

|                                   |   |
|-----------------------------------|---|
| <b>Reference:</b><br>16/00307/FUL | <b>Site:</b><br>Land to rear & north of Bannatynes Sports Centre<br>Howard Road<br>Chafford Hundred<br>Grays  |
| <b>Ward:</b><br>South Chafford    | <b>Proposal:</b><br>Mixed use development to provide 203 no. residential units, landscaping, car/cycle parking, commercial units (370sq.m.) comprising Class A1 (shops) / Class A2 (financial and professional services) / Class A3 (food and drink) / Class A4 (drinking establishments) / Class A5 (hot food takeaways) / Class D1 (non-residential institutions) floorspace and a doctor's surgery (280sq.m.). |

| <b>Plan Number(s):</b> |   |          |
|------------------------|---|----------|
| Reference              | Name  | Received |
| 823-SLP.01             | Site Location Plan  | 19.09.16 |
| 823-S.01 Rev. C        | Proposed Ground Floor Building Footprint Plan                                     | 19.09.16 |
| 823-S.02 Rev. C        | Proposed Roof Plan  | 19.09.16 |
| 823-S.03 Rev. E        | Proposed Basement Plan  | 19.09.16 |
| 823-S.04 Rev D         | Proposed Ground Floor Plan  | 19.09.16 |
| 823-S.05 Rev. C        | Proposed First Floor Plan   | 19.09.16 |
| 823-S.06 Rev. B        | Key Amendments  | 19.09.16 |
| 823-S.11 Rev. C        | Illustrative Masterplan   | 19.09.16 |
| 823-S.12 Rev. C        | Illustrative Masterplan in Context  | 19.09.16 |
| 823-SS.01 Rev. A       | South Elevations  | 19.09.16 |
| 823-SS.02 Rev. A       | West Elevations   | 19.09.16 |
| 823-SS.03 Rev. A       | Mid and East Street Elevation   | 19.09.16 |
| 823-SS.04 Rev. A       | North Elevation   | 19.09.16 |
| 823-SS.11 Rev. A       | South Elevations  | 19.09.16 |
| 823-SS.12 Rev. A       | South Elevations with Bannatyne Centre and West Elevation Showing Blocks E1 and D | 19.09.16 |
| 823-SS.13 Rev. A       | Mid and East Elevation  | 19.09.16 |
| 823-SS.14 Rev. B       | North Elevations  | 19.09.16 |
| 823-A1.01 Rev. B       | Block A1 Plans.01   | 19.09.16 |
| 823-A1.02 Rev. A       | Block A1 Plans.02   | 19.09.16 |
| 823-A1.11 Rev. C       | A1:Elevations   | 19.09.16 |
| 823-A2.01 Rev. B       | Block A2 Plans.01   | 19.09.16 |
| 823-A2.02 Rev. A       | Block A2 Plans.02   | 19.09.16 |
| 823-A2.03              | Block A2 Plans.03   | 19.09.16 |
| 823-A2.11 Rev. C       | A2: Elevations  | 19.09.16 |
| 823-B.01 Rev. C        | B: Ground Floor Plan  | 19.09.16 |

|                  |                      |          |
|------------------|----------------------|----------|
| 823-B.02 Rev. B  | B: First Floor Plan  | 19.09.16 |
| 823-B.06         | B: Fifth Floor Plan  | 19.09.16 |
| 823-B.07 Rev. A  | B: Sixth Floor Plan  | 19.09.16 |
| 823-B.09 Rev. A  | B: Roof Plan         | 19.09.16 |
| 823-B.11 Rev. C  | B: Elevations        | 19.09.16 |
| 823-C.01 Rev. C  | C: Ground Floor Plan | 19.09.16 |
| 823-C.02 Rev. B  | C: First Floor Plan  | 19.09.16 |
| 823-C.03         | C: Second Floor Plan | 19.09.16 |
| 823-C.08 Rev. A  | C: Roof Terrace Plan | 19.09.16 |
| 823-C.09 Rev. A  | C: Roof Plan         | 19.09.16 |
| 823-C.11 Rev. C  | C: Elevations        | 19.09.16 |
| 823-D.01 Rev. C  | Block D Plans.01     | 19.09.16 |
| 823-D.02 Rev. B  | Block D Plans.02     | 19.09.16 |
| 823-D.11 Rev. B  | D: Elevations        | 19.09.16 |
| 823-E1.01 Rev. B | Block E1 Plans.01    | 19.09.16 |
| 823-E1.02 Rev. A | Block E1 Plans.02    | 19.09.16 |
| 823-E1.11 Rev. C | E1: Elevations       | 19.09.16 |
| 823-E2.01 Rev. B | Block E2 Plans.01    | 19.09.16 |
| 823-E2.02 Rev. A | Block E2 Plans.02    | 19.09.16 |
| 823-E2.11 Rev. C | E2: Elevations       | 19.09.16 |
| 823-F.01 Rev. B  | Block F Plans.01     | 19.09.16 |
| 823-F.02 Rev. A  | Block F Plans.02     | 19.09.16 |
| 823-F.03 Rev. A  | Block F Plans.03     | 19.09.16 |
| 823-F.11 Rev. C  | F:Elevations         | 19.09.16 |

The application is also accompanied by:

- Air Quality Assessment;
- Design and Access Statement;
- Energy and Water Statement;
- Extended Phase 1 Habitat Survey;
- Flood Risk and Drainage Assessment;
- Noise Assessment;
- Planning Statement with Statement of Community Involvement;
- Services Appraisal;
- Sunlight and Daylight Assessment;
- Transport Assessment; and
- Travel Plan

**Applicant:**

Sutherland House Limited

**Validated:**

11<sup>th</sup> March 2016

**Date of expiry:**

10<sup>th</sup> June 2016

**Recommendation:** Grant planning permission subject to completion of a s106 legal

agreement and planning conditions.

The application is scheduled for determination by the Planning Committee because of the scale and strategic nature of the proposals and the level of response to the public consultation exercise.

## 1.0 DESCRIPTION OF PROPOSAL

1.1 In summary, this application proposes a residential-led mixed use redevelopment of the site. The principal elements of the proposals are summarised in the table below:

|                  |  |
|------------------|--|
| Site Area        | 1.1 Ha   |
| Residential Uses | <u>Block A1:</u><br>15 no. one-bed flats / 10 no. two-bed flats<br>Total – 25 no. flats                                |
|                  | <u>Block A2:</u><br>6 no. one-bed flats / 15 no. two-bed flats / 8 no. three-bed flats<br>Total – 29 no. flats         |
|                  | <u>Block B (Affordable Housing):</u><br>18 no. one-bed flats / 18 no. two-bed flats<br>Total – 36 no. flats            |
|                  | <u>Block C:</u><br>14 no. one-bed flats / 21 no. two-bed flats<br>Total – 35 no. flats                                 |
|                  | <u>Block D:</u><br>12 no. one-bed flats / 6 no. two-bed flats<br>Total – 18 no. flats                                  |
|                  | <u>Block E1:</u><br>14 no. one-bed flats / 4 no. two-bed flats<br>Total – 18 no. flats                                 |
|                  | <u>Block E2:</u><br>11 no. one-bed flats / 11 no. two-bed flats<br>Total – 22 no. flats                                |
|                  | <u>Block F (Affordable Housing):</u><br>9 no. one-bed flats / 11 no. two-bed flats<br>Total – 20 no. flats             |
|                  | <b>TOTAL:</b><br>99 no. one-bed flats (27 affordable)<br>96 no. two-bed flats (29 affordable)<br>8 no. three-bed flats |
|                  | 203 no. one, two and three bed flats (56 no. affordable – 27.6%)   |

|                      |   |
|----------------------|---|
| Non-Residential Uses | <u>Ground Floor Block B:</u><br>2 x commercial / non-residential institutions units (Use Classes A1 / A2 / A3 / A4 / A5 / D1). Total: c.133 sq.m.   |
|                      | <u>Ground Floor Block C:</u><br>4 x commercial / non-residential institutions units (Use Classes A1 / A2 / A3 / A4 / A5 / D1). Total: c. 237 sq.m.  |
|                      | Total Floorspace Use Classes A1 / A2 / A3 / A4 / A5 / D1 – 370 sq.m. (Blocks B & C)   |
|                      | <u>Ground Floor Block D:</u><br>Concierge – 63.8 sq.m.<br>Surgery (Use Class D1) – 280 sq.m.  |
| Building Height      | Block A1 – Five storeys   |
|                      | Block A2 – Part six / part seven storeys  |
|                      | Block B – Part six / part seven storeys   |
|                      | Block C – Five storeys  |
|                      | Block D – Four storeys  |
|                      | Block E1 – Part four / part five storeys  |
|                      | Block E2 – Part five / part six storeys   |
| Parking              | Car Parking:<br>Basement – 148 no. car parking spaces (including 6 no. spaces for disabled users)<br>Ground floor – 22 no. car parking spaces (including 3 no. spaces for disabled users) |
|                      | Cycle Parking:<br>Ground floor cycle storage to Blocks B and E2   |

- 1.2 As noted in the ‘Relevant History’ section below, planning permission was granted in 2009 for residential development on the site by the Thurrock Thames Gateway Development Corporation (ref. 08/01156/TTGFUL). Construction works commenced shortly after consent was issued, however building works were abandoned because the developer experienced financial difficulties. As the 2009 planning permission was implemented, the scheme could be lawfully completed, subject to compliance with relevant planning conditions and s106 obligations. The site has however lain dormant for several years. The site was acquired by the present applicant in 2014.
- 1.3 The current application proposes a predominantly residential development using the existing basement car park and foundations to the various building blocks which have already been constructed pursuant to 08/01156/TTGFUL. The various elements of the proposals are described in more detail below.

1.4 Residential Development:

The existing partially completed dwellings would be demolished and the site redeveloped to provide a total of 203 one, two and three bedroom flats. The mix between different sizes of dwelling is provided in the table at paragraph 1.1 above. Dwellings would be arranged within 8 no. blocks, referred to as A1, A2, B, C, D, E1, E2 and F. Blocks A2 and E2 are physically connected, although there is no internal connection between the two.

1.5 The majority of the residential units (147 no. / 72.4%) are proposed to be let and managed through a private rented sector (PRS) model, rather than built for sale. The applicant states that these private rented units would be operated by MiFlats, who are described as one of the UK’s leading managed private rented sector operators. Information from the MiFlats web-site (miflats.com) shows that the company has a portfolio of over 3,100 units either occupied, under construction or in the planning stage. The majority of this property portfolio is based in central London, although the company operates Trafford House located opposite Basildon railway station (384 units). The remainder of the proposed dwellings (56 no. / 27.6%) are proposed as affordable units to be operated by Family Mosaic.

1.6 The arrangement of building blocks follows the pattern established by the extant planning permission (08/01156/FUL) with a row of blocks arranged parallel with the alignment of the A1306 across the northern part of the site (Blocks A1, A2, E1, E2 and F). Blocks B, C and D would be aligned north-south and perpendicular to the northern row of blocks. A description of the proposed residential accommodation per block is provided in the table below:

| Block | Accommodation                                      | Floorspace (GIA)   | Height                        |
|-------|--|--|-------------------------------|
| A1    | 15 no. one-bed<br>10 no. two-bed                   | 44.4 sq.m. to 53.8 sq.m.<br>66.2 sq.m. to 68.5 sq.m.                             | Five storeys                  |
| A2    | 6 no. one-bed<br>15 no. two-bed<br>8 no. three-bed | 41.0 sq.m. to 49.4 sq.m.<br>55.1 sq.m. to 79.2 sq.m.<br>80.8 sq.m. to 85.9 sq.m. | Part six / part seven storeys |
| B     | 18 no. one-bed<br>18 no. two-bed                   | 50.2 sq.m. to 57.9 sq.m.<br>70.2 sq.m. to 78.2 sq.m.                             | Part six / part seven storeys |
| C     | 14 no. one-bed<br>21 no. two-bed                   | 49.4 sq.m. to 56.0 sq.m.<br>60.2 sq.m. to 75.0 sq.m.                             | Five storeys                  |
| D     | 12 no. one-bed<br>6 no. two-bed                    | 45.0 sq.m. to 61.3 sq.m.<br>66.9 sq.m. to 69.3 sq.m.                             | Four storeys                  |
| E1    | 14 no. one-bed<br>4 no. two-bed                    | 46.4 sq.m. to 60.8 sq.m.<br>63.9 sq.m. to 67.3 sq.m.                             | Part four / part five storeys |
| E2    | 11 no. one-bed<br>11 no. two-bed                   | 57.1 sq.m. to 61.6 sq.m.<br>63.0 sq.m. to 70.9 sq.m.                             | Part five / part six storeys  |
| F     | 9 no. one-bed<br>11 no. two-bed                    | 50.2 sq.m. to 59.3 sq.m.<br>66.8 sq.m. to 75.5 sq.m.                             | Part six / part seven storeys |

1.7 The residential blocks would be modern in appearance with the majority of units having access to a balcony area. Proposed finishing materials are not specified on the submitted drawings, however the Design and Access Statement refers to a palette of brick and coloured render. All blocks incorporate a “zig-zag roof character” with roofing materials comprising seamed metal or other similar roof sheeting.

1.8 Non-Residential Floorspace:

Alongside the residential development, the application proposes a limited amount of non-residential / commercial development arranged at ground floor level. A proposed doctor’s surgery (Use Class D1) would be located on the ground floor of Block D (sited at the south-western corner of the site, closest to the point of access). The surgery would total 280 sq.m (GIA) and, in describing this use, the applicant’s Planning Statement notes that:

*“The previously approved development (ref. 08/01156/TTGFUL) also included provision of a doctors surgery. We have also conducted our own research and found that the current provision of local doctors surgeries is oversubscribed. Therefore, the applicant has included the space necessary to host a doctors surgery on the ground floor of block D.”*

1.9 Adjacent to this surgery within Block D, the proposals include floorspace (63.8 sq.m. GIA) for use as concierge space serving the residential units.

1.10 The proposals also include the provision of 6 no. commercial units located on the ground floor of Block C (4 no. units) and Block B (2 no. units). The composition of the proposed commercial units by Block is shown in the table below:

|         |        |                              |
|---------|--------|------------------------------|
| Block C | Unit 1 | 76.3 sq.m. (GIA)             |
|         | Unit 2 | 26.8 sq.m. (GIA)             |
|         | Unit 3 | 58.6 sq.m. (GIA)             |
|         | Unit 4 | 75.0 sq.m. (GIA)             |
| Block B | Unit 5 | 62.0 sq.m. (GIA)             |
|         | Unit 6 | 71.3 sq.m. (GIA)             |
|         |        | <b>TOTAL 370 sq.m. (GIA)</b> |

1.11 Permission is sought for a range of uses across Use Classes A1, A2, A3, A4, A5 and D1. For reference, a guide to the Use Classes sought is provided below:

| Use Class  | Use   |
|------------|---|
| A1 - Shops | Shops, retail warehouses, post offices, tick and travel agencies, sale of cold food for consumption off premises, |

|  |  |
|--|--|
|  | hairdressers, funeral directors, hire shops, dry cleaners, internet cafes.   |
| A2 – Financial and Professional Services | Banks, building societies, estate and employment agencies, professional services (not health or medical services)  |
| A3 – Food and Drink                      | Restaurants and cafes  |
| A4 – Drinking Establishments             | Public houses, wine bars or other drinking establishments  |
| A5 – Hot Food Takeaways                  | Use for the sale of hot food for consumption off the premises  |
| D1 – Non-Residential Institutions        | Clinics, health centres, creches, day nurseries, schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship |

1.12 The proposals for commercial floorspace can be considered as speculative as there are no identified end-users for the floorspace. The size and arrangement of the proposed commercial units may also influence the type of businesses which could occupy the floorspace.

1.13 Access / Parking:

Access to the site for vehicles, pedestrians and cyclists would be via an existing point of access located at the south-western corner of the site which links to Howard Road. Currently Howard Road is effectively a cul-de sac with a ‘hammerhead’ turning area at its northern-end. The western spur of this hammerhead provides access to Trelawney Court whereas the eastern spur accesses both the application site and the parking area for Bannatynes health club. Although not within the red-line defined by the application site, the submitted plans show alterations to the hammerhead to form a mini-roundabout junction. The plans also show that access to the car parking spaces for the health club would be moved a short distance to the south.

1.14 The proposals include the provision of 170 no. car parking spaces, the majority of which (148 no.) would be at basement level with the remaining 22 no. spaces at ground floor level close to the site access and southern boundary. The proposed allocation of the basement and ground floor car parking is described in the table below:

| <u>Basement Car Parking</u>              |               |
|--|---------------|
| Residential (affordable)                 | 50 no. spaces |
| Residential (affordable – disable users) | 6 no. spaces  |
| Residential (private)                    | 47 no. spaces |
| Residential (visitor)                    | 12 no. spaces |

|                                    |                              |
|------------------------------------|------------------------------|
| Car Club                           | 25 no. spaces                |
| Staff (surgery / commercial units) | 8 no. spaces                 |
|                                    | Sub total – 148 no. spaces   |
| <u>Ground Level Car Parking</u>    |                              |
| Multi-function                     | 19 no. spaces                |
| Multi-function (disabled users)    | 3 no. spaces                 |
|                                    | Sub-total – 22 no. spaces    |
|                                    | Grand total – 170 no. spaces |

- 1.15 The above table includes an allocation of parking spaces for use by members of a proposed car club. The applicant has also offered to contribute financially towards a controlled parking zone, if this is considered to be necessary, in order to prevent overspill parking from the development. The applicant has also confirmed that future residents will be unable to apply for residential parking permits as part of any planning condition imposed. .
- 1.16 The proposals include a new footpath link through the site to connect Howard Road (at the south-western corner of the site) with the A1306 Arterial; Road (at the site's north-eastern corner). At ground floor level, and above the basement car park, two areas of public open space are proposed comprising a 'Main Square' located in between Block C and D, and a 'Garden Courtyard' located in between Blocks B and C.

## 2.0 SITE DESCRIPTION

- 2.1 The application site comprises a broadly rectangular-shaped plot of land located to the rear of the Bannatynes health club, at the northern end of Howard Road and immediately south of the A1306 Arterial Road. The area of the site is 1.1 hectares and has maximum dimensions of approximately 150m (measured east-west) and 73m (measured north-south). The western part of the site formerly comprised car parking associated with the adjacent health club. However, as noted in the 'Relevant History' set out below, the site has been partially developed pursuant to a planning permission for residential development (ref. 08/01156/TTGFUL). At the eastern-end of the site an approved four-storey residential block has been partially constructed, whilst adjacent to the site's northern boundary 3no. separate three-storey terraces of townhouses have been partly constructed. However, all of these residential buildings have not been fully completed and, as a result of their exposure to weather, have become dilapidated. A basement car park has been excavated and a reinforced concrete deck covers a section of this car park. The remaining parts of the site are vacant and becoming overgrown with vegetation.
- 2.2 Ground levels across the site are generally flat, aside from the exposed area of basement car parking which sits below adjoining levels. The A1306 Arterial Road adjacent to the northern boundary of the site is located on an embankment between 2.5m and 5m above ground levels on-site. The site is located within the



low risk flood zone (Zone 1). The site formed part of a gravel pit which was worked during the 1960's and 1970's.

2.3 The site is adjoined to the east by the service yard and HGV loading area serving the Sainsbury's supermarket. South of the site is the Bannatynes health club with ancillary parking areas and outdoor tennis courts. Immediately to the west of the site is Trelawney Place, a development of 64 no. flats within three and four-storey buildings constructed in the early 2000's. The site, along with the health club, Trelawney Court, the Chafford Hundred public house and adjoining Premier Inn hotel are accessed from Howard Road, which forms the northern arm of the Fleming Road / Burghley Road / Fenner Road roundabout junction.

**3.0 RELEVANT HISTORY**

| Reference        | Description   | Decision                                  |
|------------------|---|---|
| 08/00152/TTGFUL  | Redevelopment of site to provide 153 residential units including doctor's surgery, with provision of basement and surface parking, associated servicing and landscaping, works to fitness centre nursery and alterations to fitness centre car park layout, together with other works incidental to the proposals and associated works. | Approved, subject to s106 legal agreement |
| 08/01156/TTGFUL  | Redevelopment of site to provide 140 residential units including doctor's surgery, with provision of basement and surface parking, associated servicing and landscaping, works to fitness centre nursery and alterations to fitness centre car park layout, together with other works incidental to the proposals and associated works. | Approved, subject to s106 legal agreement |
| 09/50060/TTGDCCD | Discharge of conditions.  | Withdrawn                                 |
| 09/50080/TTGDCCD | Discharge of conditions 2, 3, 4, 5, 9, 11, 12, 13, 15, 17, 18, 19, 20, 22, 23, 24, 25, 26, 29, 30, 31, 32, 34, 35, 36, 38 and 39 (of planning permission ref. 08/01156/TTGFUL).   | Part discharged                           |
| 11/50301/TTGNMA  | Revision of external materials: 1) House type first and second storey's amended from blue engineering brick to light grey render on rear and side elevations. 2) House type balcony party walls amended from blue engineering brick to Siberian larch cladding.   | Withdrawn                                 |
| 11/50316/TTGNMA  | Revision of external materials: 1) House type first and second storeys amended from blue  | Approved                                  |

|              |   |                  |
|--------------|---|------------------|
|              | engineering brick to light grey render on rear and side elevations. 2) House type balcony party walls amended from blue engineering brick to Siberian larch cladding.                                 |                  |
| 16/00349/SCR | Request for Environmental Impact Assessment (EIA) screening opinion - proposed development comprising 239 no. residential units, landscaping, car / cycle parking and a doctor's surgery (206 sq.m.). | EIA not required |

#### 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 web-site at: [www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)

#### 4.2 PUBLICITY:

The application, as first submitted in March 2016, was publicised by the display of site notices, a newspaper advertisement and consultation with neighbouring properties. Following the receipt of revised plans in September 2016 the application was re-advertised via press and site notice and re-consultation with neighbours. The proposals have been advertised as a major development.

4.3 In March 2016 neighbour consultation letters were been sent to 92 surrounding properties. 50 letters objecting to the application were received in response to the March 2016 consultation, raising the following concerns:

- parking problems;
- inadequate access;
- traffic congestion;
- pollution;
- litter;
- proposals out of character;
- overlooking / loss of privacy;
- increased noise;
- loss of views;
- security concerns; and
- disturbance during construction.

A number of the above letters, although objecting, support the proposed doctor's surgery. An anonymous objection letter has also been received. The letters of objection have been sent from a range of addresses across Chafford Hundred and as far away as Grays.

4.4 Two letters have also been received from a local ward Councillor which neither

support nor object to the proposals but note local highway conditions etc.

4.5 An on-line petition containing 831 names was established on the “38 Degrees” web-site (38degrees.org.uk). A sample of comments submitted to this web-site has been provided by the lead petitioner, which contains names, postcodes and an extract of comments.

4.6 In response to the revised plans consultation in September 2016, 36 letters of objection have been received from 30 different addresses objecting on the following grounds:

- disturbance from proposed drinking establishments;
- development would be out of character;
- excessive height of development;
- additional traffic;
- loss of views;
- inadequate access;
- traffic congestion
- pollution;
- pressure on local school places;
- litter;
- cooking smells; and
- increased noise.

4.7 The following consultation replies have been received:

4.8 ANGLIAN WATER:

No objections.

4.9 ESSEX COUNTY COUNCIL (ARCHAEOLOGY):

No objections.

4.10 ESSEX & SUFFOLK WATER:

No objections.

4.11 ENVIRONMENT AGENCY:

No reply received.

4.12 NHS ENGLAND:

In response to the application as first submitted, the NHS advised that the doctor's surgery proposed (206 sqm) would not align with current NHS England and CCG requirements. The NHS requested a capital contribution towards a project to increase capacity in the area.

The plans have since been revised, increasing the floorspace of the doctor's surgery to 280 sq.m however no further comment has been provided.

#### 4.13 EDUCATION:

A financial contribution of £354,917 would be required to mitigate the increased pressure on nursery, primary and secondary school places locally.

#### 4.14 ENVIRONMENTAL HEALTH:

Noise: road traffic noise (A1306) is the dominant noise source affecting the site and noise mitigation will be required to provide a reasonable internal noise environment. The required internal noise levels can be achieved by standard thermal double glazing and acoustic ventilation. Planning conditions are required to require submission of a scheme of noise mitigation and soundproofing for fixed plant.

Construction: planning conditions are required to limit hours of working, hours of piling and to require a Construction Environment Management Plan.

Air Quality: no objections.

Contaminated Land: no objection subject to gas monitoring, details of any piling and measures to deal with any unforeseen contamination.

#### 4.15 FLOOD RISK MANAGER:

A surface water drainage strategy is required for the site.

#### 4.16 HOUSING:

No reply received.

#### 4.17 HEALTH & WELL BEING ADVISORY GROUP:

Offer general comments on the impacts and benefits of the proposals.

#### 4.18 HIGHWAYS:

No objections, subject to planning conditions and a legal agreement

#### 4.19 DESIGN COUNCIL / CABA:

Following submission of the original proposals (for 239 no. dwellings) in March 2016, those proposals were subject to a Design Review Panel in April 2016. The summary of the Panel comments noted that the current design approach is more successful compared to the uncompleted scheme. However, it was recommended that the proposed number of dwellings (239 no.) was reduced and that a wider mix of uses introduced.

## **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:

1. Building a strong, competitive economy;
4. Promoting sustainable transport;
6. Delivering a wide choice of high quality homes;
7. Requiring good design;
8. Promoting healthy communities; and
10. Meeting the challenge of climate change, flooding and coastal change.

### **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 48 subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of a future planning application comprise:

- Air quality;
- Climate change;
- Design;
- Determining a planning application;
- Flood risk and coastal change;
- Noise;
- Planning obligations;

- Renewable and low carbon energy;
- Travel plans, transport assessments and statements in decision-taking; and
- Use of planning conditions.

### 5.3 Local Planning Policy

#### Thurrock Local Development Framework (as amended) (2015)

The Council originally adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The Core Strategy was updated in 2015 following an independent examination of the Core Strategy focused review document on consistency with the NPPF. The Adopted Interim Proposals Map accompanying the LDF shows the site as land with no specific notation. However, as noted above, the site benefits from an extant planning permission for residential development which has been commenced. The following Core Strategy policies apply to the proposals:

#### SPATIAL POLICIES

- CSSP1: Sustainable Housing and Locations
- CSSP3: Sustainable Infrastructure
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock

#### THEMATIC POLICIES

- CSTP1: Strategic Housing Provision
- CSTP2: The Provision of Affordable Housing
- CSTP9: Well-being: Leisure and Sports
- CSTP10: Community Facilities
- CSTP11: Health Provision
- CSTP14: Transport in the Thurrock Urban Area: Purfleet to Tilbury
- CSTP18: Green Infrastructure
- CSTP20: Open Space
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness
- CSTP25: Addressing Climate Change
- CSTP26: Renewable or Low-Carbon Energy Generation
- CSTP27: Management and Reduction of Flood Risk

#### POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout
- PMD3: Tall Buildings
- PMD5: Open Spaces, Outdoor Sports and Recreational Facilities
- PMD8: Parking Standards
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans
- PMD12: Sustainable Buildings

- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment
- PMD16: Developer Contributions

#### 5.4 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in the spring of 2017.

### 6.0 **ASSESSMENT**

6.1 The planning issues to be considered in this case are:

- I. Development plan designation & principle of development
- ii. Site layout & design
- iii. Landscape & visual impact
- iv. Impact on amenity
- v. Highways & transportation issues
- vi. Noise & air quality
- vii. Flood risk
- viii. Sustainability
- ix. Viability & planning obligations

6.2 It is relevant that the planning permission for residential redevelopment of the site (ref. 08/01156/TTGFUL) has been implemented and, as such, could be completed subject to compliance with the associated planning conditions and s106 obligations. The comparison between the extant consented scheme and the current proposals therefore forms part of the analysis below.

#### I. DEVELOPMENT PLAN DESIGNATION & PRINCIPLE OF DEVELOPMENT:

6.3 The principle of the re-development of this site for residential development has been established by the grant of planning permission under 08/01156/TTGFUL. As that planning permission has been implemented and the consent remains live, there can be no objection to the principle of residential redevelopment. Building works on-site ceased several years ago and the above ground structures are in a dilapidated condition. These dilapidated structures are visible from a prominent road frontage in this part of the Borough (A1306) which is elevated above ground levels at the site. In broad terms, the principle of removing the part-built structures and completing development of the site is supported.

- 6.4 In addition to the proposed residential development, the application includes a number of commercial, (Use Classes A1 / A2 / A3 / A4 / A5) and non-residential institutional uses (Use Class D1). As first submitted in March 2016, the application proposed a doctor's surgery (Use Class D1) with a gross internal area (GIA) of 206 sq.m. The current proposals retain the doctor's surgery with an increase of the GIA to 280 sq.m. In justifying this floorspace, the applicant's planning statement notes that the previously approved development (ref. 08/01156/TTGFUL) included provision of a doctor's surgery. Furthermore, the statement explains that the applicant has *"conducted our own research and found that the current provision of local doctor's surgeries is oversubscribed. Therefore, the applicant has included the space necessary to host a doctor's surgery on the ground floor of block D."*
- 6.5 In their consultation response to the application dated 28<sup>th</sup> April 2016 NHS England states that:
- "...the intention of NHS England is to promote Primary Healthcare Hubs with co-ordinated mixed professionals ... The planning application includes provision of a doctor's surgery of 206m<sup>2</sup> to mitigate the healthcare impacts arising from the proposed development. However, a provision of this size does not align with current NHS England and CCG Estates Strategies to create care hubs. NHS England would be happy to engage with the developer if they would like to discuss the potential provision of a larger facility at this site. Alternatively, a capital contribution would be required towards a project to increase capacity in the area."*
- 6.6 The proposed provision of a doctor's surgery at this site formed part of the first approval for residential development (ref. 08/00152/TTGFUL). The applicant's Planning Statement, dated January 2008, supporting that application noted that the doctor's surgery was *"introduced following pre-application consultation with local residents and stakeholders who identified a need within the local area"*. During the consideration of 08/00152/TTGFUL a letter was submitted from the Chafford Hundred Medical Centre (Drake Road) which stated that partners at the Centre were *"committed to the proposed project contained within the new development at Howard Road"*. The consultation response (dated May 2008) from the then South West Essex Primary Care Trust (PCT) for 08/00152/TTGFUL confirmed that the PCT had been working with the Medical Centre *"to identify premises to enable the practice to extend the surgery"* and that the PCT was committed to working with the practice in developing a branch surgery in Howard Road should the development proceed.
- 6.7 The subsequent s106 agreement placed obligations on the developer to provide a doctor's surgery of not less than 182 sq.m. (GIA) plus ancillary car parking prior to the completion of 50 no. private residential dwellings. The agreement also required the developer to submit the heads of terms for the surgery tenancy etc. agreed with the end user.



- 6.8 The revised planning permission (ref. 08/01156/TTGFUL) essentially left the proposals for a doctor's surgery unchanged. However, after the application was considered at the Planning Committee of the former Development Corporation a letter was received from the PCT confirming that the *"PCT pulled out of discussions with this developer earlier this year due to the need to undertake a full health review for the Chafford Hundred area before being able to confirm the PCT's support for such an inclusion to the proposed development"*. Nevertheless, planning permission was granted for 08/01156/TTGFUL with the accompanying s106 agreement securing similar obligations for the provision of the surgery as the earlier agreement.
- 6.9 The Planning Statement accompanying the current application refers to the consultation response from NHS England (para. 6.5 above) and states that *"despite this response ... the applicant is dedicated to delivering a new surgery as part of this scheme. The applicant has therefore increased the area allocated to the doctor's surgery from 206 sq.m. to 280 sq.m. ... it is our understanding that Dr Abela's surgery (Chafford Hundred Medical Centre) is interested in running the new surgery."*
- 6.10 Both NHS England and the Chafford Hundred Medical Centre have been consulted in relation to the revised plans increasing the floorspace of the proposed surgery, however no responses have been received. Notwithstanding the original consultation response from NHS England, the planning application including the proposed doctor's surgery, should be considered on its planning merits. Adopted Core Strategy CSTP11 (Health Provision) states, inter-alia, that the Council will work with partners to deliver:
- III. Health care facilities that are located according to need, and which are accessible to all people in the Borough, including by public transport, cycling or walking.
  - IV. Health care facilities that meet existing and future community needs, including those needs arising from the new housing and employment that will be developed in the Borough over the lifetime of the plan.

At face value the proposals to include a doctor's surgery comply with the broad intentions of Thematic Policy CSTP11. Nevertheless, as the current position of NHS England is that the proposed surgery provision does not align with their strategy of creating care hubs, consideration does need to be given to alternative scenarios. For example, if planning permission were to be granted for the development as proposed and if the doctor's surgery floorspace was to be provided, it could be the case that the floorspace would remain unoccupied as it is not considered 'fit for purpose' by NHS England. If this situation were to occur any s106 agreement would need to include the flexibility to secure a financial contribution towards healthcare provision as an alternative to built floorspace.

- 6.11 Recent revisions to the application have also introduced a number of ground floor commercial uses (Use Classes A1 / A2 / A3 / A4 / A5 / D1) within the development. These additional uses respond to comments raised during a CABA design review of the application, where the applicant was encouraged to introduce a mix of uses into the development in order to create a 'destination' and encourage activity. At present there are no end-users for the 6 no. commercial units and the applicant seeks permission for a wide range of uses. If approved as submitted, the development would allow for all of the units to be used for any use within the Use Classes sought or any combination across the Use Classes. In reality, the various sizes of the commercial units, their proximity to residential uses and amenity implications could limit the operation of individual uses.
- 6.12 The proposed mix of uses would be classed as "main town centre uses" as defined by the NPPF and paragraph 24 of the NPPF requires the application of a sequential test whereby main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available should out-of-centre sites be considered. In this case, the site of the Sainsbury's store immediately east of the site is defined as a 'Shopping Centre'. Given this location and as the total of proposed commercial floorspace falls well below the threshold where a retail impact assessment is required, it is considered that the sequential test is passed in this instance. It is also of note that under the heading of 'Promoting healthy communities' paragraph 69 of the NPPF states that planning decisions should aim to achieve places which promote, inter-alia "opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity".
- 6.13 Accordingly, under this heading it is concluded that principle of the proposed land uses are acceptable. In particular, the proposals would make a valuable contribution towards new housing supply.

## II. SITE LAYOUT & DESIGN

- 6.14 The implemented planning permission for residential development (ref. 08/01156/TTGFUL) included the entire site area of the health club (approximately 2.5 hectares). This was because the description of development included works to the fitness centre nursery (currently operated by Busy Bees) and alterations to the health club and nursery car park. The approved works to the nursery and car park alterations have been largely implemented although a number of former nursery car parking spaces remain within the site area of the current application. For reference, the amendments to the car park layout which have been implemented have led to a small increase in the number of spaces available for the health club and nursery.
- 6.15 The proposed layout of the site largely corresponds to the approved and implemented development of the site (ref. 08/01156/TTGFUL) and in particular to

the site access and basement parking area. The partly implemented development on-site involves a vehicular access from Howard Road at the south-western corner of the site. This approved access ramps down to a basement parking level providing a total of 146 parking spaces. The approved basement car park has been largely excavated and partially covered with a concrete podium. The current proposals retain the existing basement parking level, with adaptations and amendments to increase the number of spaces to 148, to accommodate a basement-level energy centre and to provide additional access stairwells to ground floor level.

- 6.16 At ground floor level, the approved scheme comprises a series of terraced houses and flat blocks aligned east-west along the northern part of the site (parallel with the A1306), with 3no. flat blocks aligned north-south. The approved building footprint can therefore be described as an inverted 'E' shape. Of these approved residential blocks, the 3 no. terraces of houses (totalling 16 no. 3/4/5-bed units) and Block B (22 no. 1/2/3-bed units) were progressed above ground level before building works ceased.
- 6.17 The proposed arrangement of building blocks would closely resemble the approved footprint in terms of both the position and extent of buildings. Although, with the proposed deletion of houses and substitution with flats there is some increase in built footprint on the northern part of the site, compared to the approved scheme. Nevertheless, the proposed position of buildings in relation to the boundaries of the site remains substantially unchanged compared with the approved development.
- 6.18 With regard to the density of residential development the current proposals would result in a density of approximately 184 dph (dwellings per hectare), compared to approximately 127 dph for the approved and implemented development (ref. 08/01156/TTGFUL) and 139 dph for the previously approved but unimplemented development of 153 dwellings (ref. 08/00152/TTGFUL). National planning policy and guidance within the NPPF and PPG does not contain details of density ranges which may be considered appropriate and it may be stated that the measure of density, on its own, is a crude measure of assessing the acceptability of development proposals. Under the heading of "Requiring good design", paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area;
  - establish a strong sense of place;
  - optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;

- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments; and
- are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 65 of the NPPF goes on to states that *“local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design”*. The NPPF is therefore principally concerned with the quality of a development rather than relying on a measure of quantity, such as density, to determine acceptability.

6.19 Advice within PPG amplifies and expands upon the core principle of the NPPF that development should seek to secure high quality design. Paragraph 015 (ref. ID: 26-015-20140306) of PPG defines a well-designed place as:

- functional;
- supporting mixed uses and tenures;
- including successful public spaces;
- adaptable and resilient;
- having a distinctive character;
- attractive; and
- encouraging ease of movement.

An assessment of the proposals against these heading is provided below:

6.20 Functional – in order to be functional PPG advises that a development should be fit for purpose, designed and delivered in a way that delivers the intended function and achieves value for money in terms of lifetime costs. The proposed units are purpose-built and would provide satisfactory gross internal areas as follows:

|                      |                         |
|----------------------|-------------------------|
| One-bedroom units:   | 41.0 sq.m. – 61.6 sq.m. |
| Two-bedroom units:   | 55.1 sq.m. – 75.5 sq.m. |
| Three-bedroom units: | 80.8 sq.m. – 85.9 sq.m. |

The vast majority of proposed dwellings (200 of the 203 flats) would have access to a private balcony area and Block C would incorporate a roof terrace area. The proposals provide for convenient access to the basement car park and cycle storage areas via a number of service cores. Further cycle storage and refuse storage areas are located at ground floor level within Blocks B, C, D, E1 and E2, consequently there are no proposed external bin enclosures, a feature which can be unsightly. The proposals also provide floorspace for a concierge, located at the entrance to the site within Block D, which would assist in the function of the

development. An Energy and Water Strategy accompanies the submission to demonstrate compliance with the Council's environmental sustainability targets. The proposals include a gas fired CHP plant located within the basement. Under this heading it is considered that the development meets the functional test for a well-designed place.

- 6.21 Supporting mixed uses and tenures – revisions to the scheme which were submitted in September 2016 introduced 6 no. ground floor commercial units into the development. Although the potential occupiers of these units is unknown, the range of use classes for which permission is sought have the potential to provide facilities to future residential occupiers, as well as the wider community. As noted above, the proposals would provide for affordable housing as well as managed private sector rented dwellings. Accordingly, a range of residential tenures would be supported.
- 6.22 Including successful public spaces – PPG makes reference to public spaces (streets, squares and parks) which are available for everyone for use and enjoy. The proposals include two landscaped squares referred to as the 'Garden Courtyard' located in between Blocks B and C and the 'Main Square' located in between Blocks C and C. These two areas are described as incorporating formal tree planting, lawn and space for seating. The applicant does not intend that these spaces are used for active outdoor play and relies on proximity to the health club to satisfy these requirements. The two squares would more likely provide both an informal sitting out area to be used in good weather and a setting for the adjacent building blocks. Compared to the approved development, the proposals for these two squares have the potential to provide better public spaces, subject to further details reserved by planning condition. Routes available to motor vehicles within the site would provide access to a small number of ground floor level parking spaces at the site's southern boundary and access to refuse stores. Therefore, streets within the site would be pedestrian friendly. Consequently it is considered that, subject to suitable conditions, the public spaces within the site would add to the design quality of the development.
- 6.23 Adaptable and resilient – PPG advises that well designed places are able to respond to a range of future needs and are practical to manage. With regard to the adaptability of a design there is a balance to be struck with the way in which a development functions and the fact that the development principally comprises purpose-built flats intended for the private rented sector market. Nevertheless, the development includes two wheelchair designed units to be located within one of the affordable housing blocks. Furthermore, it is possible that future sub-division or combination of the 6 no. ground floor commercial units could occur to meet the potential demands of future occupiers. Within the constraints of a purpose-built residential redevelopment it is considered that some adaptability in the design of the proposals is possible. PPG notes that resilient designs are easily managed and supported, for example, by natural surveillance. The arrangement of building blocks across the site and the position of window openings on all elevations results

in public spaces and access routes being overlooked. The applicant's Design and Access Statement supporting the submission includes reference to 'Secured by Design' and on this point it is concluded that the design of the development would be resilient.

- 6.24 Distinctive character – PPG states that a well-designed place has a distinctive character with reference to, inter-alia, building form, details, materials, style and vernacular. At this point it is worth emphasising the 'backland' nature of the application site which is located on the northern edge of the Lakeside basin, below the level of the A1306 to the north, west of the Sainsburys superstore service yard, rear (north) of the health club and east of the flats at Trelawney Place and the Premier Inn hotel. The site is therefore located within a range of large-footprint commercial and residential buildings, which are detached from the suburban residential form of development to the south of Burghley Road / Fleming Road (B186). Although the residential development south of the B186 displays a defined form and character of predominantly two-storey, 1990's-constructed dwellinghouses, the site sits with a different context and the principle of flatted development on a larger footprint and scale has already been established. It is worth noting that existing three and four-storey flats are located close to the site at Trelawney Place and Nightingale Court. It is considered that the built form of the development, architectural detailing (such as the recessed balconies, 'zig-zag' roof form and variation in the size of window openings) and the modern style of the development would result in a distinctive character.
- 6.25 Attractive – PPG defines a well-designed place as attractive with reference to streetscapes, landscapes, buildings and elements within them. The judgement as to whether a development is 'attractive' is to a degree subjective and is based on a correlation between the elements which make up a development (principally the buildings and spaces in-between). Advice at paragraph 60 of the NPPF clearly states that planning decisions should not attempt to impose architectural styles or particular tastes and paragraph 61 goes on to state that, although visual appearance and the architecture of individual buildings are important factors, "securing high quality and inclusive design goes beyond aesthetic considerations". The proposals comprise a purpose-built, predominantly residential development with a modern appearance. The proposed public squares within the site have the potential to provide a high quality setting for the building blocks and streetscapes within the development would provide pedestrian-friendly and landscaped routes. Therefore, as assessed against the guidance within the NPPF and PPG, it is considered that the development would meet the description of a well-designed place with regard to its attractiveness.
- 6.26 Ease of movement – PPG refers to the success of a development with reference to safe, convenient and efficient movement through the site, as well as legibility and connections. Currently, due to the position of the site south of the A1306 embankment, adjacent to the Sainsbury's service yard, private flats at Trelawney Place and north of the health club, the site is effectively a cul-de-sac with only one

possible connection to the road network at the site's south-western corner. It is neither possible nor desirable to connect the site to adjacent sites to the east and west. Similarly, due to the change in levels between the site and the A1306, it is not possible to provide a vehicle connection to the north. However, the proposals accommodate a footpath connection from the Howard Road access to the A1306 at the north-eastern corner of the site (where the embankment to the Arterial Road is at its lowest). Routes through the site and to the various building block entrances are clear and it is considered that the development would be easy to navigate for occupiers and users. Within the context of the constraints operating upon the site, it is considered that the development would promote ease of movement.

### III. LANDSCAPE & VISUAL IMPACT

- 6.27 Due to the height of the proposed buildings, the potential impact of the development on landscape and visual receptors is an important consideration.
- 6.28 With regard to landscape impact, the site is located within the 'Grays / Chadwell St. Mary Urban Area' landscape character type, as defined by the Thurrock Landscape Capacity Study 2005. The Study clearly places the site within an urban, built-up landscape character area. However, land to the north of the A1306 is defined as an urban fringe landscape character area (North Stifford Corridor) which displays key characteristics including the visual clutter of pylons and an extensive road network. Overhead high voltage power lines and pylons are positioned to the north and west of the site and views of the site from a number of vantage points are seen in the context of this electrical infrastructure. The A1306 immediately north of the site is elevated approximately 5m above ground levels at the western end of the site, and approximately 2.5m above ground levels at the site's eastern boundary. The embankment between the A1306 carriageway and the site is vegetated and provides a visual screen at lower levels.
- 6.29 As noted in the table at paragraph 1.1 above the proposals involve building heights ranging between four and seven-storeys. The approved and implemented development (ref. 08/01156/TTGFUL) comprised a small number of dwellinghouses between two and three-storeys high, although the majority of development comprised four and five-storey buildings. Compared with the implemented scheme, the current proposals generally increase buildings heights across the site, although Block D (located at the south-western corner) would remain unchanged at four-storeys. For the purposes of comparison, the health club to the south of the site is approximately the equivalent height of a three-and-a-half storey residential building and the Sainsbury's superstore is the approximate equivalent height of a four-storey residential building. Trelawney Place to the west is a three and part four-storey high residential block.
- 6.30 Policy PMD3 of the adopted Core Strategy (as amended) (2015) refers to tall buildings and defines such structures as:

- I. *buildings of more than six storeys or a height of two storeys above the prevalent form of development, whichever is the lesser, within an established primarily residential area; or*
- II. *buildings of more than six storeys in other locations including recently developed, predominantly residential neighbourhoods.*

Judged against these criteria, those elements of the development which are seven-storeys in height should be considered as 'tall buildings' under PMD3. The policy goes on to state that the Council will assess applications for tall buildings based on evaluation criteria set out in CABE / English Heritage guidance dating from 2007. This 2007 guidance was superseded in 2015 by an advice note published by Historic England. This updated guidance refers principally to the impact of development proposals on designated heritage assets and so is not directly applicable to the current case. However, the 2015 guidance notes that "*where full planning permission for a tall building is to be sought, suitable planning conditions and obligations can be used for the detailed design, materials and finishes, and treatment of the public realm*". It is relevant that the Historic England guidance does not provide a definition of a tall building but instead notes that what might be considered a tall building will vary according to the nature of the local area. Given the wording of PMD3 referred to above, it is considered that only part of the development, namely the seven storey elements of Blocks A2, B and F, which should be considered as 'tall'.

6.31 Notwithstanding the fact that the 2007 guidance referred to by Policy PMD3 is no longer relevant, the Policy states, inter-alia, that:

- i. *The Council will only support those applications, which respond positively to all the relevant criteria. The relevant criteria in Thurrock are:*
  - a) *the relationship to context*
  - b) *the effect on historic assets*
  - c) *the relationship to transport infrastructure*
  - d) *the architectural quality of the proposal*
  - e) *the sustainable design and construction of the proposal*
  - f) *the credibility of the design, both technically and financially*
  - g) *the contribution to public space and facilities*
  - h) *the effect on the local environment*
  - i) *the contribution made to permeability*
  - j) *the provision of a well-designed environment*

6.32 An assessment against these criteria is provided as follows:

- a) the site is adjoined by the elevated A1306 Arterial Road to the north and by large-footprint commercial uses to the east and south. The site lies within an urban landscape character area, with an urban fringe landscape to the north



which is partly characterised by electricity pylons and overhead lines. Although generally taller than existing surrounding buildings, the proposals are not considered to be materially harmful to the character of surrounding area and would offer the benefit of regenerating an abandoned building site;

- b) the proposals would not impact on any designated heritage assets;
- c) the transportation implications of the development are considered more fully elsewhere in this report. However, the site access is located approximately 740m walking distance to Chafford Hundred railway station and bus services are routed along both the B186 and A1306. The site is therefore conveniently located for access to public transport.
- d) the architectural quality of the development is considered in more detail from paragraph 6.14 above. It is concluded that the proposals comprise a modern, purpose-built development which, subject to relevant planning conditions, would achieve architectural quality. It is of note that the dwellings have been designed for the private rented sector, rather than for general sale by, for example a volume housebuilder. The applicant has instructed an architectural practice to prepare drawings rather than relying on 'standard' housing typologies.
- e) an energy and water strategy accompanies the planning application which confirms that the proposals would comply with relevant development plan policies for energy efficiency and use of renewable or decentralised energy generation.
- f) the design of the development is considered credible and would create a distinct "place". Financial viability is considered later in this report.
- g) although a predominantly residential development, the proposals include commercial floorspace and provide accommodation for a potential healthcare provision. Two areas of public realm are included within the proposals.
- h) the effect of the proposals on the local environment is a wide-ranging judgement taking into account all of the chapter headings set out in this report. In summary, it is considered that the proposals would not be materially harmful to the local environments and in a number of respects would be of benefit.
- i) although the site is essentially in a cul-de-sac location, the proposals include for a footpath connection across the site to the benefit of permeability.
- j) as assessed by the analysis set out earlier in this report, it is considered that the development would be a well-designed place.

It is considered therefore that the scheme would generally score positively as assessed against the Policy PMD3 criteria.

- 6.33 Nevertheless, parts of the development are tall and a planning judgement needs to be reached as to whether part-seven storey development is acceptable in this location. The Council's general planning policy for design and layout (PMD2 – as amended) requires proposals to respond to the sensitivity of a site and its surroundings and to optimise the potential of the site to accommodate development. As ever, a balanced judgement is required to weigh the visual impact of the proposals.
- 6.34 Views of the site from the A1306 to the north are limited to road and cyclepath / footway users on this heavily trafficked route. As noted above, the A1306 is between approximately 2.5m and 5m above ground levels on-site and there is existing planting on the embankment which provides a low-level screen. On the western part of the site, where the embankment is at its greatest height, building heights on those blocks closest to the A1306 would be four to five storeys (blocks E1, A1 and E2). Due to the mitigating impact of the change in levels and existing planting, the visual impact of development on the western part of the site as seen from the north would not be harmful. As seen from the A1306 the eastern part of the development (blocks A2, F and part of block E2) would be six to seven storeys high. However, the height of the A1306 embankment reduces to the east such that the full height of these blocks would be more apparent. Although the eastern part of the development would be more visually prominent this impact needs to be seen in the context of the busy A1306 and adjoining Sainsbury's superstore. As a matter of balanced judgement it is not considered that the six and seven storey height of the proposals would be materially harmful to visual amenity as seen from the north of the site. Indeed, there could be benefits in the presence of a modern, well-designed building as a visible feature on a main route in this part of the Borough.
- 6.35 The Sainsbury's store service yard adjoins the site to the east and as such public views of the development from this direction are at distance. Views from Burghley Road east of the site are influenced by the power lines and pylons, the Sainsbury's building and car park and tree planting around the perimeter of the superstore site. As a matter of judgement, it is considered that the proposed height of the development would not be visually prominent from public vantage points to the east of the site.
- 6.36 To the south-east of the site there would be a largely unimpeded view from the Burghley Road / Gilbert Road / Sainsbury's store roundabout of the six and seven storey elements of the development. Although at this point the development would be taller than the implemented four and five storey development, public views from the footpath on the northern side of this junction are some 90m from the development. Furthermore, views from this vantage point would be within the context of the health club and superstore buildings in the foreground and overhead

electricity lines in the background. On balance it is considered that the development would not be visually intrusive as seen from the south east.

- 6.37 Views of the development from the south and south-west (Burghley Road and Howard Road) are also within the context of the health club building and associated car park in the foreground. Consequently the development would not be visually intrusive from this viewpoint.
- 6.38 Given the presence of the private Trelawney Place development with the Ockendon to Chafford Hundred railway line beyond, there are no public views of the site from the west.
- 6.39 In summary under this heading the development would involve higher buildings compared to the implemented scheme and elements of the proposals would comprise “tall buildings” are defined by policy PMD3. A balanced judgement assessing the visual impact of the proposals in the context of the surrounding area and the policy requirement to maximise the development potential of the site is required. The proposals would not be harmful to the urban landscape character south of the A1306 or the urban fringe landscape character to the north. As a matter of balanced judgement it is also concluded that there would be no material harm by way of visual impact.

#### IV. IMPACT ON AMENITY

- 6.40 Impact on surrounding amenity is confined to the potential impacts on existing residential occupiers at Trelawney Place to the west of the site.
- 6.41 Primary windows at ground, first, second and part-third floor level within the east-facing elevation of Trelawney Place face towards the site. There is a minimum distance of approximately 10m between these windows and the site boundary and there would be an approximate minimum distance of 19m between existing windows and new development. As noted above, the proposed position of residential blocks in relation to Trelawney Place is very similar to the implemented development.
- 6.42 The application is accompanied by a Daylight / Sunlight Assessment, produced to appraise the impact of the development on adjacent buildings in accordance with the Building Research Establishment (BRE) report, “Site layout planning for daylight and sunlight” Second Edition 2011. Although this document is not specifically referred to by national or local planning policies, it is accepted as the industry-standard measure of good practice. The applicant’s assessment identifies east facing windows at Trelawney Court as potentially affected and therefore assesses impact on daylight and sunlight to windows, as well as the potential effect of overshadowing on outdoor amenity space. The conclusions of the daylight assessment are that all modelled windows will continue to receive the minimum recommended 27% VSC (vertical sky component) and/or the proposed level of

daylight would be greater than 0.8 times the former level. Assessed against the BRE guidance the impact upon daylight would be “negligible”. As none of the potentially affected windows face within 90° of due south, in accordance with BRE guidance the assessment of sunlight is not required. Regarding the potential overshadowing of outdoor amenity space, with the proposed development in place, over 50% of the adjoining amenity space will continue to receive at least two full hours of direct sunlight on the 21st March. Therefore, whilst there will be an increase in shadowing to the amenity space at Trelawney Place, according to the BRE Guidance this increase is considered to be insignificant.

- 6.43 Distances between existing windows at Trelawney Place and proposed windows within the development would be similar to relationships within the approved development. It is considered that there would be sufficient separation to ensure a reasonable degree of privacy

V. HIGHWAYS & TRANSPORTATION ISSUES

- 6.44 With regard to car parking provision the arrangements for the implemented development and the current proposals are set out in the table below:

| <u>08/01156/TTGFUL</u> |  |
|------------------------|--|
| Basement               | 146 spaces (including 6 disabled user spaces and 6 surgery staff spaces) |
| Ground Level           | 14 residential visitor spaces<br>8 surgery visitor spaces                |
| TOTAL                  | 168 spaces   |
| <u>16/00307/FUL</u>    |  |
| Basement               | 148 spaces (including 6 disabled user spaces)                            |
| Ground Level           | 22 spaces (including 3 disabled user spaces)                             |
| TOTAL                  | 170 spaces   |

The applicant has submitted a ‘Parking Management Plan’ which states that 140 of the proposed 148 basement spaces will be allocated for residential users (either general purpose residential spaces, spaces for car-club users or spaces for residential visitors). The applicant also proposes that the 22 ground floor parking spaces would operate as multi-function spaces to provide visitor parking and / or loading facilities for the non-residential uses as required. Consequently a maximum of 162 parking spaces would be potentially available to the residential use at a ratio of 0.8 spaces per dwelling. The Parking Management Plan confirms that the enforcement of parking spaces would be managed by a parking management company. The proposals therefore involve a small increase of two parking spaces compared to the implemented scheme. However, in comparison with 08/01156/TTGFUL the current proposals involve both an increase in residential units and non-residential floorspace. A summary of proposed car parking spaces by land use is provided below:

| Land Use               | Units / Floorspace | Proposed Parking |
|------------------------|--------------------|------------------|
| Residential (C3)       | Affordable         | 56               |
|                        | Private            | 47               |
|                        | Visitors           | 12               |
|                        | Car club           | 25               |
| Commercial (A1-A5, D1) | 370 sq.m.          | 30*              |
| Surgery (D1)           | 280 sq.m.          |                  |
| <b>Total</b>           |                    | <b>170</b>       |

\* 8 parking spaces at basement level allocated for the GP surgery and commercial staff with 22 multi-function visitor spaces available at ground floor level.

6.45 The draft 'Thurrock Parking Standards and Good Practice' (2012) document includes a range of suggested parking provision for proposed residential and commercial land uses. Proposed flats in a high accessibility area (defined as within 1km walking distance of a rail station and within an existing or proposed controlled parking zone) attract a suggested range of 0 – 1.0 spaces per dwelling and 0.25 spaces per dwelling for visitors. As noted in paragraph 6.32 above the site is comfortably within a 1km walking distance from Chafford Hundred railway station. In addition, existing waiting restrictions apply on Burghley Road, Fenner Road and Fleming Road south of the site and the applicant has offered a contribution towards implementation of a controlled parking zone in the immediate vicinity of the site (i.e. Howard Road). Consequently, the site can be considered as a high accessibility location. For residential developments the draft standards promote the use of car clubs, where appropriate. With regard to commercial floorspace, the draft 2012 document suggests parking provision based on floorspace or staff numbers. However, it is recognised that lower car parking provision may be appropriate in areas where there is good access to alternative forms of transport. The range of suggested parking standards (2012) as applied to the development proposals is set out in the table below:

| Proposed Use | Units / floorspace | Suggested parking range  | Minimum parking                                  | Maximum parking                                     |
|--------------|--------------------|--|--|---|
| Residential  | 203 flats          | 0 – 1.0 space per dwelling<br>0.25 visitor spaces per dwelling | 0 spaces<br><br>51 spaces<br><br>Total 51 spaces | 203 spaces<br><br>51 spaces<br><br>Total 254 spaces |
| Class A1*    | 370 sq.m.          | 1 space per 20 sq.m.   | 19 spaces  | 19 spaces   |
| Class A2*    |                    |  |  |   |
| Class A5*    |                    |  |  |   |
| Class A3*    | 370 sq.m.          | 1 space per 5 sq.m.  | 74 spaces  | 74 spaces   |
| Class A4*    |                    |  |  |   |

|  |           |   |                     |                     |
|--|-----------|---|---------------------|---------------------|
| Class D1**   | 370 sq.m. | Dependent upon employees etc.               |                     |                     |
| Surgery***   | 280 sq.m. | Dependent upon employees / consulting rooms |                     |                     |
| <p>* The split between proposed Class A1/A2/A3/A4/A5 uses is unknown. Therefore the broad range of 19 to 74 spaces reflects the conceivable maximum range without taking public transport accessibility into account.</p> <p>** The 370 sq.m. commercial floorspace could be occupied by a Class D1 use. Parking standards for this Use Class depend upon staff, accommodation etc. and these details are currently unknown.</p> <p>*** The draft parking standard for the proposed surgery is dependent upon staff and consulting rooms. These details are currently unknown.</p> |           |   | TOTAL<br>124 spaces | TOTAL<br>328 spaces |

Assessed against the draft 2012 parking standards the proposed provision of 170 car parking spaces exceeds the suggested minimum.

6.46 Paragraph 39 of the NPPF refers to parking standards and states that, if setting local parking standards, local planning authorities should take into account (inter-alia):

- the accessibility of the development;
- the type, mix and use of development; and
- the availability of and opportunities for public transport.

Advice within PPG notes that local planning authorities should seek to ensure that “parking provision is appropriate to the needs of the development and not reduced below a level that could be considered reasonable”. (Ref. ID: 42-008-20140306). Therefore, although national planning policy requires that local parking standards should take locational factors and the characteristics of a proposal into account, a judgement is required as to what is “reasonable” parking provision for an individual development.

6.47 Comments received from the Highways Officer raise no objections to the proposals, subject to appropriate s106 obligations and planning conditions. With regard to car parking, the Officer notes that the site is relatively close to the railway station and local amenities and that a relaxation of maximum standards could be agreed to reflect these local circumstances. In particular, the Highways Officer notes the applicant’s intention to implement a car club scheme which is seen as an attractive alternative to car ownership.

6.48 In forming a view whether the proposed level of car parking is “reasonable”, Members are reminded that two residential schemes (153 and 140 dwellings) with a doctor’s surgery have been approved with a parking provision at the lower-end of the possible range of parking standards. The number of car parking spaces

previously approved and currently proposed is similar and reflects the physical capabilities of the site to accommodate car parking. If the overall quantum of parking which the site can accommodate is 'fixed' the judgement is whether the impact of additional dwellings and non-residential floorspace as proposed can be adequately mitigated. In this case, Officers are satisfied that the combination of the site location, the availability of public transport, the nature of the proposals (i.e. the nature of tenancies and management of the car parking areas) and the proposed parking measures (i.e. car club, parking management plan, funding for potential extension to the controlled parking zone) adequately mitigate the impact of the additional development compared to the approved development. Consequently the level of car parking provision is considered to be reasonable.

- 6.49 With reference to potential impact on the surrounding road network, the Highways Officer concludes that, with mitigation to be secured through a s106 planning obligation, the proposals are acceptable. The extant s106 (ref. 08/01156/TTGFUL) includes an obligation securing a financial contribution of £77,500 (index linked) towards the former 'West Thurrock Strategy', which principally addressed highways infrastructure improvements. The Infrastructure Requirement List effectively replaces the Strategy and identifies Pilgrims Lane / A1306 junction capacity improvements as a highways infrastructure requirement within the South Chafford ward. Applying indexation to the original £77,500 contribution (which was not paid by the then developer of the site) results in a current figure of £95,354. The applicant has agreed to this financial contribution.
- 6.50 It is concluded that, subject to mitigation to be secured through the above planning obligations and suitable planning conditions, there are no highways objections to the proposals.

## VI. NOISE & AIR QUALITY

- 6.51 A noise assessment accompanies the planning application which includes the results of a noise monitoring survey. The survey concludes that noise from road traffic on the A1306 is the primary noise source affecting the site and that, based on the noise level recorded, mitigation will be required to achieve a reasonable internal noise level. The assessment recommends that standard thermal double glazing and acoustic ventilation is required to achieve reasonable internal noise levels and this matter can be addressed via a standard planning condition. The Environmental Health Officer has confirmed that the position of the buildings will act as a noise barrier such that noise levels at the proposed landscaped squares are reasonable. A planning condition can also address the issue of soundproofing to items of fixed external plant associated with the commercial uses. Therefore, subject to planning conditions, there are no objections to the proposals on noise grounds.
- 6.52 An air quality assessment of the proposals concludes that there would be a negligible increase in levels of nitrogen dioxide (NO<sub>2</sub>) at receptors close to Howard

Road. The EHO agrees with this conclusion and confirms that there would be no breach in air quality objectives as a result of the development.

## VII. FLOOD RISK

- 6.53 The site is located within the low risk flood zone (Zone 1) and therefore the requirement for the local planning authority to apply the sequential test does not apply. Residential development is classified as “more vulnerable” within the flood risk vulnerability classification set out by Table 2 of PPG and therefore this land use is “appropriate” as defined within Table 3 of PPG (flood risk vulnerability and flood zone compatibility). Although the site is within the low risk flood zone, as the site area exceeds 1 hectare the application is accompanied by a flood risk assessment (FRA).
- 6.54 The implemented planning permission (ref. 08/01156/TTGFUL) was subject to a planning condition requiring submission an approval of foul and surface water drainage details. Details pursuant to this condition were submitted and approved, and it is evident that elements of the approved drainage infrastructure have been installed on-site. Nevertheless, the current proposals are materially different from the implemented scheme and both Anglian Water and the Flood Risk Manager have requested updated details of the surface water drainage strategy. This matter can be addressed by planning condition.

## VIII. SUSTAINABILITY

- 6.55 Adopted Core Strategy policies PMD12 and PMD13 provide the local policy context for assessing the development proposals. PMD12 states that “proposals for new or conversion to residential development must achieve a “Code for Sustainable Homes” level 4 rating, except in respect of any of the Code’s requirements that have been officially superseded by mandatory national standards”. In March 2015 the Government withdrew the Code for new developments. Accordingly the requirements of PMD12 no longer apply to new residential developments.
- 6.56 Despite the withdrawal of the Code requirements, the applicant has submitted an Energy and Water Strategy which refers to measures to reduce energy demand and water usage.
- 6.57 Policy PMD13 requires that from the year 2015 major residential developments secure, as a minimum, 15% of their predicted energy from decentralised and renewable or low-carbon sources. The applicant’s Strategy proposes a gas-fired combined heat and power (CHP) system for the development. The plant associated with the CHP would be located within the basement and it is estimated that the 15% target figure would be exceeded.

## IX. VIABILITY & PLANNING OBLIGATIONS



- 6.58 Policy CSTP2 of the adopted Core Strategy (amended 2015) states that the Council will seek the minimum provision of 35% of the total number of residential units built to be provided as affordable housing. However, this target is subject to, inter-alia, the economics of providing affordable housing. The policy goes on to state that “the Council recognises that the majority of Thurrock’s identified housing land supply is on previously developed land often subject to a variety of physical constraints. The capacity of a site to deliver a level of affordable housing that can be supported financially will be determined by individual site ‘open book’ economic viability analysis where deemed appropriate”.
- 6.59 The applicant has submitted draft heads of terms for a s106 agreement as follows:
- provision of 56 affordable housing units (28% rounded of total dwellings);
  - affordable housing mix of 27no. one-bedroom units and 29no. two-bedroom units (including two wheelchair units);
  - education contribution of £354,917.00;
  - Pilgrims Lane / A1306 junction capacity improvements contribution of £95,354,00; and
  - controlled parking zone funding (unspecified – but assumed to be no more than c. £10,000
- 6.60 The applicant has also submitted a financial viability assessment which concludes that the development is unable to support any additional s106 contributions above those set out in the paragraph above. As is usual practice, the applicant’s assessment has been independently appraised on behalf of the local planning authority. The conclusions of the independent appraisal are that the inputs and assumptions used by the applicant in assessing viability are on the whole reasonable. The independent viability review concludes that the development would generate a negative residual land value and with an “optimistic” assessment of values and costs the site is not considered to be viable to provide any additional affordable housing or s106 contributions.
- 6.61 As noted earlier in this report, the applicant is proposing the provision of floorspace for a doctor’s surgery within the development, although NHS England’s stated position is that a financial contribution towards improved facilities at Chafford Hundred medical centre and St. Clement’s Health centre is preferable. As NHS England has identified that the proposals would impact on healthcare provision, it would be undesirable for the applicant to provide surgery accommodation and for that accommodation to remain vacant. Any s106 agreement will therefore need to include provision for a financial contribution if the surgery were not to be occupied within a reasonable timeframe.
- 6.62 The Infrastructure Requirement List includes capacity improvements at the Pilgrims Lane / A1306 junction and any contribution from the current scheme would be within the five permissible contributions for this infrastructure item. With reference to education contributions, Warren Primary (Grays primary planning area) and

Harris Academy (central planning area) schools have been identified as the catchment schools for this development. The list identifies extensions to existing nursery, primary and secondary schools within the relevant education planning areas as infrastructure items (references IRL 0041 / 0057 / 0059) within the permissible five contributions.

## **7.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION**

- 7.1 The principle of residential development on the site has been established and an existing planning permission has been implemented but not completed. Compared to the approved development the current proposals introduce a greater range of land uses, however the principle of a residential-led, mixed use development is supported. The proposed layout of the development would be similar to the existing planning permissions and assessed against national planning guidance it is considered that the proposals would result in a high quality development. Elements of the proposals comprise 'tall buildings' as defined by Core Strategy policy. The landscape and visual impact of the development is therefore an important consideration. However, as assessed against detailed policy criteria, it is considered that the height of the buildings would not be materially harmful to landscape character or visual receptors. No objections to the proposals are raised on the grounds of impact on amenity, flood risk, noise, air quality or sustainability.
- 7.2 Compared to the approved development, the current proposals increase both the number of dwellings and non-residential floorspace with only a marginal increase in the number of parking spaces available. Nevertheless, the proposed car parking provision is above the minimum level suggested in the Council's draft standards (2012). The applicant proposes a range of measures to mitigate the highways impact of the development, including use of a car club, parking management and contributions towards junction improvement and a controlled parking zone. Subject to these measures, no objections are raised on highways grounds.
- 7.3 Accordingly, subject to planning obligations to be secured by a s106 agreement and planning conditions, the application is recommended for approval.

## **8.0 RECOMMENDATION**

Grant planning permission subject to:

**A:** the applicant and those with an interest in the land entering into an obligation under section 106 of the Town and Country Planning Act 1990 with the following heads of terms:

- (a) the provision of 56 units as affordable housing in perpetuity, in accordance with the mix set out in the 'Schedule of Accommodation – Rev.D';
- (b) 70% of the affordable housing referred to by (a) above to be provided as

social rented accommodation and the remaining 30% affordable housing to be provided as intermediate housing tenures;

- (c) the transfer of 56 no. allocated parking spaces within the basement to the affordable housing provider for use by occupiers of the affordable housing,
- (d) financial contribution of £95,354.00 (subject to indexation) payable prior to first occupation towards the cost of capacity improvements at the Pilgrims Lane / A1306 junction;
- (e) financial contribution of £354,917.00 (subject to indexation) payable prior to first occupation towards the cost of additional nursery and primary school places within the Grays primary planning area and secondary school places within the central planning area;
- (f) financial contribution of £10,000 (subject to indexation) payable prior to first occupation towards the costs extended controlled parking zones in the immediate vicinity of the site;
- (g) the submission to the local planning authority for approval of full details of the proposed Car Club, the establishment and operation of the approved Car Club on first occupation of the development and the maintenance of Car Club throughout the lifetime of the development;
- (h) prior to the construction of Block D (as identified on the approved plans) to provide full details to the local planning authority for approval of the proposed specification, occupation and timescales thereof of the proposed ground floor doctor's surgery. To provide the surgery accommodation in accordance with the agreed details;
- (i) in the event that the approved accommodation for the doctor's surgery is not occupied for its intended purposes within a timescale to the agreed with the local planning authority, to pay a financial contribution of £41,000 (index linked) towards the enhancement of existing medical facilities locally.
- (j) in the event that development has not been commenced and completed above slab level within 2 years of the grant of planning permission, a financial viability review shall be undertaken by the applicant / developer / owner to assess whether the development can generate a commuted sum towards affordable housing and / or relevant infrastructure.

**B:** The following planning conditions:

Time Limit

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:

|                  |   |
|------------------|---|
| 823-SLP.01       | Site Location Plan  |
| 823-S.01 Rev. C  | Proposed Ground Floor Building Footprint Plan                                     |
| 823-S.02 Rev. C  | Proposed Roof Plan  |
| 823-S.03 Rev. E  | Proposed Basement Plan  |
| 823-S.04 Rev D   | Proposed Ground Floor Plan  |
| 823-S.05 Rev. C  | Proposed First Floor Plan   |
| 823-S.06 Rev. B  | Key Amendments  |
| 823-S.11 Rev. C  | Illustrative Masterplan   |
| 823-S.12 Rev. C  | Illustrative Masterplan in Context  |
| 823-SS.01 Rev. A | South Elevations  |
| 823-SS.02 Rev. A | West Elevations   |
| 823-SS.03 Rev. A | Mid and East Street Elevation   |
| 823-SS.04 Rev. A | North Elevation   |
| 823-SS.11 Rev. A | South Elevations  |
| 823-SS.12 Rev. A | South Elevations with Bannatyne Centre and West Elevation Showing Blocks E1 and D |
| 823-SS.13 Rev. A | Mid and East Elevation  |
| 823-SS.14 Rev. B | North Elevations  |
| 823-A1.01 Rev. B | Block A1 Plans.01   |
| 823-A1.02 Rev. A | Block A1 Plans.02   |
| 823-A1.11 Rev. C | A1:Elevations   |
| 823-A2.01 Rev. B | Block A2 Plans.01   |
| 823-A2.02 Rev. A | Block A2 Plans.02   |
| 823-A2.03        | Block A2 Plans.03   |
| 823-A2.11 Rev. C | A2: Elevations  |
| 823-B.01 Rev. C  | B: Ground Floor Plan  |
| 823-B.02 Rev. B  | B: First Floor Plan   |
| 823-B.06         | B: Fifth Floor Plan   |
| 823-B.07 Rev. A  | B: Sixth Floor Plan   |
| 823-B.09 Rev. A  | B: Roof Plan  |
| 823-B.11 Rev. C  | B: Elevations   |
| 823-C.01 Rev. C  | C: Ground Floor Plan  |
| 823-C.02 Rev. B  | C: First Floor Plan   |
| 823-C.03         | C: Second Floor Plan  |
| 823-C.08 Rev. A  | C: Roof Terrace Plan  |

|                  |                   |
|------------------|-------------------|
| 823-C.09 Rev. A  | C: Roof Plan      |
| 823-C.11 Rev. C  | C: Elevations     |
| 823-D.01 Rev. C  | Block D Plans.01  |
| 823-D.02 Rev. B  | Block D Plans.02  |
| 823-D.11 Rev. B  | D: Elevations     |
| 823-E1.01 Rev. B | Block E1 Plans.01 |
| 823-E1.02 Rev. A | Block E1 Plans.02 |
| 823-E1.11 Rev. C | E1: Elevations    |
| 823-E2.01 Rev. B | Block E2 Plans.01 |
| 823-E2.02 Rev. A | Block E2 Plans.02 |
| 823-E2.11 Rev. C | E2: Elevations    |
| 823-F.01 Rev. B  | Block F Plans.01  |
| 823-F.02 Rev. A  | Block F Plans.02  |
| 823-F.03 Rev. A  | Block F Plans.03  |
| 823-F.11 Rev. C  | F:Elevations      |

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

### Landscaping

3. Prior to the commencement above ground level of the development a scheme of proposed hard and soft landscaping of the development, including details of the proposed roof terrace to Block C, shall be submitted to and approved in writing by the local planning authority. All planting, seeding or turfing etc. comprised in the approved scheme shall be carried out in the first planting and seeding season following completion of the development or part thereof 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 policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (amended 2015).

### Boundary Treatments

4. No occupation of any part of the development shall take place until details of the locations, heights, designs and materials of all boundary treatments to be erected on site have been submitted to and agreed on writing by the local planning authority. The boundary treatments shall be completed in

accordance with the agreed details before the first occupation of the development, unless otherwise agreed in writing by the local planning authority.

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 policies CSTP22 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

#### Opening Hours – Class A3/A4/A5 Uses

5. Notwithstanding the terms of any licence issued for premises within the development, any premises used within Use Classes A3, A4 or A5 shall not be open to customers outside of the following times 0800-2200 hours Monday to Saturdays and 1000-2100 on Sundays, Bank and Public Holidays.

Reason: In the interests of amenity in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

#### Extract Ventilation Equipment

6. Prior to the first operational use of any premises to be used within Use Classes A3, A4 or A5, details of the siting, design and technical specification of any fume extraction and ventilation systems to serve the premises together with details of any external flue(s) or ducting, specification of filtration, deodorising systems (where applicable), noise output and termination points shall be submitted to and agreed in writing with the local planning authority. Installation shall be undertaken in accordance with the agreed details prior to the first operation of the use and the extraction and ventilation system shall thereafter be retained in the agreed form and maintained in proper working order thereafter throughout the occupation of the premises for Use Class A3, A4 or A5 purposes. The extraction equipment shall be operated at all times when cooking is being carried out on the premises.

Reason: In the interests of residential amenity in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

#### External Materials

7. Notwithstanding the information on the approved plans, no development above ground level shall take place until samples of the materials to be

used in the construction of the external surfaces of the development have been submitted to and agreed in writing by the local planning authority. Development shall be carried out in 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(as amended 2015).

### Noise Insulation

8. Prior to the commencement of development above ground level a scheme for noise insulation of the proposed dwellings shall be submitted to and agreed in writing with the local planning authority. The scheme shall include appropriate measures to ensure that all habitable rooms will achieve reasonable internal noise levels as specified by BS8233:2014. The scheme shall identify the locations and state the specification for acoustic ventilation, where appropriate. The approved measures shall be incorporated into the residential units in the manner detailed prior to their residential occupation and shall thereafter be permanently retained as agreed, unless otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of future residential occupiers and to ensure that the development can be integrated within its immediate surroundings in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

### Noise from Plant

9. Prior to the first operational use of any of the non-residential floorspace a scheme of soundproofing of any fixed plant and / or machinery, to ensure that the installed plant and / or machinery produces a predicted noise rating level of no more than 43dB  $L_{Aeq}$  at night and 51dB  $L_{Aeq}$  during the day at the nearest residential receptor shall be submitted to and agreed by the local planning authority. The agreed scheme shall be implemented before the first use of the plant and / or machinery and shall be permanently retained in the agreed form, unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of amenity and to ensure that the proposed development is integrated within its immediate surroundings as required

by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### Working Hours

10. No demolition or construction works in connection with the development shall take place on the site at any time on any Sunday or Bank / Public Holiday, nor on any other day except between the following times:

Monday to Friday 0800 – 1800 hours

Saturdays 0800 – 1300 hours.

If impact piling or the removal of the existing foundations is required, these operations shall only take place between the hours of 0900 - 1700 hours on Monday to Friday.

Reason: In the interest of protecting surrounding residential amenity and in accordance with policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD ( as amended 2015).

### CEMP

11. No demolition or construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and agreed in writing by the local planning authority. The CEMP should contain or address the following matters:

- (a) wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off-site;
- (b) measures for dust suppression;
- (c) 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 (as amended 2015).

### Access

12. Prior to the first occupation or operation of any part of the development details showing the layout, dimensions and construction specification of



the proposed access to the highway shall be submitted to and agreed in writing by the local planning authority. The agreed details shall be completed prior to the first occupation or operation of any part of the development.

Reason: In the interests of highways safety and efficiency in accordance with policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (as amended 2015).

#### Estate Roads etc.

13. Prior to the first occupation of any dwelling or non-residential floorspace the proposed estate road(s), footways, footpaths and turning areas shall be properly consolidated and surfaced in accordance with the details of hard landscaping pursuant to condition number 3 of this permission.

Reason: In the interests of highways safety and residential amenity in accordance with policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (as amended 2015).

#### Retention of Parking Spaces

14. Prior to the first occupation or operational use of the development, the car parking spaces shown on approved plan numbers 823-S.03 Rev. E and 823-S.04 Rev. D shall be provided and delineated on-site in accordance with the approved plans. The car parking spaces shall be available for occupiers, users and visitors to the development in their entirety during the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway safety and amenity and to ensure that reasonable car parking provision is available in accordance with policy PMD8 of the Thurrock Core Strategy and Policies for the Management of Development DPD (as amended 2015).

#### Decentralised, Renewable or Low Carbon Energy

15. The proposed measures for energy and water efficiency set out within the submitted 'Energy and Water Planning Statement' (ref. 15535 Rev. B) shall be implemented and operational of first occupation of any part of the development and shall be maintained thereafter, 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 (as amended 2015).

#### Landscape Management

16. Prior to the first occupation of any of the development a scheme to describe the proposals for the management and maintenance of the areas of public open space and public realm within the development shall be submitted to and agreed in writing by the local planning authority. These areas shall be permanently managed and maintained in accordance with the agreed scheme from first occupation of the development, unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure the appropriate management and maintenance of open space on the site in accordance with Policy PMD5 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

#### Surface Water Drainage

17. Prior to the commencement of development a surface water management strategy shall be submitted to and agreed in writing by the local planning authority. The agreed surface water drainage scheme shall be constructed in accordance with the approved strategy and maintained thereafter. There shall be no occupation of the development until the approved surface water drainage system is operational, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that adequate measures for the management of surface water are incorporated into the development in accordance with policy PMD15 of the Thurrock Core Strategy and Policies for the Management of Development DPD (as amended 2015).

#### Use of Surgery

18. The area shown on the approved plans as a 'surgery' within Block D shall only be used for purpose and for no other purpose (including any purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interests of amenity and to ensure that the development remains integrated with it's immediate as required by policy PMD1 of the

adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

#### Site Levels

19. Prior to the commencement of the development, details showing the existing and proposed site levels and the proposed finished ground floor levels of the buildings hereby permitted shall be submitted to and agreed in writing by the local planning authority . The development shall be completed in accordance with the agreed details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of protecting adjoining amenity in accordance with policy PMD1 of the Thurrock Core Strategy and Policies for the Management of Development DPD (as amended 2015).

#### Basement Parking Access

20. Prior to the first occupation of any of the development, a scheme detailing measures for the control of access to the basement car parking area shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented upon first occupation of the development and shall thereafter be permanently retained and maintained in the agreed form, unless otherwise agreed in writing by the local planning authority.

Reason: In order to control access to the basement car parking spaces in the interests of highways safety and amenity in accordance with policy PMD2 of the Thurrock Core Strategy and Policies for the Management of Development DPD (as amended 2015).

#### Parking Management Plan

21. The measures set out within the submitted 'Parking Management Plan' (report no. 15-168-04 September 2016), including arrangements for review and revision shall be implemented and operational upon first occupation of any of the development. The measures within the Plan shall be maintained thereafter throughout the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure the efficient and effective use of the on-site car parking spaces in the interests of highways safety and amenity in accordance with policy PMD2 of the Thurrock Core Strategy and Policies for the Management of Development DPD (as amended 2015).

#### Delivery Hours

22. No deliveries shall be taken at or dispatched from any of the non-residential floorspace on the site outside of 0800-2200 hours on Mondays to Saturdays and 1000-2100 hours on Sundays, Bank or Public Holidays.

Reason: In the interests of amenity and to ensure that the proposed development is integrated within its surroundings as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 2015).

**INFORMATIVE:**

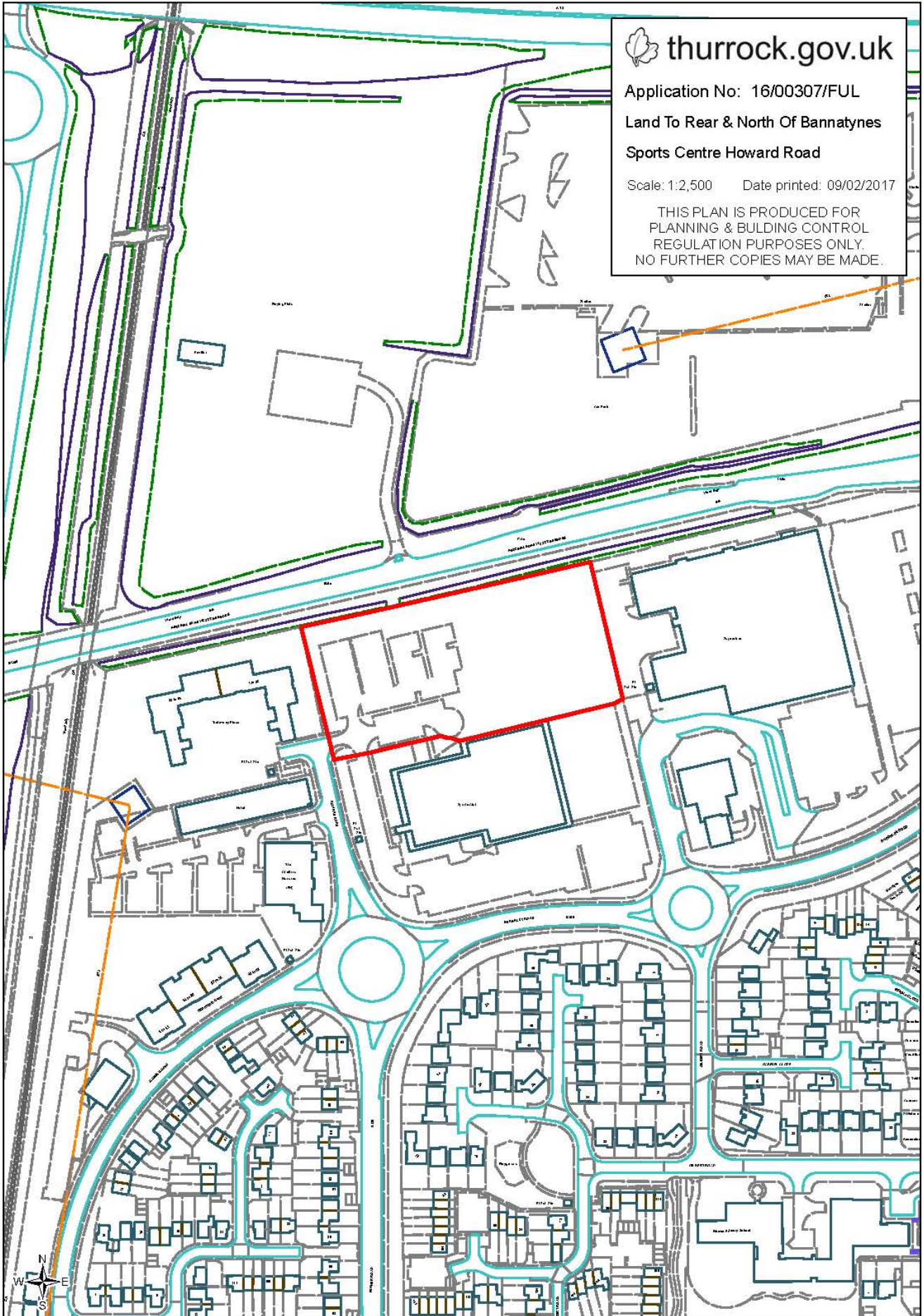
1. The applicant is reminded that under the Wildlife and Countryside Act 1981 (section 1) it is an offence to take, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Any trees and scrub present on the application site should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present.
2. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - 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.

**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: 16/00307/FUL  
Land To Rear & North Of Bannatynes  
Sports Centre Howard Road  
Scale: 1:2,500    Date printed: 09/02/2017  
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