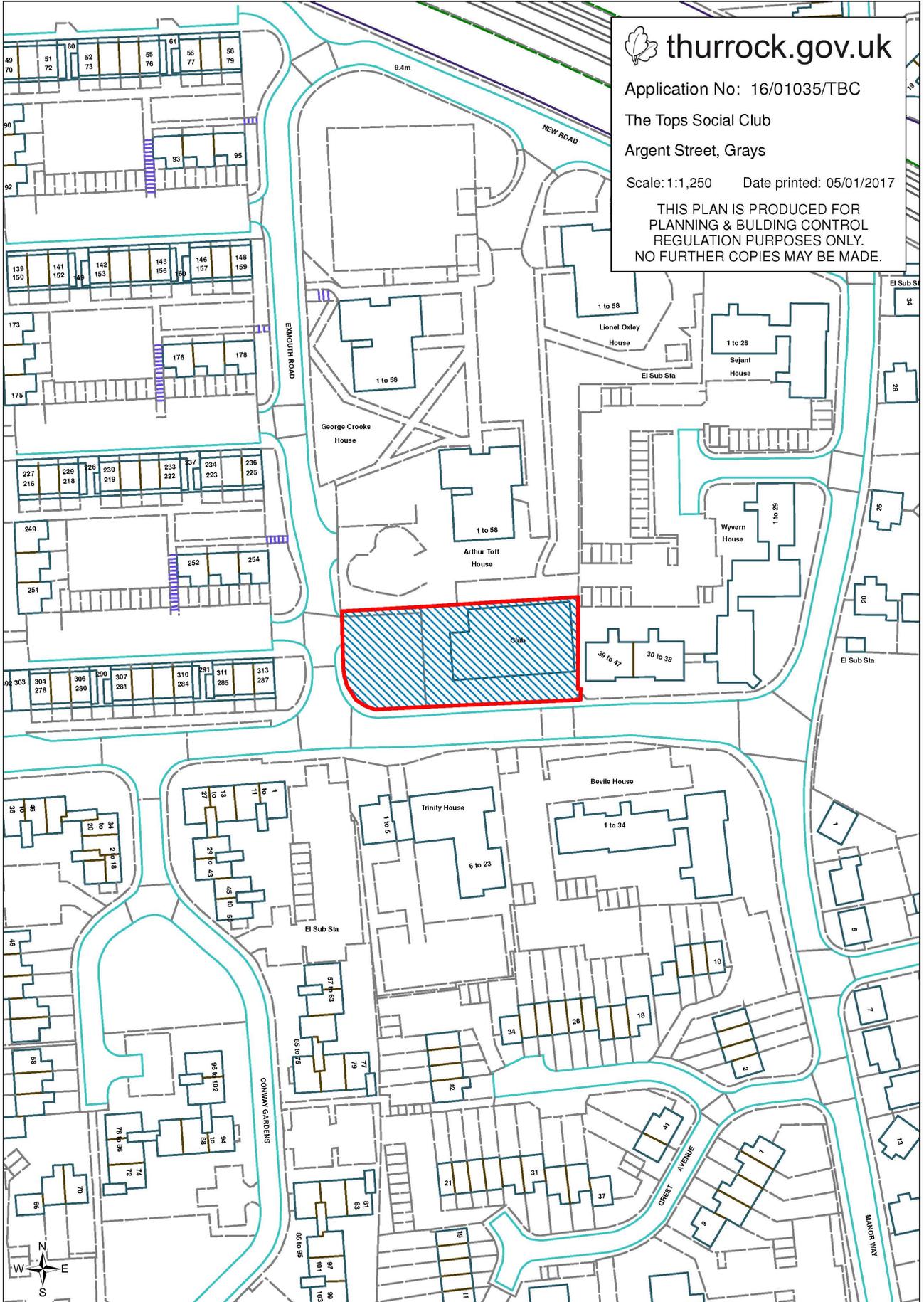
21. No development shall commence until details of the proposed layout of the communal roof garden including boundary treatment, hard and soft landscaping have been submitted to and approved by the local planning authority. The details shall be implemented as approved.

Reason: In the interests of providing amenity space for the future occupiers of the dwellings in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD.

### **Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

[www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)



 **thurrock.gov.uk**  
Application No: 16/01035/TBC  
The Tops Social Club  
Argent Street, Grays  
Scale: 1:1,250 Date printed: 05/01/2017  
THIS PLAN IS PRODUCED FOR  
PLANNING & BUILDING CONTROL  
REGULATION PURPOSES ONLY.  
NO FURTHER COPIES MAY BE MADE.

<p><b>Reference:</b> 16/01035/TBC</p>	<p><b>Site:</b> The Tops Social Club Argent Street Grays Essex RM17 6JU</p>
<p><b>Ward:</b> Grays Riverside</p>	<p><b>Proposal:</b> Redevelopment of the Tops Social Club site with the erection of one part 5 storey/part storey residential block comprising of 29 dwellings and one retail unit on the ground floor. Repositioning of the existing playground to the north part of the site. Creation of 8 associated parking spaces on the western side of Exmouth Road.</p>

<b>Plan Number(s):</b>		
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5485-1600B	Proposed Elevations	12th September 2016
5485-1601B	Proposed Elevations	12th September 2016
5485-1602B	Proposed Elevations	12th September 2016
5485-1603B	Proposed Elevations	12th September 2016
5485-1604B	Proposed Elevations	12th September 2016

The application is also accompanied by:	
<ul style="list-style-type: none"> <li>- Flood Risk Assessment</li> <li>- Design and Access Statement</li> <li>- Tree Report</li> <li>- Daylight and Sunlight Report</li> <li>- Energy and Water Statement</li> </ul>	
<b>Applicant:</b> Thurrock Council	<b>Validated:</b> 15 August 2016 <b>Date of expiry:</b> 14 November 2016
<b>Recommendation:</b> Deemed to be granted	

This application is scheduled for determination by the Council's Planning Committee because the application has been submitted by the Council (in accordance with Part 3 (b) Section 2 2.1 (b) of the Council's constitution).

## 1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission for the redevelopment of the Tops Social Club site; the 4/5 storey development proposed would offer 29 dwellings [100% affordable] in the form of 23 flats and 6 maisonettes as detailed in the summary table below. The development would also provide a retail unit on the ground floor. As part of the development, the existing playground to the northern part of the site would be removed and a new playground provided.
- 1.2 The proposed design reflects a modern contemporary approach with a flat roof design to both the 4 and 5 storey elements. The design would feature a curved facade to the south western corner of the building to reflect the road junction of Exmouth Road and Argent Street. The ground floor retail unit would be recessed with the upper storey block jetting out on stilts on the south and western elevations. The building would have open balconies with railings and recessed balconies. The material palette would include grey coloured brickwork, light grey cladding (to top floor of 4 storey block) and feature glazing.
- 1.3 The proposed replacement playground area would be located directly to the north of the 5 storey building section and would include a double slide, a climbing structure, swings and landscaping around the edge over a stepped levelled arrangement.
- 1.4 A summary of the proposals is provided in the table below:

Site Area:	0.2 hectares	
No. of Dwellings:	8 x 1 bedroom 2 person units (flats) 5 x 2 bedroom 3 person units (flats) 10 x 2 bedroom 4 person units (flats) 6 x 3 bedroom 5 person units (maisonettes)  Total 29 dwellings (23 flats and 6 maisonettes)	
Layout	Ground floor	6 maisonettes (lower level) and the retail unit (net floor area of 180.5m <sup>2</sup> . Bin stores and a bike store along with other store rooms and a plant room
	First Floor	6 maisonettes (upper level) and 4 flats (2 x 2 bedroom and 2 x 1 bedroom)
	Second Floor	8 flats (6 x 2 bedroom and 2 x 1 bedroom)
	Third Floor	7 flats (5 x 2 bedroom and 2 x 1 bedroom)
	Fourth Floor	4 flats (2 x 2 bedroom and 2 x 1 bedroom)
	Roof level	Photovoltaic panels to be installed to flat roof to roof of 4 storey section and a communal garden area alongside lift housing to the flat roof level of 5 storey section
	Each unit would have its own balcony area One lift and one stairwell would connect all levels along with internal and external hallways/walkways	
Size of Dwellings:	Gross internal area	For flats between 53.3m <sup>2</sup> – 98.5m <sup>2</sup>
		For maisonettes 124.5m <sup>2</sup>
Amenity Space:	Balconies for flat including internal winter garden enclosed balconies all measuring between 5.7m <sup>2</sup> and 41.6m <sup>2</sup> Private gardens for maisonettes 89m <sup>2</sup> Winter gardens for maisonettes 9m <sup>2</sup> Communal Garden Areas 234m <sup>2</sup> (roof garden)	
Building Height:	Part 5 storey(19m)/part 4 storey (14m)	
Car Parking:	8 parking spaces along the western side of Exmouth Road in two banks of 4	

## 2.0 SITE DESCRIPTION

2.1 The application site is located on the corner of Argent Street and Exmouth Road, extending north and eastwards. The site is currently occupied by 'Tops Club' which is disused private members social club and a playground area along Exmouth Road. The existing 'Tops Club' building is a single storey structure with hard

surfaced car parking areas located to the south and west of the building and an open patio area at the north-western corner of the site.

- 2.2 Residential uses adjoin the site to the north, east and south. To the north and approximately 16m from the boundary of the site is Arthur Toft House, a high-rise residential tower 15-storeys in height. To the east of the site is Wyvern House, a development of three-storey flats dating from the late 1980's. To the south of the site on the opposite side of Argent Street are three-storey flats at Trinity House and Beville House, also dating from the late 1980's. Adjoining the site to the west is an equipped play area located at the junction of Argent Street and Exmouth Road.
- 2.3 Grounds levels fall from north to south across the site and the entire application site is located within the high risk flood zone (Zone 3).

### 3.0 RELEVANT HISTORY

Application Reference	Description	Decision
14/00975/OUT	Outline planning permission (with all matters reserved) for the demolition of the existing building and the construction of 24 no. one-bedroom apartments.	Approved 30.03.2015

### 4.0 CONSULTATIONS AND REPRESENTATIONS

- 4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council's website via public access at the following link: [www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)

#### PUBLICITY:

- 4.2 This application has been advertised by way of individual neighbour notification letters, press advert and public site notices which have been displayed nearby. There have been no representations received.

- 4.3 ESSEX & SUFFOLK WATER:

No objections

- 4.4 ENVIRONMENT AGENCY:

No objection subject to the Local Planning Authority applying the Sequential Test and Exception Test.

4.5 EDUCATION:

No objection subject to a financial contribution being provided towards Nursery, Primary and Secondary education.

4.6 EMERGENCY PLANNER:

No objections subject to conditions.

4.6 ENVIRONMENTAL HEALTH:

No objections subject to conditions.

4.7 FLOOD RISK MANAGER:

No objections subject to conditions.

4.9 HIGHWAYS:

No objections subject to conditions.

4.10 LANDSCAPE & ECOLOGY:

No objections subject to conditions.

4.11 PUBLIC HEALTH:

Concerns over loss of three trees and no apparent natural green space due to high storey buildings

**5.0 POLICY CONTEXT**

5.1 National Planning Policy Framework

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning

authorities should apply the presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- Core Planning Principles
- Building a strong, competitive economy
- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Requiring good design
- Promoting healthy communities
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment

## 5.2 Planning Practice Guidance

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 42 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Air Quality
- Climate Change
- Design
- Flood risk and coastal change
- Hazardous substances
- Health and wellbeing
- Land affected by contamination
- Light pollution
- Natural environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning obligations
- Renewable and low carbon energy
- Tree preservation orders and trees in conservation areas
- The use of planning conditions

## 5.3 Local Planning Policy Thurrock Local Development Framework (LDF) (2011)

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The following LDF Core Strategy (LDF CS) policies also apply to the proposals:

#### OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

- OSDP1 Promotion of Sustainable Growth and Regeneration in Thurrock<sup>1</sup>

#### SPATIAL POLICIES

- CSSP1: Sustainable Housing and Locations

#### THEMATIC POLICIES

- CSTP1: Strategic Housing Provision
- CSTP2: The Provision Of Affordable Housing
- CSTP7: Network of Centres
- CSTP8: Vitality and Viability of Existing Centres
- CSTP9: Well-being: Leisure and Sports
- CSTP10: Community Facilities
- CSTP11: Health Provision
- CSTP12: Education and Learning
- CSTP14: Transport in the Thurrock Urban Area
- CSTP20: Open Space
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness <sup>2</sup>
- CSTP25: Addressing Climate Change<sup>2</sup>
- CSTP26: Renewable or Low-Carbon Energy Generation<sup>2</sup>
- CSTP27 Management and Reduction of Flood Risk<sup>2</sup>
- CSTP29: Waste Strategy

#### POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 Minimising Pollution and Impacts on Amenity<sup>2</sup>
- PMD2 Design and Layout<sup>2</sup>
- PMD3: Tall Buildings
- PMD5: Open Spaces, Outdoor Sports and Recreational Facilities
- PMD7: Biodiversity, Geological Conservation and Development<sup>2</sup>
- PMD8: Parking Standards<sup>3</sup>
- PMD10: Transport Assessments and Travel Plans<sup>2</sup>
- PMD16: Developer Contributions<sup>2</sup>
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment<sup>2</sup>
- PMD12: Sustainable Buildings<sup>2</sup>

[Footnote: 1New Policy inserted by the Focused Review of the LDF Core Strategy. 2Wording of LDF-CS Policy and forward amended either in part or in full by the Focused Review of the LDF Core Strategy. 3Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

#### 5.4 Focused Review of the LDF Core Strategy (2014)

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

#### 5.5 Draft Site Specific Allocations and Policies DPD

The Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

#### 5.6 Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

The above report was considered at the February 2014 meeting of the Cabinet. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy ‘Broad Locations & Strategic Sites’ to ensure that the Core Strategy is up to-date and consistent with Government Policy and recommended the ‘parking’ of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan.

### **6.0 ASSESSMENT**

6.1 The issues to be considered in this case are the following:

- I. Principle of the Development
- II. Loss of Existing Facilities
- III. Housing Land Supply, Need, Mix and Affordable Housing
- IV. Design and Layout and Impact upon the Area
- V. Landscaping , Loss of Trees and Private Amenity Space
- VI. Effect on Neighbouring Properties
- VII. Highway matters
- VIII. Flood Risk and Drainage
- IX. Sustainable Buildings and Energy Consumption
- X. Planning obligations
- XI. Other considerations

I. Principle of the Development

- 6.2 The principle of the redevelopment of this site for residential purposes has been established through the grant of outline planning consent in March 2015 [under reference 14/00975/OUT]. That permission is extant and provides for the redevelopment of the Tops Club landholding to create 24 flats in a three storey building.
- 6.3 The difference between the current and previous application is that the previous application only included the 'Tops Club' site and not the existing playground area [the previous application represented a smaller site not extending to the road junction of Exmouth Road and Argent Street].
- 6.4 LDF CS policy CSSP1 (Sustainable Housing and Locations) refers to the target for the delivery of new housing in the Borough over the period of the Development Plan. This policy notes that new residential development will be directed to previously developed land in the Thurrock urban area, as well as other specified locations. The policy aims to ensure that up to 92% of new residential development will be located on previously developed land. The application site is within the urban area and comprises a 'brownfield' site. Although the site was not identified as a potential location for residential development in the 2012 and 2013 Site Specific Allocations and Policies DPD consultations, the principle of housing would be compatible with the character of surrounding development. Accordingly, the site may be considered as a 'windfall' location for housing and no objections are raised to the principle of residential development at this location.
- 6.5 The proposal involves the provision of a retail unit with no end user known at this stage. It is envisaged that this unit would provide a local convenience store. Given its location the retail unit is considered significantly distant from Grays town centre and therefore would not adversely affect the vitality and viability of the Grays town centre in regard to policies CSTP (Network of Centres) and CSTP8 (Vitality and Viability of Existing Centres). Therefore the retail store is acceptable in principle.

6.6 The proposal would also involve the reduction of the existing playground area to a smaller playground approximately half the size of the existing one. The principle of retaining a form of playground is acceptable.

II. Loss of Existing Facilities

6.7 LDF Core Strategy policy CSTP10 (Community Facilities) states that the Council will safeguard existing community facilities and will only allow their loss in circumstances where appropriate facilities of equal or better quality will be provided as part of the development.

6.8 The development would lead to the loss of the existing 'Tops Club' however this particular consequence of the redevelopment of the site was considered at length by the Council's Planning Committee in 2015 and given that consent exists for the redevelopment of the site [which would also see the loss of the club] it is not considered necessary to revisit this aspect of the development on this occasion.

6.9 LDF CS Policy PDM5 seeks to safeguard all recreational facilities from being lost either completely or partially.

6.10 An existing playground is located to the west of the 'Tops Club' building; this playground area would be lost but a replacement playground is proposed directly to the north of the site. The replacement playground would be smaller than the existing but would be better designed and better equipped, in accordance with the aims of policy PMD5.

6.11 In terms of equipment, the application proposes to provide a new double slide at the highest point of the site, climbing structure in the middle section of the playground alongside an under 4's play equipment area and swings. Within the playground space 6 trees, hedging and further planting is proposed. All exact details will need to be agreed through the use of a planning condition.

6.12 The Council's Environment team have raised no objection to the playground area.

6.13 To ensure the playground space is not lost during the construction phase of the development the replacement playground would be need to be constructed during the early stages of the development. Such measures can either be controlled through planning condition.

III. Housing Land Supply, Need, Mix and Affordable Housing

6.14 The proposed development would contribute to the five year housing land supply through the provision of 29 dwellings and in terms of this location would introduce

29 affordable housing units (100%) which are necessary to meet the affordable housing needs of the Borough. As a Council application submitted by the Housing Team the proposed housing size and requirements are appropriate to meet the affordable housing needs of the Borough. The proposed development represents a high density development in this location.

#### IV. Design and Layout and Impact upon the Area

- 6.15 LDF CS Policy PMD2 seeks to achieve the requirements of Chapter 7 of the NPPF on 'Requiring Good Design' and the proposed layout of the development would make most efficient use of the site in terms of site coverage and would be set off the eastern boundary with the nearest neighbouring property. The layout would introduce development in close proximity to the road junction of Exmouth Road and Argent Street but this is considered acceptable. Internally each dwelling unit would provide good levels of internal accommodation and circulation space to meet the standards stated in Annex 1 of the Borough Local Plan. The layout shows that habitable rooms would be sited towards the southern elevation of the building to benefit from solar gain.
- 6.16 The scale development would represent a significant change from the existing low rise single storey club building on site and the open character of the existing street corner at the road junction of Exmouth Road and Argent Street. However, in this area there are 3 and 4 storey buildings in close proximity with a 15 storey tower block to the north of the site. It is therefore considered that some variation in height would be acceptable and the 5 storey element would provide a feature structure for the street corner. The building would 'step down' eastwards from 5 to 4 storeys before the streetscape is continued with the neighbouring 3 storey block to the east of the site.
- 6.17 The proposed design reflects a modern contemporary approach with a flat roof design to both the 4 and 5 storey elements. The design would feature a curved facade to the south western corner of the building to reflect the road junction of Exmouth Road and Argent Street. The ground floor retail unit would be recessed with the upper storey block jutting out on stilts on the south and western elevations. The design would have open balconies with railings and recessed balconies. The material palette would include grey coloured brickwork, light grey cladding (to top floor of 4 storey block) and feature glazing.
- 6.18 The design of the building has evolved through pre-application discussions with officers and influenced by a workshop session held with Design Council CABA.
- 6.19 In conclusion under this heading, it is considered that the proposed development is acceptable in terms of the layout, scale, design and density considerations in terms of LDF CS policy PMD2.

## V. Loss of Trees, Landscaping and Private Amenity Space

- 6.20 There are two prominent trees on the frontage of the site to Argent Street: a mature Horse Chestnut close to the western boundary and a semi-mature Sycamore close to the centre of the site frontage. The proposals involve the removal of both trees, which are subject of Tree Preservation Orders (TPOs). The specimens have been inspected by the Council's arboricultural advisor and are considered to be in a poor condition. Consequently, there are no objections to the removal of the trees subject to the provision of suitable replacements as part of a landscaping scheme for the site. Within the highway land and outside of the site a row of new trees are shown proposed along Argent Street. These proposed trees, subject to them being appropriate replacement specimens, would compensate for the loss of the two TPO trees. There is also scope for further tree planting to the north of the site.
- 6.21 Root protection measures would need to be put into place for the protection of the remainder of the trees. The majority of the trees lie outside of the site and border the northern boundary with some forming the eastern boundary to the existing playground space. Nevertheless this is Council owned land and root protection measures could be installed limiting ground excavation in these root protection areas as part of a landscape protection condition.
- 6.22 There are no details of proposed planting arrangements for the development however details could be agreed through a landscaping condition for the whole site to ensure compliance with LDF CS policy PMD2.
- 6.23 Based on the gross floorspace of each dwelling unit the proposal would provide acceptable levels of amenity space in the form of balconies of various sizes which are often the most usable source of amenity space for flats as well as communal amenity space in the form of a rooftop garden in this instance of 234 sqm. The maisonettes as the larger units would benefit from a rear garden area of 89 sqm and an enclosed balcony defined as a 'winter garden' on the plans of 9 sqm. In terms of nearby public open space the site is adjacent to an existing playground which whilst reduced in size would provide access for future occupiers as well as the nearby is the 'Grays Beach' recreation park.

## VI. Effect on Neighbouring Properties

- 6.24 The surrounding area is predominantly residential and the nearest property that would be affected by the proposal is located directly to the east of the site which is a three storey block of flats known as Wyvern House which has six window openings on the western flank side wall facing the site that would be 4.6m from the eastern side wall of the proposed development. This represents an increase in distance when compared to the extant outline permission which provides only a 3m building to building distance. The relationship between the existing and proposed

buildings is therefore considered acceptable.

- 6.25 To the south of the site, existing flats at Trinity House and Beville House are located on the opposite (south) side of Argent Street and over 20m from the boundary of the site. Given this degree of separation, the proposal would not result in material harm to the amenity enjoyed by residents located to the south. To the north of the application site is a 15 storey residential block (Arthur Toft House). This building is sited approximately 16m from the northern boundary of the site and is situated at a higher ground level than the site. Based on the site layout plan, there would be a distance of some 23m between the proposed building and Arthur Toft House. A number of mature trees, many of which would remain, are located adjacent to the northern boundary of the site would partially screen the site from residents within Arthur Toft House. In these circumstances, it is considered that the residential amenity would not be materially harmed by way of loss of privacy, outlook or light.
- 6.26 Immediately to the west is Exmouth Road with the Seabrook Rise estate to the western side of the road which would not be significantly affected by the proposed development.

#### VII. Highway matters

- 6.27 Owing to its close proximity to Grays Town Centre, the site is classified as being within a 'high accessibility' area where a car parking range of between 0 to 1 space per dwelling is expected. The development would provide 8 parking spaces along the western side of Exmouth Road.
- 6.28 The Council's Highway Officer has raised no objection to the application subject to controls being introduced to prevent future residents of the development from obtaining parking permits. It should be noted that the parking permit application process is separate to planning legislation so would not be enforceable under planning legislation, but could be suitably controlled by the Highway Authority.
- 6.29 A new vehicular access would be formed from Exmouth Road which would be a gated 'waste management and fire access' only. Pedestrian access would be achieved via a number of entrances to the building and the inclusion of an internal lift system that would allow for access to all.
- 6.30 The Council's Highway Team require 1 cycle parking space per dwelling in a covered and secure facility. A bicycle store is shown to the rear of the retail unit and the rear entrance to the apartments. This is shown to only accommodate 12 bicycles and therefore further bicycle storage is required. Given the extent of site coverage of the building footprint there is limited room to provide safe, covered and secure cycle facilities but there is an opportunity to provide further bicycle facilities along either the eastern elevation of the building or at the rear of the gated 'waste

management and fire access'. Such details can be agreed through the use of a planning condition.

#### VIII. Flood Risk and Drainage

- 6.31 The site is located within high risk flood zone (Zone 3) and the application is accompanied by a flood risk assessment demonstrating that the site is at most risk from fluvial flooding from the River Thames which is tidal but this area is protected by flood defences. The consultation response received from the Environment Agency informs the local planning authority to undertake the Sequential Test and Exception Test which is required by the NPPF. The purpose of the Sequential Test is to steer new development to areas with the lowest probability of flooding (Zones 1 and 2). Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives for the development to be located in zones with a lower probability of flooding the Exception Test can be applied.
- 6.32 The Sequential Test has been applied to the proposals and that Test concludes that there are no reasonably available sites located in areas of lower flood risk within the search area that would be appropriate for the type of development proposed. The Exception Test also needs to be applied as the proposal is classified as a 'more vulnerable use' within flood zone 3 but it is considered that the proposals would deliver benefits to sustainability which would outweigh flood risk issues and that, subject to mitigation, the development will be safe without increasing flood risk elsewhere.
- 6.33 The FRA explains that flood resilient measures would be installed including higher level electric sockets and fuse boxes and that an evacuation plan would be implemented and this would be subject of the requirement of a planning condition and is sought by the Emergency Planner in their consultation response to the application.
- 6.34 Foul drainage would be achieved through connection to the main system owned and managed by Anglian Water. In terms of surface water management the site currently has limited impermeable areas so is subject to run off. The FRA identifies that drainage scheme will be submitted and this will need to be subject of a planning condition but the FRA does identify that a sustainable urban drainage system (SUDS) is the best solution. Various surface water management techniques are listed including rainwater storage in tanks and porous surfaces.

#### IX. Sustainable Buildings and Energy Consumption

- 6.35 An Energy and Water Statement accompanies the planning application and explains that the building has a low energy building design. The building would incorporate suitable technologies to meet the 15% energy target required through LDF CS policy PMD13 for an 'excellent' standard. As full details of all installations and methods are not known at this stage the details of such installations would need to be agreed through planning condition.

X. Planning obligations

- 6.36 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The Policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.37 Following changes in legislation (Community Infrastructure Levy Regulations) in April 2015 the Council produced its Infrastructure Requirement List (IRL) which changed the way in which planning obligations through section 106 agreements can be sought. The changes brought in pooling limitations to a maximum of 5 contributions towards a type or item of infrastructure. The IRL therefore provides an up to date list of physical, social and green infrastructure to support new development in Thurrock. This list is bi-annually reviewed to ensure it is up to date. The IRL applies a number of different development scenarios.
- 6.38 From the IRL the proposal would fall within the category H1 scenario for housing development and R1 for retail development. Through consultation the development would require a financial contribution towards education and highways works [reference H1 – 57 and 41 – primary and secondary education and R1 – IRL 88 – contribution towards riverside footpath/cycleway].
- 6.39 As this is a Council development the Council's Housing Team as the developer has agreed with Planning by way of a Memorandum of Understanding to internal Council recharges from Housing to Education and Highways in respect of financial contributions towards education and cycle path provision respectively. In addition the Housing Team have undertaken to provide 100% affordable housing as part of the development.

XI. Other considerations

- 6.40 The site is located within the urban area and despite the Tops Club not being used the site has been maintained to the extent that there would be limited opportunities for ecology and biodiversity to flourish.

- 6.41 Details of future refuse/recycling storage and external lighting to the building and within the site can be agreed through planning condition.
- 6.42 The proposal would introduce mainly residential uses to the site apart from the retail unit and new but smaller playground to the north. Therefore compared to the current use of the site the proposal would give rise to a less nosy development.

## 7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

The development would provide much needed affordable housing in a location that has good accessibility and is close to the town centre area for services, facilities and transport hubs. The proposal is for a high quality designed development that would visually improve the area. The proposed development would lead to a smaller playground area and the loss of some mature trees which is unfortunate but replacement trees could be agreed through condition. All other material considerations such as neighbouring amenity, flood risk and highways are acceptable subject to planning conditions. For these reasons the recommendation is to approve the application.

## 8.0 RECOMMENDATION

It is recommended expressly for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992, permission be deemed to be granted for the above development, subject to compliance with the following planning conditions:

### Standard Time

- 1. The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission.

**Reason:** In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

### Approved Plans

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Number(s):		
Reference	Name	Received
5485-1000B	Location Plan	10th August 2016

5485-1002A	Existing Site Layout	10th August 2016
5485-1020A	Sections	10th August 2016
5485-1021A	Sections	10th August 2016
5485-1022A	Existing Elevations	10th August 2016
5485-1101B	Proposed Site Layout	10th August 2016
5485-1200B	Proposed Floor Plans	10th August 2016
5485-1201B	Proposed Floor Plans	10th August 2016
5485-1202B	Proposed Floor Plans	10th August 2016
5485-1203B	Proposed Floor Plans	10th August 2016
5485-1204B	Proposed Floor Plans	10th August 2016
5485-1207B	Roof Plans	10th August 2016
5485-1700A	Sections	10th August 2016
5485-1701A	Sections	10th August 2016
5485-1204B	Proposed Floor Plans	12th September 2016
5485-1600B	Proposed Elevations	12th September 2016
5485-1601B	Proposed Elevations	12th September 2016
5485-1602B	Proposed Elevations	12th September 2016
5485-1603B	Proposed Elevations	12th September 2016
5485-1604B	Proposed Elevations	12th September 2016

**Reason:** For the avoidance of doubt and in the interest of proper planning.

#### **Use of Ground Floor Retail Unit**

3. The ground floor commercial unit shall only be used for uses falling within Class A1 of the Town and Country Planning [Use Classes] Order 1987 (as amended).

**Reason:** To ensure that the use is appropriate for this location with regard to policy PMD1 of the LDF Core Strategy and Policies for the Management of Development DPD [2011].

#### **Hours of Use and Delivery Hours for Retail Unit**

4. Prior to first occupation of the ground floor retail unit hereby approved details of the proposed hours of use and delivery hours associated with this use shall be submitted to and approved by the Local Planning Authority. The use of the ground floor retail unit shall only operate in accordance with the details as approved.

**Reason:** To safeguard the amenities of the occupiers of the adjoining

residential dwellings in accordance with policy PMD1 of the LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Playground Area**

5. Notwithstanding the details stated within the application, no development shall commencement until full details of the new playground area including all details of new playground equipment and landscaping and planting schedules for this area have been submitted to and approved by the Local Planning Authority. The playground area details shall be implemented in accordance with the details.

**Reason:** Due to the loss of the existing larger playground area an enhanced playground area shall be provided for the benefit of local people in accordance with the requirements policy PMD1 of the LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Playground Implementation**

6. The new playground area shall be developed and made available for use prior to the commencement of the development of the development unless otherwise agreed in accordance with a phasing programme to be submitted to and approved by the Local Planning Authority. If a phasing programme is provided the playground area shall be implemented in accordance with the agreed phasing programme.

**Reason:** To ensure minimum disruption to the users of the playground area and that the loss of playground facility is only for a minimal temporary period of time to allow for an enhanced playground area to be developed and made available for use for the benefit of local people in accordance with the requirements policy PMD1 of the LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Materials**

7. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the local planning authority.

**Reason:** In the interests of visual amenity and to ensure that the proposed development is satisfactorily integrated with its surroundings in accordance

with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Boundary treatment**

8. No development shall take place until details of the locations, heights, designs, materials and types of all boundary treatments to be erected on site have been submitted to and approved by the Local Planning Authority. The boundary treatments shall be erected/installed in accordance with the approved details and retained as such thereafter.

**Reason:** In the interests of visual amenity, privacy and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings as required by policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Landscaping Scheme**

9. No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority a detailed scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any trees and hedgerows to be retained, together with measures for their protection in the course of development, and a programme of maintenance. The landscaping details shall be substantially in accordance with the details stated in Appendix B of the Design and Access Statement and shall include details of type and species of replacement trees for the trees to be lost as a result of the development. All planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding season following commencement of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

## **Landscape Protection**

10. No development shall commence until the details contained in the 'BS 5837 Arboricultural Report' accompanying this planning application have been implemented including protective fencing to be erected prior to the commencement of any works on the site; no materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside this fencing; no changes in ground level may be made or underground services installed within the spread of any tree or shrub without the previous written consent of the Local Planning Authority.

**Reason:** To ensure that all existing trees are properly protected, in the interests of visual amenity and to accord with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

## **Obscure Glazing to Eastern Elevation Windows Above Ground Floor**

11. All windows above ground floor level in the eastern side elevation of the building hereby permitted shall be finished with opaque glazing and shall be fixed shut with the exception of top-hung fanlights and shall be permanently retained as such.

**Reason:** To ensure that adjoining residential amenity is protected in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

## **Removal of Permitted Development Rights**

12. Notwithstanding the provisions of the Town & Country Planning [General Permitted Development] Order 2015 [or any order revoking and re-enacting that Order with or without modification] no development falling within Classes A, D, E, G, H of Part One of the Second Schedule of that Order shall be carried out on the site for the 'maisonettes' hereby approved as part of this development.

**Reason:** In the interests of amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings in accordance with Policies PMD1 and PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD [2011].

### **Parking provision**

13. The development hereby permitted shall not be first occupied/provided with connection to utility services until such time as the vehicle parking area indicated on the approved plans has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area(s) shall be retained in this form at all times. The vehicle parking area(s) shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development unless otherwise agreed with the Local Planning Authority.

**Reason:** To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with policy PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Cycle Provision**

14. Prior to first occupation of the development the 'Bike Store' as shown on drawing number 1200 'proposed GA Ground Floor Plan' shall be implemented in accordance with the details as shown this approved plan and shall be retained as such thereafter.

**Reason:** To ensure appropriate parking facilities for bicycles/powered two wheelers are provided in accordance with policy PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Additional Cycle Provision**

15. Notwithstanding bike store shown on drawing 1200 'proposed GA Ground Floor Plan' additional cycle parking provision shall be provided within the site with the details of the additional cycle parking provision to be agreed but shall include shall include a secure and covered cycle parking area. The approved additional cycle parking provision shall be implemented as approved and retained as such thereafter.

**Reason:** To address the shortfall in cycle parking provision and to ensure additional appropriate parking facilities for bicycles/powered two wheelers is provided in accordance with policy PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

## **Levels**

16. No development shall commence until details showing the proposed finished ground and finished floor levels of the development in relation to the levels of the surrounding area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the scheme as approved.

**Reason:** In order to protect the visual amenity of the area in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

## **Surface Water Drainage**

17. No development shall commence until a scheme for the provision and implementation of surface water drainage incorporating sustainable urban drainage schemes (SuDS) and details of who will be responsible for the detailed maintenance and management of the SuDS has been submitted to and approved in writing by the local planning authority. The scheme shall be constructed and completed in accordance with the approved plans and prior to the occupancy of the development.

**Reason:** To ensure that appropriate drainage is installed to prevent the site from flooding and environmental harm in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

## **Flood Warning and Evacuation Plan**

18. Prior to first occupation/usage of the site a Flood Warning and Evacuation Plan shall be submitted and approved by the Local Planning Authority. The Flood Warning and Evacuation Plan as approved shall be implemented and be made available for inspection by all users of the site and shall be displayed in a visible location all times thereafter.

**Reason:** To ensure that maximum flood protection for future users of the development hereby permitted in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Refuse/ Recycling Storage**

19. No development shall commence until details of the means of refuse and recycling storage including details of any bin stores to be provided shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and provided prior to the first occupation/usage of the development and retained for such purposes at all times thereafter.

**Reason:** To prevent any environmental harm in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Renewable energy installation**

20. No development shall commence until details of proposed photovoltaic panels and any other proposed renewable energy measures to demonstrate that the development will achieve the generation of at least 15% of its energy needs through the use of decentralised, renewable or low carbon technologies have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented and operational upon the first use or occupation of the buildings hereby permitted and shall thereafter be retained in the agreed form unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that development takes place in an environmentally sensitive way in accordance with Policy PMD13 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **External lighting**

21. No development shall commence until details of the external lighting for the site including the luminance and spread of light and the design and specification of the light fittings have been submitted to and approved in writing by the Local Planning Authority, excluding one individual security lighting per dwelling. All illumination shall be implemented and retained as such in accordance with the details as approved.

**Reason:** To minimise light pollution upon nearby property including residential properties in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Communal TV/Satellite**

22. Notwithstanding the provisions of the Town & Country Planning [General Permitted Development] Order 2015 [or any order revoking or re-enacting that Order with or without modification] the flats and maisonettes hereby permitted shall be equipped with a communal satellite dish(es). Details of the number, size, external appearance and the positions of the satellite dish(es) shall be submitted to and agreed in writing by the local planning authority prior to the installation of such systems. The agreed communal satellite dish systems shall be installed prior to the residential occupation of the flats and thereafter retained. Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 2015 [or any Order revoking or re-enacting that Order with or without modification] other than those agreed by way of the above scheme, no additional satellite dish(es) or aerials shall be fixed to the building without the prior written approval of the local planning authority.

**Reason:** In the interests of visual amenity and to ensure that the development can be integrated within its immediate surroundings in accordance with Policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Construction Environmental Management Plan (CEMP)**

23. No construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the Local Planning Authority in writing. The CEMP should contain or address the following matters:

- (a) Hours of use for the construction of the development
- (b) Hours and duration of any piling operations,
- (c) Vehicle haul routing in connection with construction, remediation and engineering operations,
- (d) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site,
- (e) Details of construction access and details of temporary parking requirements;
- (f) Location and size of on-site compounds [including the design layout of any proposed temporary artificial lighting systems]
- (g) Details of any temporary hardstandings;
- (h) Details of temporary hoarding;
- (i) Method for the control of noise with reference to BS5228 together with a monitoring regime
- (j) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime

- (k) Dust and air quality mitigation and monitoring,
- (l) Water management including waste water and surface water discharge,
- (m) Method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals,
- (n) A Site Waste Management Plan,
- (o) Ecology and environmental protection and mitigation,
- [o] Community liaison including a method for handling and monitoring complaints, contact details for site managers.
- [p] details of security lighting layout and design;
- [q] a procedure to deal with any unforeseen contamination, should it be encountered during development.

Works on site shall only take place in accordance with the approved CEMP.

**Reason:** In order to minimise any adverse impacts arising from the construction of the development in accordance with Policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD [2011].

#### **Details of the Communal Roof Garden**

24. No development shall commence until details of the proposed layout of the communal roof garden including boundary treatment, hard and soft landscaping have been submitted to and approved by the local planning authority. The details shall be implemented as approved.

**Reason:** In the interests of providing amenity space for the future occupiers of the dwellings in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

#### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant/Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. Furthermore, Members of the planning committee took the decision to grant planning permission as the proposal has been considered acceptable.

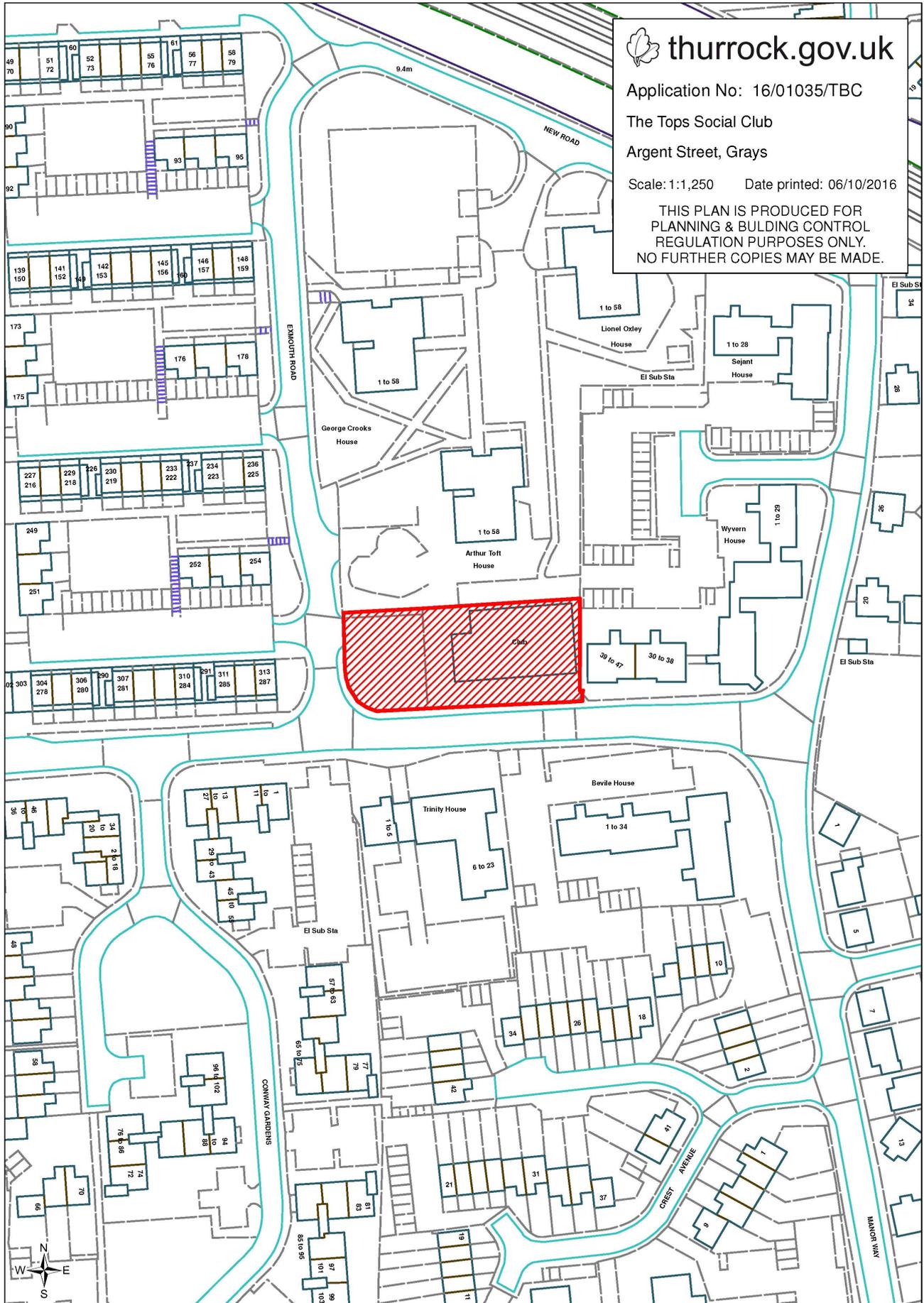
**Informative**

The applicant is advised that future occupiers of the development hereby consented will be prohibited from obtaining parking permits by the Highway Authority.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

[www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)



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<b>Reference:</b> 16/01374/FUL	<b>Site:</b> Barn To North East Of St Cleres Hall Stanford Road Stanford Le Hope Essex SS17 0LX
<b>Ward:</b> Stanford Le Hope West	<b>Proposal:</b> Demolition of existing car storage building and erection of a residential terrace of 5no. three bedroom dwellings

Plan Number(s):		
Reference	Name	Received
P001-D	Site Layout	10th October 2016
P002-C	Proposed Elevations	10th October 2016
P003-B	Location Plan	10th October 2016
00	Other	10th October 2016
2855D	Other	10th October 2016

The application is also accompanied by: <ul style="list-style-type: none"> <li>- Design and Access Statement</li> <li>- Tree Survey Arboricultural Implication Assessment and Method Statement</li> </ul>	
<b>Applicant:</b> Dr M Valente	<b>Validated:</b> 10 October 2016  <b>Date of expiry:</b> 23 <sup>rd</sup> January 2017
<b>Recommendation:</b> Refuse	

This application is scheduled for determination by the Council's Planning Committee because a very similar application (planning ref. 16/00271/FUL) was recently called in and determined by the Planning Committee.

## 1.0 DESCRIPTION OF PROPOSAL

- 1.1 The proposed development would involve the erection of a terrace of five, three-bedroom dwellings in place of the existing car storage building.
- 1.2 Planning approval for the erection of 14 dwellings was approved under planning application ref. 11/50268/TTGFUL and the build is well underway. It is the applicant's intention to construct 12 of the 14 dwellings consented; the siting of the

final pair of semi-detached dwellings is occupied by the existing car storage building, and remains undeveloped. This current application seeks permission to erect a terrace of five, three-bedroom dwellings in place of the existing car storage building, making a total of 17 dwellings on site.

- 1.3 A previous application for a very similar development (16/00271/FUL) was refused by Members on the grounds that the level of rear garden amenity space was inadequate and would therefore be harmful to the amenities of the occupiers of the new dwellings. In an attempt to address the reason for refusal of that application, the applicant has sought to increase the overall garden area provided for the proposed new dwellings and has submitted further information in support of their proposals.

**2.0 SITE DESCRIPTION**

- 2.1 The application site is situated within the Green Belt to the West of Stanford-le-Hope. The site, which is located on the south side of Stanford Road, forms part of a redundant farmyard and is currently occupied by a large car storage building. Access to the site is provided from a driveway that is shared with St Clere’s Hall Golf Club. The eastern and western site boundaries are characterised by mature landscaping. The area immediately surrounding the application site forms part of the St Clere’s Golf Club site and also where residential development (subject to planning approval ref. 11/50269/TTGFUL) is being constructed.
- 2.2 The site is adjoined to the East by residential development fronting London Road and the cul-de-sac of Oxford Road, and to the West by St Clere’s Hall, which is a Grade II\* listed building. This building was once a farmhouse but is now used as the club house for St Clere’s Hall Golf Club.

**3.0 RELEVANT HISTORY**

Reference	Description	Decision
10/50230/TTGFUL	Erection of 14 dwellings	Withdrawn
11/50268/TTGFUL	Erection of 14 dwellings	Approved
14/00547/CONDC	Discharge of conditions 2,3,4,8,9,10,21,22 and 23 on previous planning application 11/50268/TTGFUL.	Advice Given
14/00654/CONDC	Discharge of Conditions 5, 6, 12, 15, 18 and 19 against approved planning application 11/50268/TTGFUL	Advice Given
14/01009/CV	Variation of conditions 3,4,8,10,19 and 21	Withdrawn
16/00271/FUL	Demolition of existing car storage building and erection of a residential terrace of 5no. three bedroom dwellings	Refused

#### **4.0 CONSULTATIONS AND REPRESENTATIONS**

4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council's website at:

[www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)

#### **4.2 PUBLICITY:**

The application has been publicised by the display of a site notice, a newspaper advertisement and consultation with neighbouring properties.

4.3 Three letters of representation have been received objecting to the proposal on the following grounds:

- The site is located within the Metropolitan Green Belt;
- The proposal seeks to provide 5 terraced dwellings on the site of the 2 semi-detached dwellings previously approved under 11/50265/TTGFUL;
- Potential overlooking and loss of amenity;
- Landscaping.

#### **4.4 LANDSCAPE AND ECOLOGY:**

No objections, subject to condition.

#### **4.5 HIGHWAYS:**

No objections, subject to conditions.

#### **4.6 ENVIRONMENTAL HEALTH:**

No objections, subject to conditions.

#### **4.7 HERITAGE:**

No objection.

#### **4.8 EDUCATION:**

No education contributions sought for this development as the scheme is below the 10 unit threshold.

#### **5.0 POLICY CONTEXT**

##### **5.1 National Planning Policy Framework (NPPF)**

The NPPF was published on 27<sup>th</sup> March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The following headings and content of the NPPF are relevant to the consideration of the current proposals:

7. Requiring good design

## 5.2 Planning Practice Guidance (PPG)

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 42 subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of this planning application comprise:

- Design
- Determining a planning application
- Use of Planning Conditions

## 5.3 Local Planning Policy

### Thurrock Local Development Framework (2011)

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The Adopted Interim Proposals Map shows the site as falling within a Secondary Industrial and Commercial Area.

The following Core Strategy policies apply to the proposals:

#### THEMATIC POLICIES

- CSSP1: Sustainable Housing and Locations
- CSSP3: Sustainable Infrastructure
- CSSP4: Sustainable Green Belt
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness
- CSTP24 - Heritage Assets and the Historic Environment

## POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity<sup>2</sup>
- PMD2: Design and Layout<sup>2</sup>
- PMD4 - Historic Environment
- PMD6: Development in the Green Belt
- PMD8: Parking Standards
- PMD16: Developer Contributions

[Footnote: <sup>1</sup>New Policy inserted by the Focused Review of the LDF Core Strategy.  
<sup>2</sup>Wording of LDF-CS Policy and forward amended either in part or in full by the Focused Review of the LDF Core Strategy. <sup>3</sup>Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

### 5.4 Focused Review of the LDF Core Strategy (2014)

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

### 5.5 Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

The above report was considered at the February 2014 meeting of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan.

## 6.0 ASSESSMENT

6.1 The main issues for consideration are as follows:

- I. Principle of Development in the Green Belt and Layout

- II. Amenity and Heritage Impacts
- III. Landscaping
- IV. Other Matters
- V. Infrastructure

I. PRINCIPLE OF DEVELOPMENT IN THE GREEN BELT AND LAYOUT

- 6.2 The NPPF states that a Local Planning Authority should regard the construction of new buildings in the Green Belt as ‘inappropriate’ unless the proposal involves (amongst other things) limited infilling or the partial or complete redevelopment of previously development sites (Brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 6.3 The NPPF defines "Previously developed land" to be: *Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.*
- 6.4 The principle of the re-development of the car storage building for residential purposes has already been established by the granting of full planning permission under reference 11/50268/TTGFUL. Essentially the applicant could continue to develop the site of the car storage building to create two, semi-detached dwellings in accordance with 11/50268/TTGFUL but is seeking to develop it to create five terraced dwellings. The primary consideration here is whether the development of five terraced dwellings would have a greater impact upon the openness and rural character of the area than the consented scheme.
- 6.5 A calculation of the floor space and volume of the existing building with a comparison of the proposed development has been undertaken so that a comparison of the impact upon the Green Belt can be demonstrated.

	Area (Footprint)	Area Space)	(Floor Volume
<b>Current car storage building</b>	<b>345 sqm</b>	<b>345 sqm</b>	<b>3,795 cubic metre</b>
<b>Proposed terrace of five dwellings</b>	<b>225 sqm</b>	<b>620 sqm</b>	<b>1,784 cubic metre</b>

<b>Difference between existing car storage building and proposed development</b>	<b>120 sqm reduction</b>	<b>275 sqm increase</b>	<b>2,011 cubic metre reduction</b>
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- 6.6 As can be viewed in the above table, whilst the proposed total floor area for the proposal would increase [a consequence of additional internal floor levels within the dwellings], the overall volume and mass of building on the site would decrease significantly. The proposal would be located on broadly the same footprint as plots 13 and 14 for the previously approved residential development. The proposed change in the design and scale of the building would be acceptable and would not appear out of character with the remainder of the development or the location.
- 6.7 In conclusion under this heading, despite increasing the number of properties, the proposed development would result in a reduction of building on the site compared with the existing situation, thereby improving the openness of the Green Belt at this point. Consequently, no objection is raised under Policy PMD 6 or the guidance within the NPPF.
- 6.8 Through Annexe 1.2 of the Thurrock Borough Local Plan (1997) and LDF CS Policy PMD2, the Council requires new residential dwellings of the size proposed in this application to have private gardens of at least 75 sqm (per dwelling). In an attempt to overcome the previous reason for refusal, the applicant has amended their plans to increase the total rear garden area serving the proposed five properties by 3 sqm (0.6 sqm average increase per dwelling) so that all five rear gardens would provide 60 sqm. This very slight increase would be of no meaningful benefit to the future occupiers of the dwellings and the proposal would continue to result in the provision of inadequate rear garden amenity space and would therefore be harmful to the amenities of the occupiers of the dwellings. The applicant has argued that the dwellings would benefit from an 'adequate' level of private amenity area consistent with the other properties in the wider development and would not appear out of character with the layout previously approved.
- 6.9 Members are advised that the original scheme (11/50268/TTGFUL) included garden areas ranging between 50.4 sqm and 240 sqm (1,238 sqm in total serving 14 dwellings). The current application seeks to introduce three new dwellings into the scheme, resulting in 1,140 sqm serving 17 dwellings as a result of the revised layout. The new properties would be likely to be occupied by families who would have the right to expect a good level of private garden area; the Council's requirements are expressed in Annexe 1.2 of the Thurrock Borough Local Plan (1997) and the development would fall well below these requirements. The application should therefore attract a recommendation of refusal on this basis.
- 6.10 The applicant has also argued that the outline planning permission for 350 houses granted by the Secretary of State on land adjacent and West of Butts Lane featured

42 dwellings with gardens of 60 sqm. However, this is not considered to be justification to warrant a reduction in the garden areas of new dwellings in this location.

- 6.11 The Council's Highway Officer has raised no objections to the parking layout which would comply with LDF CS Policy PMD2 and PMD8.
- 6.12 The design of the proposed terrace would feature pitched gabled roofs constructed using brick and tile with extensive sections of glazing. The applicant proposes to use the same materials as agreed for the previous approval which would be reflected in a suitable planning condition. The fenestration and fine detailing of the scheme is considered acceptable.

## II. AMENITY AND HERITAGE IMPACTS

- 6.13 The proposed dwellings would be positioned on the same footprint as the previously approved residential scheme, 8m further away from the neighbours in Oxford Road than the existing car storage building.
- 6.14 The proposed dwellings would have a number of bedroom and bathroom windows in the first floor rear elevations and a roof light in the rear roof slope serving an en suite bathroom in the roof space. As with the previous application (planning ref. 16/00271/FUL) the number of windows in the rear elevation would increase from 7 to 15 in comparison to the originally previously approved scheme. Neighbours have raised concern about the potential for overlooking as a result, in part, in the increase in the number of windows proposed in rear elevation as a result of the increase in the number of units proposed. However, these windows would continue to serve non-main living areas such as bathrooms and bedrooms as before and would be located 31.5m away from the closest neighbouring property at 22 Oxford Road. The proposal would comply with Council policies with regards to minimum overlooking distances.
- 6.15 There is a change in ground levels with land gradually sloping away to the East, however, it is not considered that the elevated position of the development would be likely to result in any unacceptable levels of overlooking or loss of amenity to the neighbours on Oxford Road. Furthermore, trees are to be retained on the eastern boundary of the site and additional landscaping is proposed. The proposal would comply with Policies PMD1, PMD2 and Annexe 1.1 of the Local Plan (1997) with regards neighbour amenity impacts.
- 6.16 Turning to the impact of the proposal upon the nearby Grade II\* listed building, the Council's Heritage Advisor has been consulted on the proposal; the Heritage Advisor has commented that the new housing would be seen in the context of the approved layout and given the visual separation from the listed building there would be no greater impact on its setting than the approved scheme. The proposal

therefore complies with Policy PMD4 with regard to impacts upon the setting of the listed building.

### III. LANDSCAPING

- 6.17 The proposal would not have any greater effect upon the existing trees on site than the previously approved semi-detached properties. Neighbour letters received have raised the matter of landscaping along the boundary of the site with properties on Oxford Road. The proposal includes additional planting close to the eastern boundary as a result of the layout revisions. Such planting indicated goes beyond what was approved under the previous scheme. The Council's Landscape Advisor has commented that the proposal would not have any additional landscape or visual effects compared to the previously approved scheme.
- 6.18 The Landscape Advisor is content for the detailed tree and planting scheme to be dealt with via condition. The proposed landscaping proposed complies with Policies PDM1 and PMD2 and is acceptable.

### IV. OTHER MATTERS

- 6.19 The Council's Environmental Health Officer has commented that it is not anticipated that the proposal would generate any contaminative issues affecting the proposed development but due to the past history of car storage, however, it is recommended that a condition requiring a watching brief for any unforeseen contamination be included. Other standard conditions are also recommended.

### V. INFRASTRUCTURE

- 6.20 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development; the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The Policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal. Changes to Government policy in April 2015 mean that the Council can no longer use a tariff based approach to s106 (as was the case with the former Planning Obligation Strategy). Consequently, the Council has developed an Infrastructure Requirement List (IRL) that identifies specific infrastructure needs on an area basis.
- 6.21 The responses from the Council's Highway and Education teams do not identify the need for any requirement for contributions towards items on the Infrastructure Requirement List arising from this proposal. It is not therefore necessary to secure financial contributions to mitigate the impact of this development.

## 7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The previous application, 16/00271/FUL, was refused on the grounds that the level of rear garden amenity space was inadequate to serve five dwellings and would therefore be harmful to the amenities of the occupiers of the new dwellings. The

development currently proposed continues to fall well below the Council's requirements expressed in Annexe 1.2 of the Thurrock Borough Local Plan (1997) in relation to the size of the rear garden areas. The applicant's case for the development has been considered however there are no circumstances that would outweigh the harm that would be caused to residential amenity.

## **8.0 RECOMMENDATION**

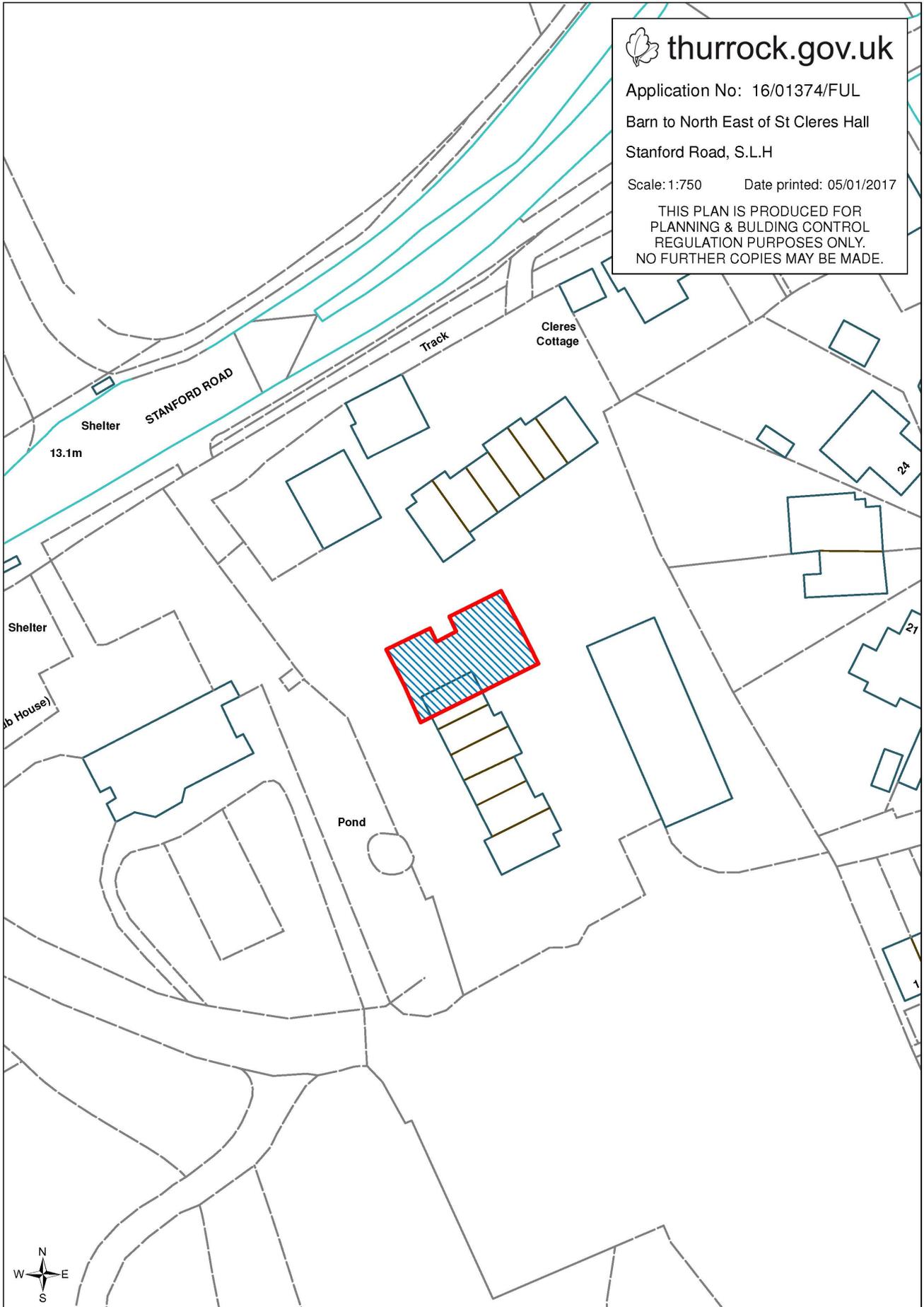
8.1 It is recommended that the application is REFUSED for the following reason:

1. The proposed development would result in the provision of inadequate rear garden amenity space and would therefore be harmful to the amenities of the occupiers of the dwellings. As such, the proposal is contrary to Annex 1.2 of the Thurrock Borough Local Plan (1997) and Policy PMD2 of the Thurrock LDF Core Strategy and Policies for the Management of Development (as amended) (2015).

### **Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

[www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)



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<b>Reference:</b> 16/01499/TBC	<b>Site:</b> Aveley Primary School Stifford Road Aveley Essex RM15 4AA
<b>Ward:</b> Aveley And Uplands	<b>Proposal:</b> Provision of two demountable classrooms for a temporary period of 5 years

Plan Number(s):		
Reference	Name	Received
(No Nos.)	Location Plan	3 November 2016
HD/9994/03	Plans	3 November 2016
HD/CRS/09	Plans	3 November 2016

The application is also accompanied by:  - Design Access Statement	
<b>Applicant:</b> Thurrock Council	<b>Validated:</b> 3 November 2016  <b>Date of expiry:</b> 20 January 2017 (time extension)
<b>Recommendation:</b> Approve, subject to conditions.	

This application is scheduled for determination by the Council's Planning Committee because the application has been submitted by the Council, in accordance with Part 3 (b) Section 2 2.1 (b) of the Council's constitution.

## 1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks temporary planning permission for two modular classroom buildings for a period of 5 years. Both buildings are 12.2m long and 6.8 m wide with flat roofs at a height of 3.5m. The buildings would be separated from each other, located to the east and west of the main school building.

## 2.0 SITE DESCRIPTION

2.1 The application site is located along Stifford Road in Aveley. The school buildings are concentrated to the north of the site and there is a large open area to the rear.

The site is designated as being within the Green Belt.

### 3.0 RELEVANT HISTORY

3.1 The relevant planning history for the site is as follows:

Application Reference	Description of Proposal	Decision
00/00656/FUL	Demountable classroom for play group (Renewal of 96/00650/FUL)	Approved
05/00560/TBC	Single storey classroom with covered link to existing school including ramped access, awning and hard play area to front elevation.	Approved
07/00053/TBC	Single storey classroom including ramped access and covered hard play area.	Approved
11/00458/TBC	Temporary mobile unit providing two additional classrooms required from September 2011 to September 2012.	Approved – and removed
11/00514/TBC	New detached four classroom teaching block adaptations to external play and parking areas	Approved and built
14/00902/FUL	Proposed single storey extension to form new classroom and meeting room space. [ A replacement for the floorspace of 11/00458/TBC]	Approved and built

### 4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council's website via public access at the following link: [www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)

PUBLICITY:

4.2 This application has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby. There were two comments received which raised the following concerns:

- Highways/parking
- Out of character
- Overdevelopment
- Overlooking property
- Possible excessive noise
- Spoiling view

ENVIRONMENTAL HEALTH:

4.3 No objections.

**HIGHWAYS:**

- 4.4 No objection subject to condition.

**5.0 POLICY CONTEXT****National Planning Guidance**National Planning Policy Framework (NPPF)

- 5.1 The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- 7. Requiring good design
- 9. Protecting Green Belt land

Planning Practice Guidance

- 5.2 In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 42 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Determining a planning application
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions

**Local Planning Policy**Thurrock Local Development Framework (2011)

- 5.3 The Council adopted the "Core Strategy and Policies for the Management of Development Plan Document" in December 2011. The following Core Strategy policies apply to the proposals:

## Thematic Policies:

- CSTP12 (Education and Learning)
- CSTP22 (Thurrock Design)

### Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)<sup>2</sup>
- PMD2 (Design and Layout)<sup>2</sup>
- PMD6 (Development in the Green Belt)<sup>2</sup>
- PMD8 (Parking Standards)<sup>3</sup>

[Footnote: <sup>1</sup>New Policy inserted by the Focused Review of the LDF Core Strategy. <sup>2</sup>Wording of LDF-CS Policy and forward amended either in part or in full by the Focused Review of the LDF Core Strategy. <sup>3</sup>Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

### Focused Review of the LDF Core Strategy (2014)

- 5.4 This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

### Draft Site Specific Allocations and Policies DPD

- 5.5 This Consultation Draft "Issues and Options" DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD 'Further Issues and Options' was the subject of a further round of consultation during 2013. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

### Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

- 5.6 The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan.

## 6.0 ASSESSMENT

6.1 The principle issues for consideration of this application are:

- i. Development plan designation and principle of development
- ii. Design and relationship of development with surroundings
- iii. Residential impacts
- iv. Access and parking

### I. DEVELOPMENT PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

- 6.2 The application site lies in the Green Belt and as such, the proposal needs to be considered against Policy PMD6 of the Core Strategy and the guidance within the NPPF. The NPPF states that the construction of new buildings is inappropriate development in the Green Belt unless it is for, amongst other things, *"the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building"*.
- 6.3 The modular buildings constitute new development in the Green Belt when considered against the wording of the NPPF however the buildings would represent a temporary increase of some 6% of the floorspace of the original school building. For the purposes of PMD6 and the NPPF, it is not considered that the modular buildings would represent disproportionate additions over and above the size of the original building.
- 6.4 The applicant has also argued that the school is currently operating at full capacity and recent increases in pupil numbers will result in overcrowding and class sizes exceeding government guidelines unless the school is expanded. The modular buildings are therefore proposed to accommodate the increased pupil numbers. Members are advised that the School are considering long term options to expand, but owing to the urgent requirement for accommodation, planning permission is sought for modular buildings on a temporary basis.
- 6.5 The applicant also argues that the proposal would result in the improvement of facilities for provision of the school curriculum, which is part of the Council's responsibility to meet its strategic vision for the Borough to improve the education and skills of local people. This would also accord with the aims of Policy CSTP12 which aims to enhance educational achievement and skills in the Borough and ensure that facilities meet the current and future needs.
- 6.6 In balancing the impact on the Green Belt, the buildings would represent proportionate additions to the original school building and it is considered that any harm caused by the development would be outweighed by the provision of additional facilities for the school; any impact on the Green Belt would also be limited by the temporary nature of the development. In light of the above, no objection is raised to the principle of the development.

### II. DESIGN AND RELATIONSHIP OF DEVELOPMENT WITH SURROUNDINGS

6.7 The proposed buildings would be of a simple modular form. Core Strategy Policy PMD2 requires high quality design in all new development, however it is recognised that the buildings would be present on site for a temporary period only. The form of the buildings is acceptable on this basis.

**III. RESIDENTIAL IMPACTS**

6.8 The buildings have been sited close to the existing school buildings and due to their location would have limited impact upon the amenity or outlook of nearby occupiers.

**IV. ACCESS AND PARKING**

6.9 The proposed development would not impact on local parking provision; however, the Council’s Highway Officer recommends that the school’s staff and pupils travel plan should be updated.

**7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL**

7.1 The proposed development is considered acceptable in terms of policies PMD1, PMD2, PMD6 and PMD8 of the Core Strategy and would not, subject to conditions, result in significant harm to the surrounding area in terms of residential amenity, visual amenity or highway safety.

**8.0 RECOMMENDATION**

8.1 Approve subject to the following conditions.

**Condition(s):**

**PLANS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

<b>Plan Number(s):</b>		
Reference	Name	Received
(No Nos.)	Location Plan	3 November 2016
HD/9994/03	Plans	3 November 2016
HD/CRS/09	Plans	3 November 2016

REASON: For the avoidance of doubt and in the interest of proper planning.

**TIME LIMIT**

2. The use of the development hereby permitted shall cease by 31 January 2022 and the temporary accommodation removed from the site and the land restored to its previous condition by 29 February 2022. If, prior to this date a permanent replacement has been granted for these buildings, the temporary buildings hereby permitted shall be removed within ONE MONTH of the date of the first use of that replacement.

REASON: The siting and design of the buildings is such that they are considered to be unacceptable for permanent retention on this site. Planning permission is granted on a temporary basis to enable the construction of more permanent accommodation.

### **TRAVEL PLAN**

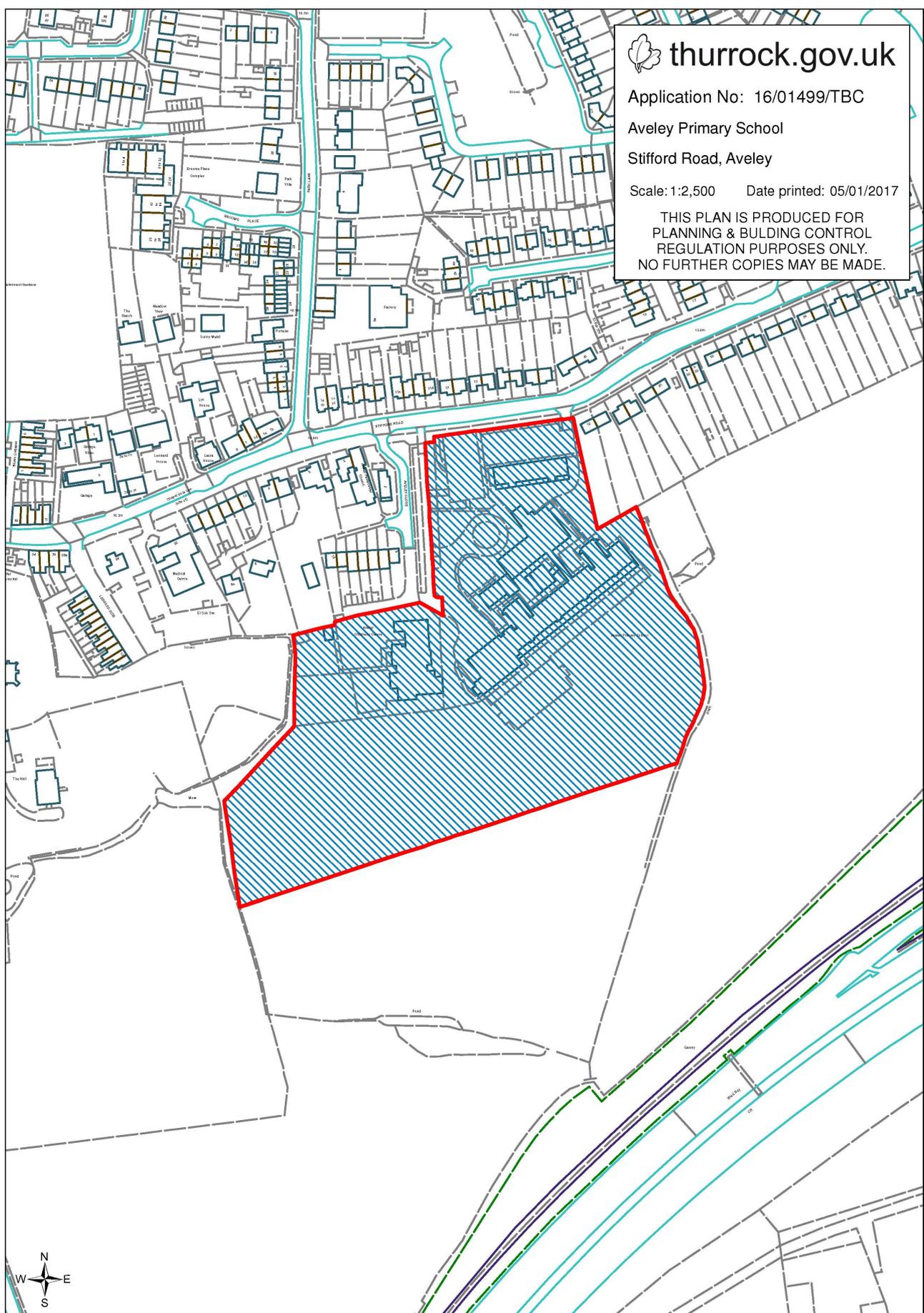
3. Within TWO MONTHS of the date of this decision an updated school travel plan shall be submitted to the Local Planning Authority for approval. Following approval, this Travel Plan shall be updated on an annual basis to encourage sustainable travel modes to and from the school for both staff and visitors. The Travel Plan shall be provided on the Mode Shift STARS school travel plan system.

REASON: To reduce the reliance on the private car; in the interests of highway safety and efficiency.

### **Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

[www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)



 **thurrock.gov.uk**  
Application No: 16/01499/TBC  
Aveley Primary School  
Stifford Road, Aveley  
Scale: 1:2,500     Date printed: 05/01/2017  
THIS PLAN IS PRODUCED FOR  
PLANNING & BULDING CONTROL  
REGULATION PURPOSES ONLY.  
NO FURTHER COPIES MAY BE MADE.

<b>Reference:</b> 16/01550/TBC	<b>Site:</b> Belhus Park Leisure Complex Belhus Park Lane Aveley Essex RM15 4QR
<b>Ward:</b> Aveley And Uplands	<b>Proposal:</b> Replacement of existing roof covering, roof lights and additional insulation and introduction of two air conditioning units to be located on the roof.

Plan Number(s):		
Reference	Name	Received
272.004.001	Location Plan	15th November 2016
272.004.002	Block Plan	15th November 2016
272.004.003	Existing Floor Plans	15th November 2016
272.004.004	Proposed Floor Plans	15th November 2016
272.004.005	Existing Elevations	15th November 2016
272.004.006	Proposed Elevations	15th November 2016
1000738	Site Layout	15th November 2016
7405-301	Roof Plans	15th November 2016
7405-SK01	Sections	15th November 2016
272.004.001 A	Location Plan	21st November 2016
272.004.005 A	Existing Elevations	21st November 2016
272.004.006 A	Proposed Elevations	21st November 2016

The application is also accompanied by: <ul style="list-style-type: none"> <li>- Design and Access Statement</li> <li>- Roofing Survey</li> <li>- HIA</li> </ul>	
<b>Applicant:</b> Thurrock Council	<b>Validated:</b> 30 November 2016 <b>Date of expiry:</b> 25 January 2017
<b>Recommendation:</b> Approve, subject to conditions.	

This application is scheduled for determination by the Council's Planning Committee because the application has been submitted by the Council, in accordance with Part 3 (b) Section 2 2.1 (b) of the Council's constitution.

## **1.0 DESCRIPTION OF PROPOSAL**

- 1.1 This application seeks planning permission for the re-roofing of the leisure building and provision of new air conditioning units.

## **2.0 SITE DESCRIPTION**

- 2.1 The site is found within the Green Belt and forms part of the wider Grade II Listed Belhus Country Park and Garden. The development would occur entirely within the footprint of the existing leisure centre.

## **3.0 RELEVANT HISTORY**

- 3.1 None directly relevant.

## **4.0 CONSULTATIONS AND REPRESENTATIONS**

- 4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council's website via public access at the following link: [www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)

### **PUBLICITY:**

- 4.2 This application has been advertised by way of press advert and public site notices. No written responses have been received.

### **4.3 ENVIRONMENTAL HEALTH:**

No comment.

### **4.4 LANDSCAPE AND ECOLOGY ADVISOR:**

No objections.

### **4.5 HERITAGE ADVISOR:**

No objections.

### **4.6 HISTORIC ENGLAND:**

No comment.

### **4.7 THE GARDENS TRUST:**

No objections.

## 5.0 POLICY CONTEXT

### National Planning Guidance

#### National Planning Policy Framework (NPPF)

- 5.1 The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.
- 5.2 The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- 8. Promoting healthy communities
- 9. Protecting Green Belt land
- 12. Conserving and enhancing the historic environment

#### Planning Practice Guidance

- 5.3 In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 42 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:
- Conserving and enhancing the historic environment
  - Health and wellbeing
  - Natural environment
  - Open space, sports and recreation facilities, public rights of way and local green space

## **Local Planning Policy**

### Thurrock Local Development Framework (2011)

5.4 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The following Core Strategy policies apply to the proposals:

- CSTP9 (Well-being: Leisure and Sports)
- CSTP10 (Community Facilities)
- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)<sup>2</sup>
- CSTP24 (Heritage Assets and the Historic Environment)
  
- PMD1 (Minimising Pollution and Impacts on Amenity)<sup>2</sup>
- PMD2 (Design and Layout)<sup>2</sup>
- PMD4 (Historic Environment)<sup>2</sup>
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)<sup>3</sup>

[Footnote: <sup>1</sup>New Policy inserted by the Focused Review of the LDF Core Strategy. <sup>2</sup>Wording of LDF-CS Policy and forward amended either in part or in full by the Focused Review of the LDF Core Strategy. <sup>3</sup>Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

### Focused Review of the LDF Core Strategy (2014)

5.5 This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

### Draft Site Specific Allocations and Policies DPD

5.6 This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues

and Options' was the subject of a further round of consultation during 2013. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

#### Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

- 5.7 The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan

## **6.0 ASSESSMENT**

- 6.1 The principle issues for consideration of this application are:

- I. Principle of the Development
- II. Design and appearance
- III. Impact to the Listed Garden

### **I. PRINCIPLE OF THE DEVELOPMENT**

- 6.2 The site is located within the Metropolitan Green Belt. Policy PMD6 and Chapter 9 of the NPPF (Protecting Green Belt Land) set out a general presumption against the construction of new buildings in the Green Belt. Exceptions to this include the provision of appropriate facilities for outdoor sport as long as the openness of the Green Belt is preserved and the facilities do not conflict with the purposes of including land within the Green Belt.
- 6.3 In this case, the development would not result in any significant increase in the volume of the building. The replacement roof would generally improve and revive the appearance of the leisure building and the addition of roof lights would improve the internal quality of the swimming pool areas within the centre. The development would also support the existing recreational use of the site. As such, the proposal would not conflict with any national or local Green Belt policies.

- 6.4 Chapter 8 of the NPPF (Promoting healthy communities) states that planning decisions should, inter-alia, plan positively for the provision and use of shared space and community facilities, such as sports venues to enhance the sustainability of communities. Paragraph 73 goes on to state that access to opportunities for sport and recreation can make an important contribution to the health and well-being of communities. The development proposal complies with the NPPF in this regard also.
- 6.5 No objection is therefore raised under this heading.

## II. DESIGN AND APPEARANCE

- 6.6 The roof installation would reflect the existing in style, finish and height. The works to the roof of the building would not be obvious from the ground either at close range or at a greater distance across the park. There would be no harm to visual amenity and the works would improve the overall appearance of the centre. As such, the proposal would accord with Policies PMD1, PMD2, PMD4 and PMD5.

## III. IMPACT TO THE LISTED GARDEN

- 6.7 The Council's Heritage Advisor has commented that whilst the leisure centre is not a heritage asset, the site is within Belhus Park which is a Grade II listed Registered Park and Garden. Within the NPPF, Registered Parks and Gardens are defined as Designated Heritage Assets, therefore, any planning application must be determined in accordance with policies concerning conserving and enhancing the historic environment.
- 6.8 The Council's Heritage Advisor states that the existing leisure centre detracts from the character and appearance of the Park and Garden; however, the proposed alterations are considered to have a neutral impact upon Belhus Park, neither preserving nor enhancing the heritage asset. The Heritage Advisor therefore raises no objections to the proposal.
- 6.9 The Council's Landscape and Ecology Advisor has commented that this part of the park has been developed and retains none of its original historic character. The proposed changes to the roof are minor and it is considered that the work will not have any adverse effects on the historic landscape. Consequently, there are no objections to this scheme on landscape grounds. The Garden Society has suggested additional planting should be provided around the centre to screen the building however given the limited extent of the works and given the Landscape and Ecology Advisor's comments, it is considered that there would be no justification to require the provision of any additional landscaping on the site.
- 6.10 In light of the above, given the scale and siting of the works, there would be no harm to the listed garden. No objections have been raised by the Council's Heritage Advisor, the landscape and Ecology Advisor or the Gardens Trust. The proposal

would comply with Policies PMD4 and PMD5 in this regard.

**7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL**

7.1 The proposal would comply with national and local Green Belt policies and would have no negative impact upon the park or listed garden. The roofing alterations would be a positive improvement to the sporting facilities at the park. The proposal is considered acceptable and in accordance with all relevant Core Strategy policies.

**8.0 RECOMMENDATION**

8.1 Approve, subject to the following conditions:

**Standard Time**

1 The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission.

Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

**Accordance with Plans**

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

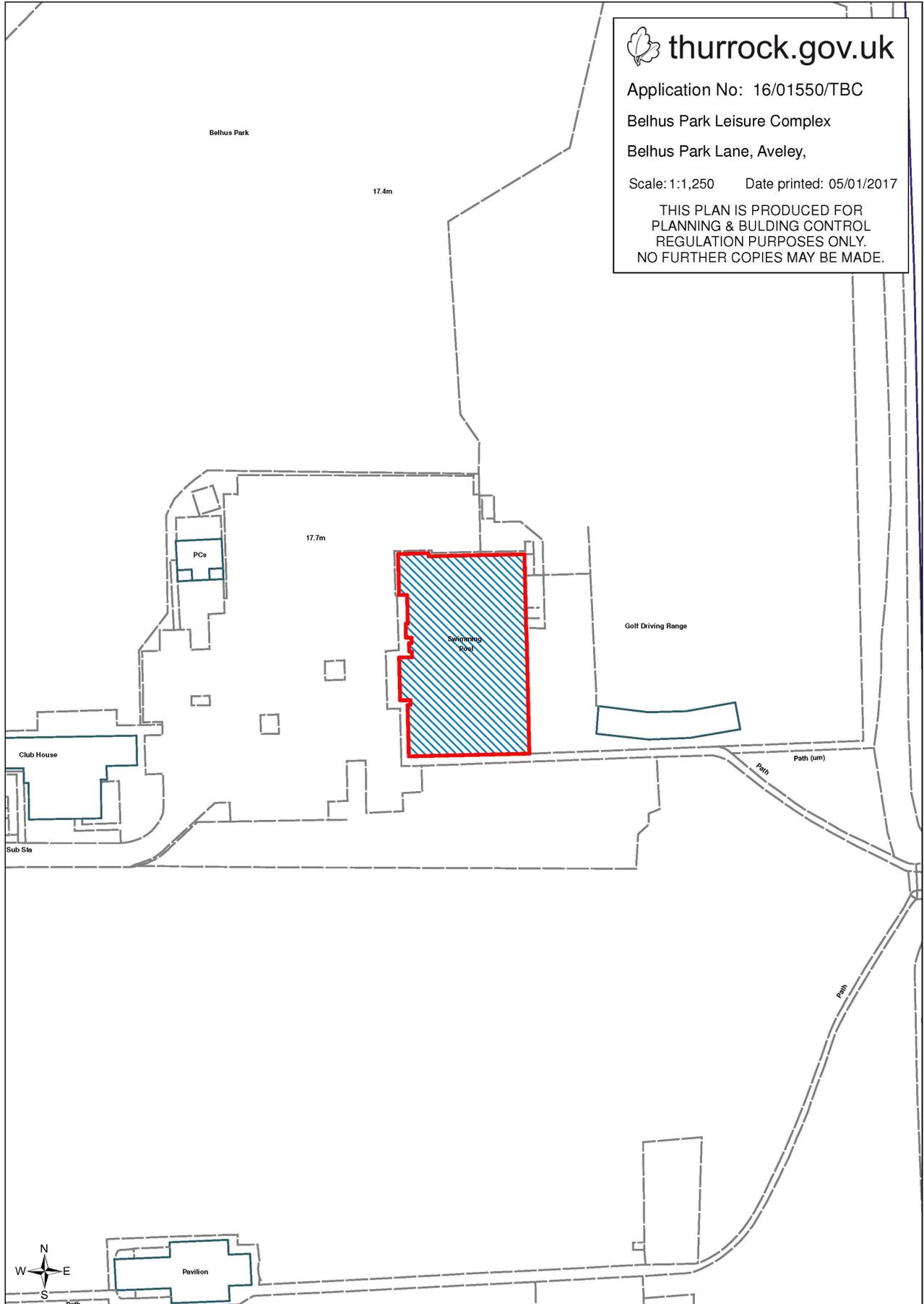
<b>Plan Number(s):</b>		
Reference	Name	Received
272.004.001	Location Plan	15th November 2016
272.004.002	Block Plan	15th November 2016
272.004.003	Existing Floor Plans	15th November 2016
272.004.004	Proposed Floor Plans	15th November 2016
272.004.005	Existing Elevations	15th November 2016
272.004.006	Proposed Elevations	15th November 2016
1000738	Site Layout	15th November 2016
7405-301	Roof Plans	15th November 2016
7405-SK01	Sections	15th November 2016
272.004.001 A	Location Plan	21st November 2016
272.004.005 A	Existing Elevations	21st November 2016
272.004.006 A	Proposed Elevations	21st November 2016

Reason: For the avoidance of doubt and in the interest of proper planning.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

[www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)



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