

# Agenda Item 10

APPENDIX 1

Planning Committee: 26 November 2020	Application Reference: 20/00623/FUL
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<b>Reference:</b> 20/00623/FUL	<b>Site:</b> Waterworks High Road Fobbing Essex SS17 9JW
<b>Ward:</b> Corringham And Fobbing	<b>Proposal:</b> Demolition of all existing buildings and structures and redevelopment of the site to provide 168 dwellings and associated access, parking, public open space, landscaping and drainage infrastructure.

<b>Plan Number(s):</b>		
Reference	Name	Received
1338-C-1336	Landscape Sections	1st June 2020
1338-C-1337	Landscape Details	1st June 2020
1338-D-1400B-APT BLK A	Apartment Block A Ground Floor Plan	1st June 2020
1338-D-1401B-APT BLK A	Apartment Block A First Floor Plan	1st June 2020
1338-D-1402B-APT BLK A	Apartment Block A Second Floor Plan	1st June 2020
1338-D-1403B-APT BLK B	Apartment Block B Ground Floor Plan	1st June 2020
1338-D-1404B-APT BLK B	Apartment Block B First Floor Plan	1st June 2020
1338-D-1405B-APT BLK B	Apartment Block B Second Floor Plan	1st June 2020
1338-D-1406B-APT BLK C	Apartment Block C Ground Floor Plan	1st June 2020
1338-D-1407B-APT BLK C	Apartment Block C First Floor Plan	1st June 2020
1338-D-1408B-APT BLK C	Apartment Block C Second Floor Plan	1st June 2020
1338-D-1500A-HT2-GF+1F	HT2 Ground & First Floor Plan Mid-terrace	1st June 2020
1338-D-1501A-HT2 HANDED-GF+1F	HT2 Handed Ground & First Floor Plan Mid-terrace	1st June 2020
1338-D-1502A-HT2-GF+1F	HT2a Ground & First Floor Plan Semi-detached	1st June 2020

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1338-D-1503A-HT2 HANDED-GF+1F	HT2a Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1504A-HT3-GF+1F	HT3 Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1505A-HT3- HANDED-GF+1F	HT3 Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1506A-HT3A- GF+1F	HT3a Ground & First Floor Plan Detached	1st June 2020
1338-D-1508A-HT4-GF+1F	HT4 Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1509A-HT4- HANDED-GF+1F	HT4 Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1510A-HT5-GF+1F	HT5 Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1511A-HT5- HANDED-GF+1F	HT5 Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1512A-HT20- GF+1F	HT20 Ground & First Floor Plan Detached	1st June 2020
1338-D-1513A-HT20- HANDED-GF+1F	HT20 Handed Ground & First Floor Plan Detached	1st June 2020
1338-D-1514A-HT20A- GF+1F	HT20a Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1515A-HT20A- HANDED-GF+1F	HT20a Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1516A-HT18	HT18 Ground Floor Plan Detached	1st June 2020
1338-D-1517A-HT18	HT18 First Floor Plan Detached	1st June 2020
1338-D-1518A-HT18	HT18 Handed Ground Floor Plan Detached	1st June 2020
1338-D-1519A-HT18	HT18 First Floor Plan Detached	1st June 2020
1338-D-1520A-HT9	HT9 Ground Floor Plan Detached	1st June 2020
1338-D-1521A-HT9	HT9 First Floor Plan Detached	1st June 2020
1338-D-1522A-HT9	HT9 Handed Ground Floor Plan Detached	1st June 2020
1338-D-1523A-HT9	HT9 Handed Ground Floor Plan Detached	1st June 2020
1338-D-1524A-HT10	HT10 Ground Floor Plan Detached	1st June 2020
1338-D-1525A-HT10	HT10 First Floor Plan Detached	1st June 2020

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1338-D-1526A-HT10	HT10 Handed Ground Floor Plan Detached	1st June 2020
1338-D-1527A-HT10	HT10 Handed First Floor Plan Detached	1st June 2020
1338-D-1528A-HT16	HT16 Ground Floor Plan Detached	1st June 2020
1338-D-1529A-HT16	HT16 First Floor Plan Detached	1st June 2020
1338-D-1530A-HT16	HT16 Handed Ground Floor Plan Detached	1st June 2020
1338-D-1531A-HT16	HT16 Handed First Floor Plan Detached	1st June 2020
1338-D-1532A-HT17	HT17 Ground Floor Plan Detached	1st June 2020
1338-D-1533A-HT17	HT17 First Floor Plan Detached	1st June 2020
1338-D-1534A-HT17	HT17 Handed Ground Floor Plan Detached	1st June 2020
1338-D-1535A-HT17	HT17 Handed First Floor Plan Detached	1st June 2020
1338-D-1540A-AHT1-GF+1F	AHT1 Ground & First Floor Plan Mid-terrace	1st June 2020
1338-D-1542A-AHT1A-GF+1F	AHT1a Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1543A-AHT1A-HANDED-GF	AHT1a Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1544A-AHT2-GF+1F	AHT2 Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1545A-AHT2-HANDED-GF+1F	AHT2 Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1546A-AHT3-GF+1F	AHT3 Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1547A-AHT3-HANDED-GF+1F	AHT3 Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1570A	Garages Ground Floor Plans Double & Single	1st June 2020
1338-D-1702A-ELEVATION CC	Elevation CC The Green to the Pond	1st June 2020
1338-D-1704A-ELEVATION EE	Elevation EE Landscape Edge	1st June 2020
1338-D-1800B-APT BLK A	Apartment Block A Elevations	1st June 2020
1338-D-1801B-APT BLK B	Apartment Block B Elevations	1st June 2020

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1338-D-1802B-APT BLK C	Apartment Block C Elevations	1st June 2020
1338-D-1850A-HT2+HANDED+2A	H2 & H2 Handed, H2a & H2a Handed Elevations Mid-terrace & Semi-detached Type 1	1st June 2020
1338-D-1851A-HT2+HANDED+2A	H2 & H2 Handed, H2a & H2a Handed Elevations Mid-terrace & Semi-detached Type 2	1st June 2020
1338-D-1852A-HT3+HANDED+3A-ELEVATIONS	H3 & H3 Handed and H3a Elevations Mid-terrace & Semi-detached Type 1	1st June 2020
1338-D-1853A-HT3+HANDED+3A-ELEVATIONS	H3 & H3 Handed and H3a Elevations Mid-terrace & Semi-detached Type 2	1st June 2020
1338-D-1854A-HT4-ELEVATIONS	HT4 Elevations Semi-detached Type 1	1st June 2020
1338-D-1855A-HT4-HANDED-ELEVATIONS	HT4 Handed Elevations Semi-detached Type 1	1st June 2020
1338-D-1856A-HT4-ELEVATIONS	HT4 Elevations Semi-detached Type 2	1st June 2020
1338-D-1857A-HT4-HANDED-ELEVATIONS	HT4 Handed Elevations Semi-detached Type 2	1st June 2020
1338-D-1858A-HT5-ELEVATIONS	HT5 & HT5 Handed Elevations Semi-detached Type 1	1st June 2020
1338-D-1859A-HT5-ELEVATIONS	HT5 & HT5 Handed Elevations Semi-detached Type 2	1st June 2020
1338-D-1860A-HT20+20A+HANDED	HT20 & Handed and HT20a Elevations Semi-detached & Detached Type 1	1st June 2020
1338-D-1861A-HT20+20A+HANDED	HT20 & Handed and HT20a Elevations Semi-detached & Detached Type 2	1st June 2020
1338-D-1862A-HT18-ELEVATIONS	HT18 Elevations Detached Type 1	1st June 2020
1338-D-1863A-HT18-HANDED	HT18 Handed Elevations Detached Type 1	1st June 2020
1338-D-1864A-HT18-ELEVATIONS	HT18 Elevations Detached Type 2	1st June 2020

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1338-D-1865A-HT18-HANDED-	HT18 Handed Elevations Detached Type 2	1st June 2020
1338-D-1866A-HT9-ELEVATIONS	HT9 Elevations Detached Type 1	1st June 2020
1338-D-1868A-HT9-ELEVATIONS	HT9 Elevation Detached Type 2	1st June 2020
1338-D-1869A-HT9-HANDED	HT9 Handed Elevation Detached Type 2	1st June 2020
1338-D-1870A-HT10	HT10 Elevations Detached Type 1	1st June 2020
1338-D-1871A-HT10-HANDED	HT10 Handed Elevations Detached Type 1	1st June 2020
1338-D-1872A-HT10-ELEVATIONS	HT10 Elevations Detached Type 2	1st June 2020
1338-D-1873A-HT10-HANDED-ELEVATIONS	HT10 Handed Elevations Detached Type 2	1st June 2020
1338-D-1874A-HT16	HT16 Elevations Detached	1st June 2020
1338-D-1875A-HT16	HT16 Handed Elevations Detached	1st June 2020
1338-D-1876A-HT17	HT17 Elevations	1st June 2020
1338-D-1877A-HT17	HT17 Handed Elevations	1st June 2020
1338-D-1880A-AHT1+AHT1A+HANDED	AHT1, AHT1a and AHT1a Handed Elevations Mid-terrace & Semi-detached	1st June 2020
1338-D-1881A-AHT2+AHT2 HANDED	AHT2 & Handed Elevations Semi-detached	1st June 2020
1338-D-1882A-AHT3	AHT3 Elevations Semi-detached	1st June 2020
1338-D-1883A-AHT3	AHT3 Handed Elevations Semi-detached	1st June 2020
1338-D-1890A	Garages Elevations Double & Single	1st June 2020
1338-D-1000C	Location Plan	30th June 2020
1338-D-1001B	Existing Site Plan	30th June 2020
1338-C-1335 REV B	Hard Landscape Strategy Sheet 7	22nd October 2020
1338-C-1350 REV B	Planting Schedule	22nd October 2020
1338-D-1201D	Parking Strategy Plan	25th November 2020

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1338-D-1202C	Boundary Conditions Strategy	22nd October 2020
1338-D-1203C	Refuse Strategy Plan	22nd October 2020
1338-D-1204C	Massing Plan	22nd October 2020
1338-D-1205C	Tenure Plan	22nd October 2020
1338-D-1300J	Site Layout Plan	22nd October 2020
1338-D-1301D	Site Layout Plan East	22nd October 2020
1338-D-1302D	Site Layout Plan West	22nd October 2020
1338-D-1305E	Section Line Plan	22nd October 2020
1338-D-1536	HT7 Ground & First Floor Plans Detached	22nd October 2020
1338-D-1537	HT7 Handed Ground & First Floor Plans Detached	22nd October 2020
1338-D-1700B	Elevations AA – The Lane	22nd October 2020
1338-D-1701B	Elevations BB – Fobbing on the Green	22nd October 2020
1338-D-1703B	Elevations DD – North Drive Apartments	22nd October 2020
1338-D-1705B	Elevations FF – The Island	22nd October 2020
1338-D-1878-HT7	HT7 Elevations Detached	22nd October 2020
1338-D-1879-HT7	HT7 Handed Elevations Detached	22nd October 2020
MBSK201015 -01-15	Swept Path Analysis	22nd October 2020
1338-C-1320 REV C	Tree Planting Plan Sheet 1	22nd October 2020
1338-C-1321 REV C	Tree Planting Plan Sheet 2	22nd October 2020

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1338-C-1322 REV B	Outline Planting Plan Sheet 1	22nd October 2020
1338-C-1323 REV B	Outline Planting Plan Sheet 2	22nd October 2020
1338-C-1324 REV B	Outline Planting Plan Sheet 3	22nd October 2020
1338-C-1325 REV B	Outline Planting Plan Sheet 4	22nd October 2020
1338-C-1326 REV B	Outline Planting Plan Sheet 5	22nd October 2020
1338-C-1327 REV B	Outline Planting Plan Sheet 6	22nd October 2020
1338-C-1328 REV B	Outline Planting Plan Sheet 7	22nd October 2020
1338-C-1329 REV C	Hard Landscape Strategy Sheet 1	22nd October 2020
1338-C-1330 REV C	Hard Landscape Strategy Sheet 2	22nd October 2020
1338-C-1331 REV B	Hard Landscape Strategy Sheet 3	22nd October 2020
1338-C-1332 REV B	Hard Landscape Strategy Sheet 4	22nd October 2020
1338-C-1333 REV B	Hard Landscape Strategy Sheet 5	22nd October 2020
1338-C-1334 REV B	Hard Landscape Strategy Sheet 6	22nd October 2020
1338-D-1200D	Unit Mix Plan	28th October 2020
1338-D-1100 REV D	Illustrative Roof Plan	22 October 2020

The application is also accompanied by:

- Outline Landscape Specification – 1338-C-1351
- Flood Risk Assessment Rev B
- Energy and Sustainability Statement – Rev 1.1
- Arboricultural Implications Report – 19103-01b
- Archaeological Desk-Based Assessment
- Earthworks Specification And Remediation Method Statement
- Ecological Report
- Transport Assessment
- Noise and Vibration Assessment

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<ul style="list-style-type: none"> <li>- Geo-Environmental Assessment</li> <li>- Landscape, Visual and Green Belt Appraisal</li> <li>- Planning Statement</li> <li>- Technical Note – Drainage</li> <li>- Statement of Community Involvement</li> <li>- Health Impact Assessment</li> <li>- Transport Assessment Addendum</li> <li>- Travel Plan</li> <li>- Accessibility Note</li> <li>- VSC Letter</li> <li>- Technical Note – Noise and Vibration</li> <li>- Landscape, Visual and Green Belt Appraisal Addendum</li> <li>- Design &amp; Access Statement - Landscape</li> <li>- Planning Statement Addendum</li> <li>- Revised Design and Access Statement</li> </ul>	
<p><b>Applicant:</b> Bellway Homes Ltd (Thames Gateway Division) c/o Catherine Williams, Savills</p>	<p><b>Validated:</b> 27 May 2020</p> <p><b>Date of expiry:</b> 31 January 2021 (Extension of Time agreed with applicant)</p>
<p><b>Recommendation:</b> Approve subject to conditions and s106 agreement</p>	

This application has been called in to be determined by the Planning Committee by Cllr Holloway, Cllr Rice, Cllr Fletcher, Cllr Muldowney and Cllr Shinnick in accordance with the Constitution Chapter 5, Part 3 (b), 2.1 (d) (i) on the road infrastructure, provision of dentists and doctors, local school places and NHS contributions.

## 1.0 DESCRIPTION OF PROPOSAL

1.1 Full planning permission is sought for demolition of all existing buildings and structures and redevelopment of the site to provide 168 dwellings and associated access, parking, public open space, landscaping and drainage infrastructure.

1.2 The key elements of the proposals are set out in the table below:

<b>Site Area (Gross)</b>	9.8 ha (5.27 ha net developable area)
<b>Height</b>	Up to 2 storey for houses and up to 3 storey for apartments

Units (All)	Type (ALL)	1- bed	2- bed	3- bed	4- bed	5- bed	TOTAL
	Houses		29	84	31		144
	Apartments	9	15				24
	<b>TOTAL</b>	<b>9</b>	<b>44</b>	<b>84</b>	<b>31</b>		<b>168</b>

  

Affordable Units	Type (ALL)	1- bed	2- bed	3- bed	TOTAL
	Houses		16	19	35
	Apartments	9	15		24
	<b>TOTAL</b>	<b>9</b>	<b>31</b>	<b>19</b>	<b>59</b>

  

<b>Car Parking</b>	<p>Apartments: 31 spaces</p> <p>Houses: 301 spaces</p> <p>Total allocated and unallocated space : 342 spaces (Average of per unit)</p> <p>Total Visitor: 46 spaces (Average per unit)</p> <p>Total: 388</p>
<b>Cycle Parking</b>	At least 1 per unit
<b>Amenity Space</b>	<p>42m<sup>2</sup> to 127 m<sup>2</sup> for houses</p> <p>5m<sup>2</sup> for apartments along with access to shared amenity space</p>
<b>Density</b>	32 units per ha for the net developable area (5.27 ha)

- 1.3 Key elements of the proposed development are explained below:
- 1.4 **Demolition:** The proposal would result in the demolition of the existing structures on site
- 1.5 **Access:** The existing site access would be retained for emergency access purposes only and a new vehicular access further to the south centrally along the site's eastern boundary would be formed. This access would link an internal street network serving the development and providing pedestrian and cycle routes.
- 1.6 **Layout:** The proposed layout involves dwellings fronting onto the internal street network with one main road serving the site. In the centre of the site a village green area would be provided in front of a number of houses as the applicant is seeking to create a village context to the development. The houses would be set back from eastern, southern and western boundary by landscaping and existing vegetation.

- 1.7 **Scale:** The development would have 2 storey houses, and the apartments would be 3 storeys high.
- 1.8 **Design and Appearance:** The applicant is seeking to create village like development and housing and apartments follow a more traditional building form including terraced, semidetached and detached house types and three storey pitched roof apartment blocks. The houses and apartments feature gable features, bay windows at ground floor level and corner dual aspect elevations.
- 1.9 There are a total of 15 different private house types, 4 affordable house types and 3 apartment blocks.
- 1.10 **Landscaping and Open Space:** A detailed landscaping scheme is proposed to enhance and complement the existing landscaping at the site. The western part of the site would remain as land used for open space purposes and would include a playspace. Further landscaping would follow the existing watercourse and water features within the site.
- 1.11 **Amenity space:** Each house would have a private garden ranging between 45 to 180m<sup>2</sup>. Each apartment would have a balcony 5m<sup>2</sup> in size and access to a shared amenity space.
- 1.12 **Surface Water Drainage:** The surface water management strategy is to provide a series of five (5) swales that would be drain to the existing watercourse at greenfield rate.
- 1.13 **Energy and Sustainability:** The proposal includes a range of measures including photovoltaic panels, energy efficient fabrics, materials used from sustainable sources and low water usage fittings.

## 2.0 SITE DESCRIPTION

- 2.1 The site measures 9.8 hectares and is located to the western side of High Road, north of Fobbing in a semi-rural location. The site is accessed by one single point of access onto the High Road. The site consists of two disused storage reservoirs, a water treatment plant and a pumping station. These disused facilities, associated industrial buildings and areas of hard standing remain on site. A number of the buildings and a large part of the hardstanding is used for a variety of commercial storage uses. Other parts of the site including the manmade lagoons, which are now overgrown. A watercourse runs north south through the site across to an existing pond on the southern boundary.

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- 2.2 To the north the backs onto the railway that forms part of the 'Tilbury Loop' serving Pitsea and Southend to the east, Stanford Le Hope, Tilbury, Grays and onto London to the west. Beyond the railway to the north is sporadic ribbon development following the Southend Road and linking to the Five Bells interchange with the A13. To the east is the High Road and a small collection of dwellings and fields. To the south further ribbon development follows the western side of the High Road towards Fobbing. To the west are fields and a public footpath (PF23).
- 2.3 In terms of accessibility, an existing footway on the western side of the High Road would allow pedestrian access to the north across the railway level crossing towards the Five Bells interchange where bus services can be reached, along with the two bus stops to the front of the site.
- 2.4 The site lies within the Metropolitan Green Belt and borders the boundary with Basildon Borough Council to the east.

### 3.0 RELEVANT PLANNING HISTORY

- 3.1 The following table provides the planning history:

Application Reference	Description	Decision
50/00255/FUL	Workshop, Store	Approved
61/00448/FUL	Caravan	Approved
64/00143/FUL	Two Pumping Stations	Approved
64/00144/OUT	Two Pumping Stations, Treatment Plant, Sludge Lagoons	Approved
73/01106/FUL	Road Widening Entrance Improvement	Approved
84/00322/FUL	Erection of 650m of 1.8m high chain link fence	Approved
LDC/1/93	General storage use	Approved
98/00504/EA	Consultation by Environment Agency on an application for a waste management licence for an inert-material treatment facility.	Object
20/01087/SCR	Environmental Impact Assessment Screening Opinion pursuant to Part 3 (8) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017: Demolition of all existing buildings and structures and redevelopment of the site to provide 178 dwellings and associated access, parking, public open space, landscaping and drainage infrastructure (Planning application ref:	EIA Not Required

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#### 4.0 CONSULTATION AND REPRESENTATIONS

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

#### 4.2 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters, press advert and public site notice which has been displayed nearby. Twenty-four letters were received in response to this application objecting to the proposal on the following grounds:

- Inappropriate development in the Green Belt
- Out of character with Fobbing village
- Unsustainable location
- Impact upon local road network
- Access to the site
- Traffic
- Parking
- Road and pedestrian safety
- Proximity to level crossing with the dangers of people crossing
- Construction traffic
- Pollution
- Litter
- Impact upon local infrastructure
- Impact upon property value
- Noise impact upon future residents
- Flooding
- Impact upon wildlife and local habitats
- Precedent for development in the Green Belt
- Amendments to scheme do not resolve concerns
- Schools and doctors surgeries already oversubscribed
- Overcrowding
- Over-development

#### 4.3 ANGLIAN WATER:

No objection.

**4.4 BASILDON COUNCIL:**

Object as the development is inappropriate development in this Green Belt location and no Very Special Circumstances have been put forward that would overcome the substantial harm.

**4.5 CADENT:**

No objection.

**4.6 EDUCATION:**

No objection subject to a financial contribution of £873,347.77 towards nursery and primary education.

**4.7 ENVIRONMENTAL HEALTH:**

No objection subject to conditions regarding noise mitigation, contamination recommendations and a Construction Environmental Management Plan.

**4.8 ESSEX POLICE ARCHITECTURAL LIAISON OFFICER:**

Recommend that the proposal seeks to achieve relevant Secure by Design accreditation.

**4.9 ESSEX COUNTY COUNCIL ARCHAEOLOGY:**

No objection subject to condition.

**4.10 FLOOD RISK ADVISOR:**

No objection subject to conditions requiring a detailed surface water drainage scheme and details of the future management and maintenance arrangements.

**4.11 HIGHWAYS:**

No objection subject to conditions and a planning obligations to mitigate the impact upon the railway level crossing as full barriers should replace the existing half barrier to improve safety.

**4.12 HIGHWAYS ENGLAND:**

No objection.

#### 4.13 HOUSING:

No objection to the proposal which would provide a policy compliant 35% of affordable housing and the mix of affordable housing types and unit sizes is acceptable.

#### 4.14 LANDSCAPE AND ECOLOGY ADVISOR:

No objection regarding ecology subject to conditions in relation to mitigation and enhancement measures and a planning obligation to mitigate the impact upon the Thames Estuary and Marshes SPA a financial contribution of £21,097.44 towards the Essex Coast RAMS strategy. Conditions are also necessary for agreeing landscaping details

#### 4.15 NATURAL ENGLAND:

A Habitat Regulations Assessment (HRA) is required and need to be undertaken by the local authority.

#### 4.16 NHS ENGLAND:

No objection subject to a financial contribution of £66,240 to mitigate impact of the proposal on local healthcare services, in particular the Rigg Milner Meical Centre and Sai Medical Centre.

#### 4.17 TRAVEL PLAN CO-ORDINATOR:

No objection subject to the need for a travel plan and an associated monitoring fee of £525 per annum for a minimum of five years.

## 5.0 POLICY CONTEXT

### 5.1 National Planning Policy Framework

The revised NPPF was published on 19 February 2019 and sets out the government's planning policies. Paragraph 14 of the Framework sets out a presumption in favour of sustainable development. Paragraph 2 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. The following headings and content of the NPPF

are relevant to the consideration of the current proposals:

- 5. Delivering a sufficient supply of homes;
- 8. Promoting healthy and safe communities;
- 9. Promoting sustainable communities;
- 12. Achieving well-designed places;
- 13. Protecting Green Belt land;
- 14. Meeting the challenge of climate change, flooding and coastal change;
- 15. Conserving and enhancing the natural environment;
- 16. Conserving and enhancing the historic environment;

## 5.2 Planning Policy Guidance

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

- Air quality
- Design
- Determining a planning application
- Environmental Impact Assessment
- Green Belt
- Historic environment
- Housing needs of different groups
- Housing supply and delivery
- Natural environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Rural housing
- Travel Plans, Transport Assessments and Statements
- Use of planning conditions
- Viability

## 5.3 Local Planning Policy Thurrock Local Development Framework

The “Core Strategy and Policies for Management of Development” was adopted by Council on the 28th February 2015. The following policies apply to the proposals:

## OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

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

## SPATIAL POLICIES

- CSSP1 (Sustainable Housing and Locations)
- CSSP4 (Sustainable Green Belt)
- CSSP5 (Sustainable Greengrid)

## THEMATIC POLICIES

- CSTP1 (Strategic Housing Provision)
- CSTP15 (Transport in Greater Thurrock)
- CSTP18 (Green Infrastructure)
- CSTP19 (Biodiversity)
- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)
- CSTP25 (Addressing Climate Change)
- CSTP27 (Management and Reduction of Flood Risk)

## POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD4 (Historic Environment)
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)
- PMD6 (Development in the Green Belt)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD8 (Parking Standards)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)
- 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. In December 2018 the Council began consultation on an Issues and Options [Stage 2 Spatial Options and Sites] document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

## 5.5 Thurrock Design Strategy

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document [SPD] which supports policies in the adopted Core Strategy.

## 6.0 ASSESSMENT

6.1 The material considerations for this application are as follows:

- I. Principle of the Development and the Impact upon the Green Belt
- II. Housing Land Supply, Need, Mix and Affordable Housing
- III. Design and Layout and Impact upon the Area
- IV. Open Space, Landscaping and Amenity Space
- V. Landscape and Visual Impact
- VI. Access, Traffic Impact, and Parking
- VII. Flood Risk and Surface Water Drainage
- VIII. Ecology and Biodiversity
- IX. Air Quality
- X. Noise
- XI. Effect on Neighbouring Properties
- XII. Land Contamination and Ground Works
- XIII. Refuse and Recycling
- XIV. Energy and Sustainable Buildings
- XV. Viability and Planning Obligations
- XVI. Sustainability
- XVII. Other Matters

- I. PRINCIPLE OF THE DEVELOPMENT AND THE IMPACT UPON THE GREEN BELT

6.2 As the site is located within the Green Belt policies CSSP4 and PMD6 apply. Policy CSSP4 identifies that the Council will '*maintain the purpose function and open character of the Green Belt in Thurrock*', and policy PMD6 states that the Council will '*maintain, protect and enhance the open character of the Green Belt in Thurrock*'.

These policies aim to prevent urban sprawl and maintain the essential characteristics of the openness and permanence of the Green Belt in accordance with the requirements of the NPPF.

- 6.3 Paragraph 133 within Chapter 13 of the NPPF states that the Government attaches great importance to Green Belts and that the *'fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'*.
- 6.4 In terms of Green Belt policy it is necessary to refer to the following key questions:
1. Whether the proposals constitute inappropriate development in the Green Belt;
  2. The effect of the proposals on the open nature of the Green Belt and the purposes of including land within it; and
  3. Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the 'Very Special Circumstances' necessary to justify inappropriate development.
1. Whether the proposals constitute inappropriate development in the Green Belt;
- 6.5 Paragraph 143 of the NPPF defines 'inappropriate development' as definitional harm to the Green Belt and should not be approved except in very special circumstances.
- 6.6 Paragraph 145 of the NPPF states that local planning authority's should regard the construction of new buildings as inappropriate development but allows 'exceptions' for development in the Green Belt, which through part (g) of the policy allows for redevelopment of previously developed land subject to certain criteria. Policy PMD6 also allows 'exceptions' for allowing certain development within the Green Belt where redevelopment of previously developed land applicable, through part 6 II of the policy.
- 6.7 Before considering the impact of the development it is necessary to consider the extent of the site which constitutes previously developed land. Annex 2 of the NPPF defines 'previously developed land' as:

*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*

- 6.8 In terms of the present condition of the site aerial photography and a site visit demonstrated that there are large portions of the site could be considered to constitute 'previously developed land'. The site includes a number of structures and hardstanding areas along with a large covered reservoir. The site has 5.27 hectares of the sites total area of 9.8 hectares that is previously developed land. Areas that are not 'previously developed land' include the western part of the site that is a woodland and areas to the south which once formed 'sludge lagoons' to the former waterworks use but have since blended into the landscape. However, a lawful development certificate for general open storage was approved in the 1993 (ref LDC/1/93) and this effectively allows for the site to be used for general open storage use.
- 6.9 In light of the above, the proposal would fall within the 'exception' criteria of policy PMD6 (6 II) and paragraph 145 (g) of the NPPF as the proposal would involve re-use of 'previously developed land' but the proposal's impact upon the openness of the Green Belt needs to be assessed, along with any affordable housing provision for the proposal to fully meet the criteria within paragraph 145 (g) of the NPPF as an 'exception'.
2. The effect of the proposals on the open nature of the Green Belt and the purposes of including land within it;
- 6.10 Having assessed the relevant 'exception' criteria above the next step is to consider the impact of the proposal upon the open nature of the Green Belt and the purposes of including land within it.

#### The Five Purposes of the Green Belt

- 6.11 Paragraph 134 of the NPPF sets out the five purposes which the Green Belt serves as follows:
- a. to check the unrestricted sprawl of large built-up areas;
  - b. to prevent neighbouring towns from merging into one another;
  - c. to assist in safeguarding the countryside from encroachment;
  - d. to preserve the setting and special character of historic towns; and
  - e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.12 In response to each of these five purposes:
- a. to check the unrestricted sprawl of large built-up areas*

6.13 The site is located in a semi-rural location with existing development nearby. Basildon is the nearest large built up area, further to the north of the site with Corringham further to the west. Both large built up areas are further distant from the site with predominantly open land in between with sporadic development. The site itself is contained by the railway line to the north, High Road to the east and the existing physical features such as the water feature to the south and some residential development, along with a public footpath to the west.

6.14 The proposal would therefore not lead to unrestricted sprawl of large built up areas and therefore there would no conflict with this purpose.

*b. to prevent neighbouring towns from merging into one another*

6.15 The site is in semi-rural location which separates Basildon from Corringham. Given the separation between these towns the proposal would not result in neighbouring towns merging and so there would be no conflict this purpose.

*c. to assist in safeguarding the countryside from encroachment*

6.16 As the proposal seeks to build on Previously Developed Land this would not lead to encroachment into the countryside, although there would a different visual impact upon the countryside in compared to the existing appearance of the site. However, the proposal would not conflict with this purpose.

*d. to preserve the setting and special character of historic towns*

6.17 As there are no historic towns in the immediate vicinity of the site, the proposal does not conflict with this purpose.

*e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land*

6.18 In policy terms, the development should occur in the urban area and does not assist in urban regeneration. In principle there is no spatial imperative why Green Belt land is required to accommodate the proposal however it is recognised the site constitutes Previously Developed Land and the proposal would serve to redevelop the site for new housing in the Borough. On balance, it is considered that the proposal would not conflict with this purpose.

6.19 In light of the above analysis, it is considered that the proposals would not conflict with the 5 purposes of including land in the Green Belt.

Impact upon the Openness of the Green Belt

- 6.20 It has been established that 5.27 hectares of the 9.8 hectares of the site is previously developed land. The applicant's Planning Statement states that the proposed development would occupy 4.46 hectares of the site providing 5.08 hectares of open space and landscaping. Therefore in land area coverage the proposal would occupy less land than the current land use.
- 6.21 In terms of volume the applicant's Planning Statement explains that the existing buildings and structures on site would have a volume of 58,375 m<sup>3</sup> and the proposal would result in 64,678m<sup>3</sup> and therefore would result in an increase in volume at the site, which is the equivalent of a 10% increase.
- 6.22 In terms of built footprint the current buildings and structures on site, including the covered reservoir, occupy 24,127m<sup>2</sup> and the proposal would result in less built footprint covering an area of 10,133m<sup>2</sup>. This assessment does not take account of the large areas of existing hardstandings across the site that would also be removed. Therefore the proposal would result in a decrease built footprint and built form across the site.
- 6.23 In terms of height, the majority of existing buildings on site are low rise buildings with the exception of the tower structure that is 17m high. The proposed residential development would mainly form two storey dwellings 8.2m high and three storey apartment blocks 11.6m high. Therefore no building or structure would be as tall as the existing tower structure.
- 6.24 The PPG on Green Belt advises that the consideration *'openness is capable of having both spatial and visual aspects – other words, the visual impact of the proposal may be relevant, as could its volume'*.
- 6.25 The applicant's Landscape, Visual and Green Belt Appraisal has assessed the impact of the development as viewed from external receptors to determine the impact on openness of the Green Belt. It concludes at paragraph 4.3.13 that the *'visibility of proposed changes are likely to be experienced within the urban context of the infrastructure corridor to the south of Basildon and the visible presence of commercial, industrial and residential buildings located around the edge of the town, and the residential dwellings located to the northern edge of Fobbing. The resulting perception of change to the openness of the Site is considered to be low/medium, and therefore well below substantial'*.
- 6.26 It is therefore acknowledged that the proposal would have a greater impact on the openness of the Green Belt than the existing development on site. However, the site has existing development as Previously Developed Land and the fall-back position of a lawful development certificate allows for the site to be used for an open storage use.

### Assessment of Harm

- 6.27 Turning to the assessment of harm and having regard to paragraph 145 (g) of the NPPF, which states:
- (g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
- *not have a greater impact on the openness of the Green Belt than the existing development; or*
  - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*
- 6.28 It is the applicant's case that the paragraph 145 (g) second bullet point of the NPPF is applicable.
- 6.29 The proposed development would cause harm to the openness of the Green Belt but a judgement needs to be made as to whether that is '*substantial harm*' in regard to paragraph 145 (g) of the NPPF. At present there are large areas of hardstanding at ground level that do not impact upon the openness of the site and the positions of existing buildings are clustered together and are mainly low rise structures with the exception of the tower structure. The site is also well established with landscaping that also reduces the visual impact of the existing development on site including the reservoir which is covered in grass and blends into the landscaping. The proposal would result in a spatial and visual change to the site and would result in a change in character that would impact upon the openness of the site. However, the proposal has been designed to re-use areas of Previously Developed Land and would result in less land coverage, floorspace and height, and would not conflict with the five purposes of the Green Belt, it is considered that the proposal would have an impact upon the openness of the Green Belt but that level of impact would not result in '*substantial harm*'.
- 6.30 The second part of the bullet point to paragraph 145 of the NPPF is regard to meeting an identified affordable housing need within the area. As recognised through policy CSTP2 there is a need for affordable housing within the Borough and to support the applicant's case a policy compliant level of affordable housing is offered, which is 35% of the development to meet with the requirements of policy CSTP2.
- 6.31 Policy PMD6 states that the Council will '*maintain, protect and enhance the open character of the Green Belt in Thurrock*' but includes '*exceptions*' for allowing certain

development within the Green Belt, providing this accords with the requirements of this policy. Relevant to this proposal is the following section of Policy PMD6:

*6. Infilling and partial or complete redevelopment of a previously developed site comprising more than a single building.*

*I. Infilling should:*

- i. have no greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development*
- ii. not exceed the height of the existing buildings discounting any abnormally tall existing structures; and*
- iii. not lead to a major increase in the developed proportion of the site.*

*II. Redevelopment should:*

- i. have no greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development taking into account any proposed enclosure of open land*
- ii. contribute to the achievement of the objectives for the use of land in the Green Belt*
- iii. not exceed the height of the existing buildings discounting any abnormally tall existing structures*
- iv. not occupy a larger area of the site than the existing buildings unless this would achieve a reduction in height which would benefit visual amenity, and*
- v. satisfactorily integrate with its landscape surroundings and, where it may be appropriate in order to meet that objective, buildings should be sited closer to existing buildings*

6.32 With regard to policy PMD6 and the criteria set out in point 6 bullet point II, the proposed re-development of the site:

- i. would have greater impact upon on the openness of the Green Belt than existing development but as identified above this would not be 'substantial harm' in regard to paragraph 145 of the NPPF;
- ii. would not conflict with the objectives for the use of the land within the Green Belt, in regard to the five purposes set out in paragraph 133 of the NPPF;
- iii. would not exceed the height of existing buildings and tall structures;
- iv. would result in less land coverage and built footprint than existing buildings and hardstanding, would achieve a reduction in height through the removal of the existing tower and overall the proposal would not be detrimental to visual amenity;
- v. has been designed to integrate within its landscape surroundings and all buildings have been designed to occupy previously developed land without sprawling into areas of land that have not been previously developed.

6.33 The proposal would lead to harm to the Green Belt but that level of harm is not considered to be 'substantial harm' when judged with paragraph 145 of the NPPF, which provides the most up to date policy consideration over policy PMD6.

3. Whether the harm to the Green Belt is clearly outweighed by other considerations, so as to amount to the Very Special Circumstances necessary to justify the development

6.34 For the reasons set out above no further Green Belt assessment is needed as the 'exceptions' through proposal paragraph 145 of the NPPF and policy PMD6 apply allow for re-use of Previously Developed Land, and therefore there is no policy requirement to assess 'very special circumstances'.

#### Conclusion to this section

6.35 As ever, in reaching a conclusion on Green Belt issues, a judgement has to be made when considering the impact upon the openness and the level of harm associated with a proposed development.

6.36 In this case the proposal has been carefully designed to re-use areas of Previously Developed Land and would result in less land coverage, floorspace and height, and would not conflict with the five purposes of the Green Belt, it is considered that the proposal would have an impact upon the openness of the Green Belt but that level of impact would not result in 'substantial harm'. Therefore the proposal is acceptable as redevelopment of previously developed land with regard to the criteria set out in policy PMD6 and paragraph 145 of the NPPF and no further Green Belt assessment of 'very special circumstances' is required.

## II. HOUSING LAND SUPPLY, NEED, MIX AND AFFORDABLE HOUSING

6.37 The proposal is for residential development and there is a housing need within the Borough as the Council cannot, at present, demonstrate an up to date five year housing land supply to comply with the requirements of paragraph 73 of the NPPF.

6.38 Policy CSTP1 requires the dwelling mix for new residential developments to be provided in accordance with the latest [May 2016] Strategic Housing Marketing Assessment [SHMA] and the update Addendum [May 2017]. The SHMA sets out the housing need and mix requirements for the Borough but also the wider context of South Essex. The SHMA identifies the need for 3 bedroom semi-detached and terraced houses, and the need for 1 and 2 bedroom apartments.

6.39 The proposal would provide 168 dwellings and the dwelling mix would result in 144 houses (2, 3 and 4 bedroom units) and 24 apartments (1 and 2 bedroom units). This

would reflect the Borough's housing needs in regard to the latest SHMA and policy CSTP1. There are no objections raised by the Council's Housing Officer as the proposed units would meet the demand as set out in the SHMA.

- 6.40 With regard to affordable housing, policy CSTP2 requires 35% of the development to be allocated for affordable housing. The applicant is offered a policy compliant level of affordable housing comprising totalling 59 affordable dwellings in the form of 35 houses (2 and 3 bedroom units) and 24 flats (1 and 2 bedroom units). The Council's Housing Officer supports the provision being offered subject to the affordable housing being secured through a planning obligation.

### III. DESIGN AND LAYOUT AND IMPACT UPON THE AREA

- 6.41 Policy CSTP22 requires proposals to have a *'positive response to the local context'*, and policy CSTP23 seeks to *'protect, manage and enhance the character of Thurrock to ensure improved quality and strengthened sense of place'* with proposals needed to be considered where there character is a 'rural landscape' and within the 'Green Belt'. Policy PMD2 states *'Development must contribute positively to the character of the area in which it is proposed, and to surrounding areas that may be affected by it. It should seek to contribute positively to local views....and natural features'*. Paragraph 124 of the NPPF requires the creation of highway buildings and places and PPG Design: Process and Tools identifies 10 characteristics, which are context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan.
- 6.42 The Thurrock Design Strategy was adopted as a supplementary planning document in addition to the above policies and endorsed as a material consideration in the determination of planning applications in March 2017. Section 3 of the Guide ('Designing in Context') requires applicants to appraise a development site by taking the following considerations into account:
- understanding the place;
  - working with site features;
  - making connections; and
  - building in sustainability.

#### Understanding the Place

- 6.43 The site measures 9.8 hectares and is located to the western side of High Road, north of Fobbing in a semi-rural location. The site is accessed by a single point of access onto the High Road. The site consists of two disused storage reservoirs, a water treatment plant and a pumping station. These disused facilities, associated industrial buildings and areas of hard standing remain on site. A number of the

buildings and a large part of the hardstanding is used for a variety of commercial storage uses. Other parts of the site including the manmade lagoons, which are now overgrown. A watercourse runs north south through the site across to an existing pond on the southern boundary.

- 6.44 To the north the backs onto the railway that forms part of the 'Tilbury Loop' serving Pitsea and Southend to the east, Stanford Le Hope, Tilbury, Grays and onto London to the west. Beyond the railway to the north is sporadic ribbon development following the Southend Road and linking to the Five Bells interchange with the A13. To the east is the High Road and a small collection of dwellings and fields. To the south further ribbon development follows the western side of the High Road towards Fobbing. To the west are fields and a public footpath (PF23).

#### Layout

- 6.45 The proposed layout of the development has been designed to occupy the majority of previously developed land within the site where there are either existing buildings or hardstandings. The proposed layout has also been designed around the existing context of physical features on the site such as existing vegetation, the watercourse and pond. The layout plan shows acceptable distances between buildings and landscape buffers around the site to provide a more spacious layout. The site would be accessed via a new 'T' junction onto the High Road with the existing access to be only used for emergency purposes. The new access roads and pedestrian footways would allow for access, movement and permeability to all properties within the site and the areas of open space. The proposal seeks to retain existing vegetation and enhance with further planting and a detailed landscaping scheme.
- 6.46 The proposed internal layout dimensions for the apartments would all be acceptable.

#### Scale and design

- 6.47 All houses types would be two storey and the apartment blocks would be three storey. All properties would have pitched roofs. The majority of built form across the site would be seen as two storey with the three storey apartments located adjacent to the raised railway embankment and where existing former tower structure is present.
- 6.48 The proposal is for a traditional housing design approach with a range of house types that would follow a simple built form with dual pitched roofs, gable ends, porch canopy features, balcony and brick soldier coursing. The materials to be used would include buff and red brick, dark weatherboarding, red clay effect and grey slate effect roof tiles. The Design and Access explains this approach is to complement existing

development in the immediate area with example images shown of similar design features.

- 6.49 In addition to the built form, the Design and Access Statement includes a detailed landscaping section and the implementation of appropriate landscaping details is essential in this semi-rural location for ensuring the development 'blends in' to its surroundings, which for this site and location is a key element of the placemaking process.

#### Impact upon the area

- 6.50 The proposal would lead to a change to the current appearance of the site and its immediate context shifting from a former waterworks site that has development that has become established into the landscape in terms of the covered reservoir and former sludge lagoons. The change would result in the creation of residential estate which requires the implementation of a detailed landscaping scheme to integrate its appearance into its surroundings; over time the proposed landscaping would develop and reduce the impact of the development.
- 6.51 Overall, the proposed development is considered to be acceptable in design terms having regard to the Thurrock Design Strategy SPD, policies CSTP22, CSTP23 and PMD2, alongside the requirements of the NPPF and PPG.

#### IV. OPEN SPACE, LANDSCAPING AND AMENITY SPACE

##### Open Space and Playspace

- 6.52 The planning application is supported by a number of plans detailing open space and soft landscaping proposals for the site. Around the eastern and southern parts of the site existing features such as existing vegetation, a watercourse and drainage pond would be retained and would be seen as a landscaped buffer to the development. The existing woodland area to the west of the site would be retained apart from a small clearing area where an area of public open space within the existing woodland would be created within this area. A play space would be created comprising of sympathetic materials including timber play equipment, boulders, stepping stones, balancing beams, a log walk clatter bridge and scissor bridge. The exact details of this equipment would need to be secured through planning condition/obligation but the applicant's approach is to ensure the playspace fits into the natural woodland environment.
- 6.53 The public footpath (PF23) to the west of the site allows public access into the site and this connection has benefits of achieving the sustainable greengrid approach

sought through policy CSSP5 but also in regard to improving access as sought through paragraph 98 of the NPPF.

- 6.54 Reference is made to a 'village green' in the centre of the site but this is only a small area of greensward where houses would front onto for visual benefits rather than a traditional village green.
- 6.55 The overall level of open space provision is considered acceptable with regard to the criteria in Appendix 5 'Open Space Standards', policies CSTP20 and PMD5, and paragraph 96 of the NPPF.

#### Landscaping and Trees

- 6.56 To complement the open space the Design and Access Statement explains landscaping details for this site including hard and soft landscaping details and proposed planting schedules. The Council's Landscape and Ecology Advisor considers that the landscaping approach focusses more on ornamental varieties rather than larger growing specimens that are more typical of this rural location. It is considered that a planning condition is required for the exact details of the landscaping for this site to be agreed and this is necessary in regard to the landscape requirements for new developments in policy PMD2.
- 6.57 There are no trees within the site that are subject of Tree Preservation Orders (TPO's). The applicant's Arboricultural Impact Assessment states that some tree removal is required to facilitate the development, particularly trees in the central part of the site, however, none of trees on site are of high category trees status. For retained trees the Arboricultural Impact Assessment advises that root protection areas would be implemented as recommended on the Tree Protection Plan in the Arboricultural Impact Assessment. The trees to be removed include one English Oak and 12 Crack Willow trees, these trees have all been assessed to be category B and category C trees. A number of trees would be pruned before the site is occupied by residents. The Council's Landscape and Ecology Advisor considers the benefits of maintaining the existing trees in the short term such as the Crack Willow but a more detailed landscape should be provided through condition to look for longer term solutions to allow the development to be acceptable with regard policy PMD2.
- 6.58 In addition to the above, the open space, play space and landscaping of the site shall need to be managed and therefore details of the future management and maintenance arrangements for the site shall need to be secured through a planning condition or obligation (if payment is necessary).

#### Private Amenity Space

- 6.59 Each apartment would have either a balcony or patio area ranging between 3.7 m<sup>2</sup> to 4.5 m<sup>2</sup>; these areas would be on the public site of the building looking towards the houses on the opposite side of the street. Communal amenity space is also required; the space around the apartments is considered as incidental landscaping areas rather than communal amenity space. Future occupiers would have access to the areas of open space within the site and the woodland area to the west, so this combined with the balcony space would, on balance, provide amenity space for future occupiers of the flats.
- 6.60 For the houses the smallest private amenity space would be 42 m<sup>2</sup> for a 2 bedroom unit and the largest 127 m<sup>2</sup> for a 4 bedroom unit. As the proposal includes areas of public open space within the site the level of private amenity space is considered acceptable for the proposed houses on this site with regard to policy PMD2.

#### V. LANDSCAPE AND VISUAL IMPACT

- 6.61 The Council's Landscape Capacity Study (2005) designates the site within the 'B3 – Fobbing Ridge Rolling Farmland/Wooded Hills' landscape character area. The key landscape characteristics of the two areas, as described by the Capacity Study are:

##### *B3*

- *Gently undulating farmland.*
  - *Wide scarp slope.*
  - *Extensive views to the south and east.*
  - *Visual clutter of pylons and power lines.*
  - *Large rectilinear fields.*
  - *Clipped and/or gappy hedges.*
  - *Landmark buildings within the historic cores of Fobbing & Corringham.*
- 6.62 The Council's Landscape Capacity Study refers to the 'overall character' as 'not heavily influenced by urban fringe land uses' but in the 'evaluation' identifies the area as 'highly sensitive' to urban developments. The B3 zone extends to an area much larger than the application site and the application site already includes previously developed land.
- 6.63 The applicant's Landscape, Visual and Green Belt Appraisal states that *'the proposed development would result in some adverse effects and the potential loss of openness but this is perhaps unavoidable considering the open aspect of the eastern edge of the Site and proximity of receptors. The long term landscape effects are limited to being at worst slight adverse, and when the proposed (increased) woodland planting is fully established to a height of over 10 metres, this is perhaps*

*likely to be not significant. The long term visual effects are highly localised, and restricted to being slight adverse on receptor 2 (the immediate east of the site)'.*

- 6.64 The Council's Landscape and Ecology Advisor recognises there are existing buildings and other structures set behind the grass topped reservoir and therefore the east end of the site reads as open and undeveloped. The subsequent on site assessment of key viewpoints taken from the applicant's Landscape, Visual and Green Belt Appraisal confirms that existing vegetation and topography resulted in their being limited visual effects caused by the development and that stepping the development back from the eastern boundary would allow for a more robust planting scheme to be delivered to mitigate the effects. Overall the landscape and visual effects are primarily contained due to existing trees that will be retained, topography and other development. The Council's Landscape and Ecology, on balance, raises no objection on landscape and visual impact and therefore the proposal is considered to be acceptable having regard to policies CSTP22, CSTP223 and PMD2.

## VI. TRAFFIC IMPACT, ACCESS AND CAR PARKING

### Access and Accessibility

- 6.65 The proposal would result in changes to the access and egress into the site. The existing access would be retained as an 'emergency only' access into the site. A new 'T' junction would be created to provide vehicle and pedestrian access further south than the existing access and roughly halfway along the site's eastern boundary. This would result in an improvement when compared to the existing access which is in very close proximity to the railway level crossing where it accesses the High Road. The applicant's Transport Assessment (TA) explains that the proposal would also seek to introduce a 30mph speed limit across the new site access. The new access would serve the internal road layout of the development. The Council's Highway Officer raises no objections and the proposed access arrangement is acceptable with regard to policy PMD9 and paragraph 108 of the NPPF.
- 6.66 In terms of accessibility, an existing footway on the western side of the High Road would allow pedestrian access to the north across the railway level crossing towards the Five Bells interchange, and to the south the footway follows the road all the way into the village of Fobbing. The TA explains the proposal would provide a new footpath linking to the western boundary and public footpath (PF23). The National Cycle Route 13 is 1.5km to the west.

### Traffic Impact

- 6.67 The TA explains that the current commercial use of the site involves a normal operation of 295 arrivals and 295 departures over a 24 hour period but with a

potential for a maximum of 561 arriving and 561 departing over a 24 hour period. The proposal would result in a predicted 361 arrivals and 369 departures which is less than the maximum potential of the site as existing. The proposal would result in a residential use so the associated vehicle movements would be different to the existing commercial use of the site with significant less lorry movements. The proposal would not affect current vehicle movements associated with the nearby railway level crossing and would not result in any issues with nearby junction capacities. Therefore this would be acceptable with regard to the surrounding road network in regard to policies PMD9 and PMD10, and paragraphs 108 and 110 of the NPPF.

- 6.68 Highways England raise no objections and the Council's Highway Officer does not object but has raised concerns over the potential impact upon the safety at the level crossing as this only has half barriers crossing the road. Whilst this concern is noted it is the responsibility of Network Rail to ensure safety at the level crossing as they have responsibility for the management and control of the existing level crossing barriers. Despite numerous consultations with Network Rail they have not provided a response so the barriers would remain as existing.

#### Parking and Travel Plan

- 6.69 The Council's Highway Officer considers the site as a 'low accessibility area' in regard to the draft Parking Standards and this means that the proposal would require a minimum of 1.25 vehicle parking spaces per apartment and a minimum of 2 vehicle parking spaces per house. The applicant's TA demonstrates that each house would have at least two off-street vehicle parking spaces providing 301 spaces for all houses. The apartments would have 31 vehicle parking spaces for 24 apartments. Throughout the site 46 visitor spaces would be provided. Within the ground floor of each apartment would be cycle storage and each house would have access to an outbuilding for cycle parking. The Council's Highway Officer raises no objection but seeks integration of electric vehicle charging points, which can be secured through planning condition. Parking provision for the proposed development complies with the Council's draft standards in regard to policy PMD8 and paragraph 110 of the NPPF.
- 6.70 The proposed development would give rise to the need for a residential Travel Plan to promote sustainable modes of transport to accord with policy PMD10 and paragraph 111 of the NPPF. The applicant's Travel Plan includes targets of decreasing single occupancy car usage, increase walking and cycling to the development, increase bus and train usage, and increase car sharing uses. To promote the proposal would offer welcome parks for new home owners and install a noticeable with travel information. The Council's Travel Plan Co-ordinator raises no objection subject to the need for further details within the travel plan and an

associated monitoring fee of £525 per annum for a minimum of five years, which can be secured through a planning obligation.

## VII. FLOOD RISK AND SURFACE WATER DRAINAGE

- 6.71 The application site is located within the low risk flood zone (Flood Zone 1) and the PPG advises that there is no requirement for application of the Sequential Test or Exception Test as the development is 'appropriate' within this low risk flood zone. As the site area exceeds 1 hectare, the application is accompanied by a Flood Risk Assessment (FRA) which confirms that the site is not at risk from flooding. There are watercourses to the north of the railway that through a culvert pass north-south across the site to an existing pond along the southern boundary but the Environment Agency do not classify these as a 'main river' and these would not be significantly affected by the proposed development.
- 6.72 The FRA includes surface water details explaining that the surface water discharge rate would be restricted to the greenfield rate and surface water would be discharged into the watercourse and pond via a series of five (5) proposed swales. The applicant intends to offer the surface water drainage system to Anglian Water for adoption. The Flood Risk Manager raises no objection subject to the use of planning conditions requiring a detailed surface water drainage scheme and details of the future management and maintenance arrangements, which will ensure the drainage requirements to accord with the NPPF and PPG, and policy PMD15.

## VIII. ECOLOGY AND BIODIVERSITY

- 6.73 Part of the site is located within a Local Wildlife Site. The Council's Landscape and Ecology Advisor has stated that the site falls within the 'Zone of Influence' of one or more of the European designated sites scoped into the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS), which requires a planning obligation. The nearest European designation is the Thames Estuary and Marshes SPA (Special Protection Area) and Ramsar Site. The Local Planning Authority is therefore required to undertake a Habitat Regulations Assessment to understand the impact.

### *Habitats Regulations Assessment*

- 6.74 In considering the European site interest, the local planning authority, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that the proposals may have. The Habitat Regulations, which are a UK transposition of EU Directives relating to the conservation of natural habitats, flora and fauna and specifically wild birds, apply to certain designated sites

including Special Protection Areas (SPA) and Ramsar sites. Of particular relevance to this application, regulation 63 of the Habitats Regulations requires, inter-alia, that:

*Before deciding to give any permission for a plan which:*

- (a) *is likely to have a significant effect on a European Site (either alone or in combination with other plans or projects), and*  
 (b) *is not directly connected with or necessary to the management of that site*

*The competent authority must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.*

6.75 The table below is the Habitats Regulation Assessment (HRA) as required under the Conservation of Habitats and Species Regulations 2017. The procedure for assessment follows a number of key stages, which for this assessment are stages 1 to 3 as explained in the table below with the LPA's response to each stage:

Stage	LPA response
Stage 1 is the Screening Assessment	<p>The eastern half of Thurrock is within the zone of influence (Zol) for the Essex Coast RAMS. The following developments within the Zol qualify:</p> <ul style="list-style-type: none"> <li>• New dwellings of 1+ units (excludes replacement dwellings and extensions)</li> <li>• Houses of Multiple Occupancy (HMOs)</li> <li>• Residential care homes and residential institutions (excluding nursing homes)</li> <li>• Residential caravan sites (excludes holiday caravans and campsites)</li> <li>• Gypsies, travellers and travelling show people plots</li> </ul> <p>It is anticipated that such development is likely to have a significant effect upon the interest features of the Thames Estuary and Marshes Special Protection Area and Ramsar through increased recreational pressure, when considered either alone or in-combination with other plans and projects. Therefore, an appropriate assessment is needed to assess recreational disturbance impacts. The qualifying features of these sites are set out at the end of this report.</p>
Stage 2 is the Appropriate Assessment	<p>If the proposal is within or directly adjacent to the above European designated site a proportionate financial contribution should be secured in line with the Essex Coast RAMS requirements. Record evidence that this mitigation measure has been secured in the 'summary' section below. Consideration of further bespoke recreational mitigation</p>

	<p>measures may also be required in this case.</p> <p>If the proposal is not within or directly adjacent to the above European designated site then a proportionate financial contribution should be secured in line with the Essex Coast RAMS requirements.</p> <p>A contribution in line with the Essex Coast RAMS should be secured to address likely significant effects in-combination.</p> <p>Natural England must be consulted on the appropriate assessment and proposed mitigation measures.</p>
Summary of the Appropriate Assessment	<p>The application would result in a net increase of 168 units and is within the Essex Coast RAMS ZOI. It therefore meets the criteria set out in Test 1 showing that the scheme is would have likely significant effects to the Thames Estuary and Marshes SPA and therefore requires an Appropriate Assessment</p> <p><b>Summary of recreational disturbance mitigation package:</b></p> <p>The application is for a net increase of 168 dwellings. The site is not within or adjacent to the SPA. It is therefore considered that a proportionate financial contribution in line with Essex Coast RAMS should be made to contribute towards the funding of mitigation measures detailed in the Essex Coast RAMS Strategy.</p> <p>The current tariff is £125.58 per unit. Therefore the financial contribution should be £21,097.44 and this can be secured through a planning obligation. Natural England advice confirms that RAMS is applicable to all net increases in residential dwellings that fall within the ZOI.</p>

- 6.76 Having considered the proposed avoidance and mitigation measures above, it is concluded that with mitigation the project will not have an Adverse Effect on the Integrity of the European sites included within the Essex Coast RAMS. Natural England have been sent the Habitats Regulation Assessment in response to their consultation response but the responsibility lies with the Council as the competent authority.

- 6.77 Having made this appropriate assessment of the implications of the plan or project for the site in view of that site's conservation objectives the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017.
- 6.78 If the application were to be approved the proposed development would require the mitigation identified through a financial contribution of £21,097.44 towards the funding of mitigation measures detailed in the Essex Coast RAMS Strategy.
- 6.79 It is therefore recommended that the local planning authority formally determine that, on the basis of the information available and the mitigation identified, the proposed development would not have a likely significant impact on a European site either alone or in combination with other plans or projects, and this forms 'Recommendation A'.

#### On Site Ecological Assessment

- 6.80 The applicant's Ecological Report identifies that the site has some ecological value with a range of protected and notable species recorded including badgers, great crested newts, reptiles, bird species, invertebrates and plants. The proposal would result in the demolition of existing buildings, hardstanding and vegetation. The Ecological Report identifies the need for translocation of species and the rich grassland on top of the covered reservoir.
- 6.81 The Ecological Report identifies the following impacts upon ecology:
- Great Crested Newts - The proposal would result in the loss of the water tank in Pond 1 where great crested newts have been recorded and a replacement breeding pond would be created.
  - Badgers - The proposal would also result in the loss of a main badger sett and other setts and therefore replacement artificial setts will be need to be constructed.
  - Bats - Within the covered reservoir bats were recorded and these will need to be subject to a series of mitigation measures
- 6.82 All the above are protected species and a licence will be required from Natural England for mitigation purposes before any construction work takes place. The Ecological Report identifies that a Habitat Management Plan would be implemented and this can be subject of a planning condition.
- 6.83 The proposal identifies that a significant amount of established boundary vegetation would be retained to support bird species and for tree protection measures during

construction. Invertebrate boxes would be installed at suitable locations in the retained vegetation. Areas of formal and informal public open space within the proposed development would be managed along with lighting. The Ecological Report recommends an Ecological Management Plan as a planning condition.

- 6.84 The Council's Landscape and Ecology Advisor recognises that much of the development is proposed in the existing built footprint areas of habitat and that this would be lost, along with the species rich grassland on the covered reservoir, although it is recognised that this would be translocated and should be retained in Thurrock. Overall the Council's Landscape and Ecology Advisor considers that most of the protected species can be retained on site with appropriate mitigation and therefore a condition should be imposed requiring a plan confirming details of mitigation and enhancement measures to be provided on site.
- 6.85 Planning conditions would be necessary in the form of an ecological mitigation and management strategy to meet the requirements of paragraph 181 of the NPPF and policy PMD7, as policy PMD7 requires *'development proposals to incorporate biodiversity or geological features into the design as far as possible'* and *'where it can be demonstrated that this is not possible, and there is no suitable alternative site available for the development, developers will be required to show that their proposals would mitigate any loss of biodiversity or geological interest'*.

#### IX. AIR QUALITY

- 6.86 The site is not within an Air Quality Management Area (AQMA). The applicant's Air Quality Assessment concludes that the proposed development would not result in any changes to the existing air quality in the area and would therefore not raise any significant adverse impacts on the health and/or quality of life of existing or proposed receptors, which include future residents of these properties. The Council's Environmental Health Officer has no objections and therefore the proposal would not cause any unacceptable effects from air pollution in regard to policy PMD1 or paragraph 181 of the NPPF.

#### X. NOISE

- 6.87 The applicant's Noise and Vibration Assessment identifies the main noise sources are the railway line which runs along the site's northern site boundary and further to the north the road noise from the A13, and the Five Bells interchange junction with the A176, A1420, A1464 and High Road. Noise monitoring was undertaken by the applicant over two periods, one in July 2019 and one in January 2020.
- 6.88 The noise modelling indicates a worst case daytime facade noise level of around 64dB and a night-time noise level of around 56dB. To mitigate this impact all

dwellingings will be fitted with thermal double glazing which would reduce sound internally to around 33dB. Habitable rooms in the affected dwellingings would be provided with ventilation systems. Amenity areas would be subject to noise levels below the 55dB standard applied through BS8233 and WHO guidance. The proposal would not lead to vibration effects from passing trains.

- 6.89 The proposed development includes three blocks of apartments and one house type which have windows to the north elevation facing the railway and road noise sources. The rooms affected include habitable rooms such as bedrooms but it is recognised that mitigation measures are proposed and similar approaches have been accepted in other developments in the Borough to ensure internal habitable room sound levels are acceptable for the occupiers. All balconies to these apartments are would be located on the south elevation of the building and therefore screened to some extent by the building acting as a sound barrier.
- 6.90 The Council's Environmental Health Officer has no objections subject to the noise mitigations as set out in the Noise and Vibration Assessment being secured through condition. If so the proposal would be acceptable having regard to policy PMD1 and paragraph 180 of the NPPF.

#### XI. EFFECT ON NEIGHBOURING PROPERTIES

- 6.91 The nearest neighbouring residential properties are located to the south and east along High Road. To the north side of the railway line there are further residential properties which front onto Southend Road, although a landscaped buffer lies in between these properties and the railway line. The proposal would result in an end to the existing commercial activities at the site and commercial vehicles accessing and egressing the site. Therefore the levels of activity and vehicle movement associated with a residential use would be significantly different and improved in comparison. The proposal would not raise any demonstrable harm to neighbouring residential amenity in terms policy PMD1 and paragraph 180 of the NPPF.
- 6.92 In terms of the proposed built form, the proposed layout plan shows that all residential properties would be set back from the existing eastern and southern site boundaries where physical features such as landscaping and a watercourse currently exist and retained. Therefore there would not be any demonstrable harm to neighbouring residential amenity from the proposed built development policy PMD1.

#### XII. LAND CONTAMINATION AND GROUND WORKS

- 6.93 The applicant's Geo-Environmental Assessment identifies areas of the site subject to contamination but includes a remediation strategy. The Council's Environmental Health Officer raises no objections subject to the recommendations in the report

being implemented and a validation report being submitted to the Council following completion of the groundworks. Such measures shall need to be controlled through the use of a planning condition having regard to the requirements of the policy PMD1.

### XIII. REFUSE AND RECYCLING

- 6.94 The applicant's Planning Statement and Design and Access Statement explains the refuse strategy for the proposal. Each house would have a refuse store with a paved area provided in rear gardens for the storage of bins. For the apartments communal refuse stores would be located within the ground floor of the each apartment block, which is preferred to separate detached buildings. The refuse strategy includes a plan to demonstrate the refuse vehicle movement route and reversing areas where needed. All refuse stores would be within 20m of the proposed refuse collection route. There are no objections raised to the proposed refuse strategy with regard to policy PMD2.

### XIV. ENERGY AND SUSTAINABLE BUILDINGS

- 6.95 In terms of meeting the requirements of policy PMD13 it is stated in the applicant's Planning Statement that a range of measures including photovoltaic panels, energy efficient fabrics, materials used from sustainable sources and low water usage fittings would be used and this would result in a 35.75% reduction in carbon dioxide. It is stated that through the use of the photovoltaic panels 20% of the sites total energy generated would be via renewable sources which would comply with policies CSTP25 and PMD13, however, details of the proposals would need to be agreed through a planning condition.

### XV. VIABILITY AND PLANNING OBLIGATIONS

- 6.96 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.97 Following changes in legislation [Community Infrastructure Levy Regulations], in April 2015 the Council produced its Infrastructure Requirement List [IRL] which changed the way in which planning obligations through section 106 agreements can be sought. In September 2019 the pooling restrictions were removed through the updated Community Infrastructure Levy Regulations but the Council continues to

maintain the Infrastructure Requirement List [IRL] to provide an up to date list of physical, social and green infrastructure to support new development in Thurrock. This list is bi-annually reviewed to ensure it is up to date. The IRL applies a number of different development scenarios.

- 6.98 Through the consultation process and assessment of this application the proposed development requires the following planning obligations:
- Housing - For 35% of the development to be for affordable housing provision as required by policy CSTP2.
  - Education – A financial contribution of £873,347.77 towards nursery and primary education provision to mitigate the impact of the development.
  - Healthcare – A financial contribution of £66,240 towards local healthcare to mitigate the impact of the development and this is to be confirmed by the NHS.
  - Highways – A financial contribution of £525 per annum for a minimum of five years for Travel Plan monitoring purposes to mitigate the impact of the development.
  - Ecology – A financial contribution of £21,097.44 towards the Essex Coast RAMS strategy to mitigate the impact of the development upon the Thames Estuary and Marshes SPA.

## XVI. SUSTAINABILITY

- 6.99 Paragraph 7 of the NPPF explains that the purpose of the planning system is to achieve sustainable development and as part of the planning balance consideration has to be given to the Environmental, Social and Economic objectives as outlined in paragraph 8 of the NPPF with all three needing to be satisfied to achieve sustainable development.
- 6.100 For the economic objective the proposal would create employment opportunities for the construction phase. When the development is occupied new residents would provide household spending within the local economy. The dwellings would provide an opportunity for local people to live and work in this area.
- 6.101 For the social objective the development would help create a new community at this site. For both the social and economic objective the development would provide dwellings for the area and contribute towards the Council's five year housing land supply.
- 6.102 For the environmental objective the proposed development would re-use existing previously developed land instead of a greenfield site, it would deliver energy efficient measures, improve landscaping, improve connectivity to footpath 23 and the green grid. The surface water management measures would prevent any off site flooding. As identified above the site is accessible by a range of transport modes.

6.103 For these reasons stated above the proposed development can satisfy all three objectives of paragraph 8 of the NPPF.

6.104 Paragraph 11 of the NPPF expresses a 'presumption in favour of sustainable development'. This paragraph goes on to state that for decision taking this means:

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date<sup>1</sup>, granting permission unless:*
  - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>2</sup>; or*
  - ii *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

<sup>1</sup> *This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites ...*

<sup>2</sup> *The policies referred to are those in this Framework relating to: habitats sites and/or SSSIs, land designated as Green Belt, Local Green Space, AONBs, National Parks, Heritage Coast, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change.*

6.105 The 'presumption in favour of sustainable development' cannot apply in this instance as the site is located within the Green Belt and as such is contrary to paragraph 11 (d) (i).

## XVII. OTHER MATTERS

6.106 For archaeology, the applicant's Archaeological Assessment explains that there are no nationally significant designed heritage assets and the site is likely to have a generally low archaeological potential. The covered reservoir was constructed in 1912 and it is recommend that historic building required is undertaken prior to demolition of the reservoir. The Council's Archaeology Advisor raises no objections subject to a condition regarding building recording having regard to policy PMD4.

## 7.0 CONCLUSIONS AND REASONS FOR APPROVAL

- 7.1 The principle of the proposed development is acceptable as the proposal has been carefully designed to re-use areas of previously developed land within the Green Belt and would result in less land coverage, floorspace and height, and would not conflict with the five purposes of the Green Belt. Whilst the proposal would have an impact upon the openness of the Green Belt that level of impact would not result in 'substantial harm'. Therefore the proposal is acceptable as redevelopment of previously developed land with regard to the criteria set out in policy PMD6 and paragraph 145 of the NPPF and no further Green Belt assessment of 'very special circumstances' is required.
- 7.2 The proposal would contribute to the Council's housing land supply and would provide a policy compliant level of affordable housing; would provide an acceptable form of development in design terms with associated landscaping enhancements; would create an improved access arrangement onto the High Road when compared to the existing access; and would provide a package of planning obligations to mitigate the impact of the development. All other material considerations are considered acceptable subject to conditions and obligations where necessary.
- 7.3 Therefore the recommendation for approval of planning permission is subject to completion of a section 106 agreement and subject to the planning conditions, this is 'Recommendation B' as before consideration of the planning permission is made a decision is needed to determine that the development would not have a likely significant effect on a European site either alone or in combination with other plans or projects, which is 'Recommendation A'.

## 8.0 RECOMMENDATION

### Recommendation A:

- 8.1 That the local planning authority formally determine pursuant to regulation 61 of the Conservation of Habitats and Species Regulations 2017 (as amended), and on the basis of the information available, that the development proposed will not have a likely significant effect on a European site either alone or in combination with other plans or projects.

### Recommendation B:

- 8.2 Approve the application for the reasons given in this report and delegate authority to the Assistant Director – Planning, Transport and Public Protection to grant planning permission subject to all of the following:

- i) the completion and signing of an obligation under s.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:
- Housing - For 35% of the development to be for affordable housing provision as required by policy CSTP2.
  - Education – A financial contribution of £873,347.77 towards nursery and primary education provision to mitigate the impact of the development.
  - Healthcare – A financial contribution of £66,240 towards local healthcare to mitigate the impact of the development and this is to be confirmed by the NHS.
  - Highways – A financial contribution of £525 per annum for a minimum of five years for Travel Plan monitoring purposes to mitigate the impact of the development.
  - Ecology – A financial contribution of £21,097.44 towards the Essex Coast RAMS strategy to mitigate the impact of the development upon the Thames Estuary and Marshes SPA.
- ii) the following planning conditions:

### Standard Time

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

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

### Approved Plans

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

<b>Plan Number(s):</b>		
Reference	Name	Received
1338-C-1336	Landscape Sections	1st June 2020
1338-C-1337	Landscape Details	1st June 2020
1338-D-1400B-APT BLK A	Apartment Block A Ground Floor Plan	1st June 2020
1338-D-1401B-APT BLK A	Apartment Block A First Floor Plan	1st June 2020

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1338-D-1402B-APT BLK A	Apartment Block A Second Floor Plan	1st June 2020
1338-D-1403B-APT BLK B	Apartment Block B Ground Floor Plan	1st June 2020
1338-D-1404B-APT BLK B	Apartment Block B First Floor Plan	1st June 2020
1338-D-1405B-APT BLK B	Apartment Block B Second Floor Plan	1st June 2020
1338-D-1406B-APT BLK C	Apartment Block C Ground Floor Plan	1st June 2020
1338-D-1407B-APT BLK C	Apartment Block C First Floor Plan	1st June 2020
1338-D-1408B-APT BLK C	Apartment Block C Second Floor Plan	1st June 2020
1338-D-1500A-HT2- GF+1F	HT2 Ground & First Floor Plan Mid-terrace	1st June 2020
1338-D-1501A-HT2 HANDED-GF+1F	HT2 Handed Ground & First Floor Plan Mid-terrace	1st June 2020
1338-D-1502A-HT2- GF+1F	HT2a Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1503A-HT2 HANDED-GF+1F	HT2a Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1504A-HT3- GF+1F	HT3 Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1505A-HT3- HANDED-GF+1F	HT3 Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1506A-HT3A- GF+1F	HT3a Ground & First Floor Plan Detached	1st June 2020
1338-D-1508A-HT4- GF+1F	HT4 Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1509A-HT4- HANDED-GF+1F	HT4 Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1510A-HT5- GF+1F	HT5 Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1511A-HT5- HANDED-GF+1F	HT5 Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1512A-HT20- GF+1F	HT20 Ground & First Floor Plan Detached	1st June 2020
1338-D-1513A-HT20- HANDED-GF+1F	HT20 Handed Ground & First Floor Plan Detached	1st June 2020
1338-D-1514A-HT20A- GF+1F	HT20a Ground & First Floor Plan Semi-detached	1st June 2020

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1338-D-1515A-HT20A-HANDED-GF+1F	HT20a Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1516A-HT18	HT18 Ground Floor Plan Detached	1st June 2020
1338-D-1517A-HT18	HT18 First Floor Plan Detached	1st June 2020
1338-D-1518A-HT18	HT18 Handed Ground Floor Plan Detached	1st June 2020
1338-D-1519A-HT18	HT18 First Floor Plan Detached	1st June 2020
1338-D-1520A-HT9	HT9 Ground Floor Plan Detached	1st June 2020
1338-D-1521A-HT9	HT9 First Floor Plan Detached	1st June 2020
1338-D-1522A-HT9	HT9 Handed Ground Floor Plan Detached	1st June 2020
1338-D-1523A-HT9	HT9 Handed Ground Floor Plan Detached	1st June 2020
1338-D-1524A-HT10	HT10 Ground Floor Plan Detached	1st June 2020
1338-D-1525A-HT10	HT10 First Floor Plan Detached	1st June 2020
1338-D-1526A-HT10	HT10 Handed Ground Floor Plan Detached	1st June 2020
1338-D-1527A-HT10	HT10 Handed First Floor Plan Detached	1st June 2020
1338-D-1528A-HT16	HT16 Ground Floor Plan Detached	1st June 2020
1338-D-1529A-HT16	HT16 First Floor Plan Detached	1st June 2020
1338-D-1530A-HT16	HT16 Handed Ground Floor Plan Detached	1st June 2020
1338-D-1531A-HT16	HT16 Handed First Floor Plan Detached	1st June 2020
1338-D-1532A-HT17	HT17 Ground Floor Plan Detached	1st June 2020
1338-D-1533A-HT17	HT17 First Floor Plan Detached	1st June 2020
1338-D-1534A-HT17	HT17 Handed Ground Floor Plan Detached	1st June 2020
1338-D-1535A-HT17	HT17 Handed First Floor Plan Detached	1st June 2020

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1338-D-1540A-AHT1-GF+1F	AHT1 Ground & First Floor Plan Mid-terrace	1st June 2020
1338-D-1542A-AHT1A-GF+1F	AHT1a Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1543A-AHT1A-HANDED-GF	AHT1a Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1544A-AHT2-GF+1F	AHT2 Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1545A-AHT2-HANDED-GF+1F	AHT2 Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1546A-AHT3-GF+1F	AHT3 Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1547A-AHT3-HANDED-GF+1F	AHT3 Handed Ground & First Floor Plan Semi-detached	1st June 2020
1338-D-1570A	Garages Ground Floor Plans Double & Single	1st June 2020
1338-D-1702A-ELEVATION CC	Elevation CC The Green to the Pond	1st June 2020
1338-D-1704A-ELEVATION EE	Elevation EE Landscape Edge	1st June 2020
1338-D-1800B-APT BLK A	Apartment Block A Elevations	1st June 2020
1338-D-1801B-APT BLK B	Apartment Block B Elevations	1st June 2020
1338-D-1802B-APT BLK C	Apartment Block C Elevations	1st June 2020
1338-D-1850A-HT2+HANDED+2A	H2 & H2 Handed, H2a & H2a Handed Elevations Mid-terrace & Semi-detached Type 1	1st June 2020
1338-D-1851A-HT2+HANDED+2A	H2 & H2 Handed, H2a & H2a Handed Elevations Mid-terrace & Semi-detached Type 2	1st June 2020
1338-D-1852A-HT3+HANDED+3A-ELEVATIONS	H3 & H3 Handed and H3a Elevations Mid-terrace & Semi-detached Type 1	1st June 2020
1338-D-1853A-HT3+HANDED+3A-ELEVATIONS	H3 & H3 Handed and H3a Elevations Mid-terrace & Semi-detached Type 2	1st June 2020
1338-D-1854A-HT4-ELEVATIONS	HT4 Elevations Semi-detached Type 1	1st June 2020
1338-D-1855A-HT4-HANDED-	HT4 Handed Elevations Semi-detached Type 1	1st June 2020

ELEVATIONS		
1338-D-1856A-HT4-ELEVATIONS	HT4 Elevations Semi-detached Type 2	1st June 2020
1338-D-1857A-HT4-HANDED-ELEVATIONS	HT4 Handed Elevations Semi-detached Type 2	1st June 2020
1338-D-1858A-HT5-ELEVATIONS	HT5 & HT5 Handed Elevations Semi-detached Type 1	1st June 2020
1338-D-1859A-HT5-ELEVATIONS	HT5 & HT5 Handed Elevations Semi-detached Type 2	1st June 2020
1338-D-1860A-HT20+20A+HANDED	HT20 & Handed and HT20a Elevations Semi-detached & Detached Type 1	1st June 2020
1338-D-1861A-HT20+20A+HANDED	HT20 & Handed and HT20a Elevations Semi-detached & Detached Type 2	1st June 2020
1338-D-1862A-HT18-ELEVATIONS	HT18 Elevations Detached Type 1	1st June 2020
1338-D-1863A-HT18-HANDED	HT18 Handed Elevations Detached Type 1	1st June 2020
1338-D-1864A-HT18-ELEVATIONS	HT18 Elevations Detached Type 2	1st June 2020
1338-D-1865A-HT18-HANDED-	HT18 Handed Elevations Detached Type 2	1st June 2020
1338-D-1866A-HT9-ELEVATIONS	HT9 Elevations Detached Type 1	1st June 2020
1338-D-1868A-HT9-ELEVATIONS	HT9 Elevation Detached Type 2	1st June 2020
1338-D-1869A-HT9-HANDED	HT9 Handed Elevation Detached Type 2	1st June 2020
1338-D-1870A-HT10	HT10 Elevations Detached Type 1	1st June 2020
1338-D-1871A-HT10-HANDED	HT10 Handed Elevations Detached Type 1	1st June 2020
1338-D-1872A-HT10-ELEVATIONS	HT10 Elevations Detached Type 2	1st June 2020
1338-D-1873A-HT10-HANDED-ELEVATIONS	HT10 Handed Elevations Detached Type 2	1st June 2020
1338-D-1874A-HT16	HT16 Elevations Detached	1st June 2020
1338-D-1875A-HT16	HT16 Handed Elevations	1st June

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	Detached	2020
1338-D-1876A-HT17	HT17 Elevations	1st June 2020
1338-D-1877A-HT17	HT17 Handed Elevations	1st June 2020
1338-D-1880A-AHT1+AHT1A+HAND ED	AHT1, AHT1a and AHT1a Handed Elevations Mid-terrace & Semi-detached	1st June 2020
1338-D-1881A-AHT2+AHT2 HANDED	AHT2 & Handed Elevations Semi-detached	1st June 2020
1338-D-1882A-AHT3	AHT3 Elevations Semi-detached	1st June 2020
1338-D-1883A-AHT3	AHT3 Handed Elevations Semi-detached	1st June 2020
1338-D-1890A	Garages Elevations Double & Single	1st June 2020
1338-D-1000C	Location Plan	30th June 2020
1338-D-1001B	Existing Site Plan	30th June 2020
1338-C-1335 REV B	Hard Landscape Strategy Sheet 7	22nd October 2020
1338-C-1350 REV B	Planting Schedule	22nd October 2020
1338-D-1201D	Parking Strategy Plan	22nd October 2020
1338-D-1202C	Boundary Conditions Strategy	22nd October 2020
1338-D-1203C	Refuse Strategy Plan	22nd October 2020
1338-D-1204C	Massing Plan	22nd October 2020
1338-D-1205C	Tenure Plan	22nd October 2020
1338-D-1300J	Site Layout Plan	22nd October 2020
1338-D-1301D	Site Layout Plan East	22nd October 2020
1338-D-1302D	Site Layout Plan West	22nd October 2020
1338-D-1305E	Section Line Plan	22nd October 2020

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1338-D-1536	HT7 Ground & First Floor Plans Detached	22nd October 2020
1338-D-1537	HT7 Handed Ground & First Floor Plans Detached	22nd October 2020
1338-D-1700B	Elevations AA – The Lane	22nd October 2020
1338-D-1701B	Elevations BB – Fobbing on the Green	22nd October 2020
1338-D-1703B	Elevations DD – North Drive Apartments	22nd October 2020
1338-D-1705B	Elevations FF – The Island	22nd October 2020
1338-D-1878-HT7	HT7 Elevations Detached	22nd October 2020
1338-D-1879-HT7	HT7 Handed Elevations Detached	22nd October 2020
MBSK201015 -01-15	Swept Path Analysis	22nd October 2020
1338-C-1320 REV C	Tree Planting Plan Sheet 1	22nd October 2020
1338-C-1321 REV C	Tree Planting Plan Sheet 2	22nd October 2020
1338-C-1322 REV B	Outline Planting Plan Sheet 1	22nd October 2020
1338-C-1323 REV B	Outline Planting Plan Sheet 2	22nd October 2020
1338-C-1324 REV B	Outline Planting Plan Sheet 3	22nd October 2020
1338-C-1325 REV B	Outline Planting Plan Sheet 4	22nd October 2020
1338-C-1326 REV B	Outline Planting Plan Sheet 5	22nd October 2020
1338-C-1327 REV B	Outline Planting Plan Sheet 6	22nd October 2020
1338-C-1328 REV B	Outline Planting Plan Sheet 7	22nd October 2020
1338-C-1329 REV C	Hard Landscape Strategy Sheet 1	22nd October 2020
1338-C-1330 REV C	Hard Landscape Strategy Sheet 2	22nd October 2020
1338-C-1331 REV B	Hard Landscape Strategy Sheet 3	22nd October 2020

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1338-C-1332 REV B	Hard Landscape Strategy Sheet 4	22nd October 2020
1338-C-1333 REV B	Hard Landscape Strategy Sheet 5	22nd October 2020
1338-C-1334 REV B	Hard Landscape Strategy Sheet 6	22nd October 2020
1338-D-1200D	Unit Mix Plan	28th October 2020
1338-D-1100 REV D	Illustrative Roof Plan	22 October 2020

**Reason:** For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved with regards to policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### Materials

3. Notwithstanding the information on the approved plans, no development shall commence (above ground level) until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.

**Reason:** In the interests of visual amenity and to ensure that the proposed development is integrated with its surroundings in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### Revised Window Designs

4. Notwithstanding the details shown on the approved plans, all window designs proposed on the front elevations of all house types shall be continued throughout all elevations of the house types with details of amended plans to show these changes to be submitted to and approved in writing by the local planning authority. The approved window design shall be implemented with house types and once installed shall be retained and maintained as such thereafter.

**Reason:** In the interests of visual amenity and to ensure high quality design in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Secured by Design**

5. No development above ground level shall commence until details have been submitted to and approved and in writing by the local planning authority that demonstrate how the principles and practices of the Secured By Design 2019 have been incorporated into the design. The Development shall be carried out in accordance with the approved details.

**Reason:** In the interest of creating safer, sustainable communities in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2015).

### **Boundary Treatment**

6. No development above ground level shall take place until details of the design and materials of the treatment of all boundaries as stated in drawing no. 1338-D-1202 have been submitted to and approved in writing by the local planning authority. The screening as approved shall be completed prior to the occupation of the development and shall be retained and maintained as such thereafter.

**Reason:** In order to safeguard the amenities of neighbouring occupiers, in the interests of the visual amenity of the area and to ensure that the proposed development, in the Green Belt, does not have a detrimental effect on the environment as required by policies PMD1, PMD2 and policy PMD6 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Landscaping Scheme**

7. No development above ground level shall take place until full details of the provision and subsequent retention of both hard and soft landscape works on the site have been submitted to and approved in writing by the local planning authority.

The Soft Landscaping works shall include:

- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
- 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support.
- 3) Details of the aftercare and maintenance programme.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation.

Hard Landscaping works shall include:

- 4) Details of walls with brick types, construction design and dimensions
- 5) Details of paved surfacing, with materials finishing and edgings
- 6) Details of street furniture, with designs materials and dimensions

The hard landscape works shall be carried out as approved prior to the occupation of the development hereby approved and retained and maintained as such thereafter.

**Reason:** To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area in accordance with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Tree Retention and Protection**

8. All trees, shrubs and hedgerows shown to be retained on the site on the Tree Protection Plan in the Arboricultural Implications Assessment dated October 2020 shall be protected by chestnut paling fencing for the duration of the demolition and construction period at a distance equivalent to not less than the spread from the trunk. Such fencing shall be erected prior to the commencement of any works on the site. No materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside this fencing; no changes in ground level may be made or underground services installed within the spread of any tree or shrub including hedges without the previous written consent of the local planning authority.

**Reason:** To ensure that all existing trees are properly protected, in the interests of visual amenity and character of the area to accord with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2015).

### **Provision of Play Equipment**

9. No development above ground level shall commence until details of the play area hereby approved has been submitted to and approved in writing by the local planning authority. Such details shall include all items of play equipment, ground surfacing, enclosure of the area incorporating self-closing gates, seating, refuse facilities and safety notices. The play area shall be constructed, completed and available for use prior to the occupation of any dwelling/connection of utility services, whichever is the sooner and be retained as such thereafter.

**Reason:** To secure appropriate place space facilities within the development in accordance with policies CSTP18, CSTP20, PMD2 and PMD5 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Provision of Open Space and Play Space**

10. Prior to the 20th occupation of the development the area of open space and play space as shown on the approved drawing number(s) 1338-D-1100E (Illustrative Roof Plan) shall be laid out and landscaped in accordance with condition 7 and 9. The open space shall be permanently retained for such amenity purposes thereafter.

**Reason:** To secure appropriate open amenity space within the development in accordance with policies CSTP18, CSTP20, PMD2 and PMD5 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Open Space, Play Space and Landscaping Management and Maintenance**

11. Prior to the occupation of the development details of the future management arrangements for the maintenance of the open space, play space and landscaping of the site shall be submitted to and approved in writing by the local planning authority. The management details as approved shall be implemented and managed at all times thereafter.

**Reason:** In the interests of visual amenity and to accord with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2015).

### **Bellmouth Junction onto High Road**

12. Prior to the occupation of the development the proposed bellmouth junction with the existing highway, inclusive of cleared land necessary to provide the sight splays, shall be constructed up to and including at least road base level and be available for use prior to the commencement of any other development including the delivery of materials.

**Reason:** To ensure that the junction is constructed to the appropriate standard in the interests of highway safety in accordance with policies PMD2 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Emergency Access**

13. Apart from construction purposes the existing vehicular access into the site shall only be used for emergency purposes and for no other means of vehicular access to the site.

**Reason:** In the interests of highway safety and amenity in accordance with policies PMD2 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Estate Road Layout**

14. No development shall commence until details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety in accordance with policies PMD2 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Estate Road Construction**

15. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and

footpaths in front of each dwelling shall be completed with final surfacing within twelve months from the occupation of such dwelling.

**Reason:** To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety in accordance with policies PMD2 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Footpath to Western Area**

16. The footpath as shown on approved drawing no. 1338C 133B (Hard Landscaping Sheet 5) shall be constructed and surfaced finished prior to the occupation of 20th dwelling unit, and shall be retained and maintained at all times thereafter.

**Reason:** In the interests of pedestrian access in accordance with policies PMD2 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Parking Provision**

17. Prior to the occupation of the development the vehicle parking areas shown on the approved plans, including any parking spaces for the mobility impaired, shall be hard surfaced, sealed and marked out as shown on the approved plans. The vehicle parking area(s) shall be maintained and retained in this form at all times thereafter. The vehicle parking area(s) shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development.

**Reason:** In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Electric Charing Points**

18. Prior to the occupation of the development details of electric charging points for parking spaces shall be submitted to and approved by the local planning authority. The electric charging points shall installed as approved and shall be maintained and retained in this form at all times thereafter.

**Reason:** In the interests of sustainability and to ensure that adequate car parking provision is available for electric vehicles in accordance with policies PMD8 and

PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Travel Plan**

19. Prior to the occupation of the development, a Travel Plan shall be submitted to and agreed in writing with the local planning authority. The Travel Plan shall include detailed and specific measures to reduce the number of journeys made by car to the site and shall include specific details of the operation and management of the proposed measures. The commitments explicitly stated in the Travel Plan shall be binding on the applicants or their successors in title. The measures shall be implemented upon the occupation of the development and shall be permanently kept in place unless otherwise agreed in writing with the local planning authority. Upon written request, the applicant or their successors in title shall provide the local planning authority with written details of how the measures contained in the Travel Plan are being undertaken at any given time.

**Reason:** To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with Policy PMD10 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Surface Water Drainage Scheme**

20. No development, with the exception of demolition, shall commence until the detailed surface water drainage scheme within the Flood Risk Assessment for the site is updated with the following information and has been submitted to and approved in writing by the local planning authority. The scheme shall include:

- Limiting discharge rates to 3.3l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient evidence that the pond has capacity within itself to cater for the anticipated flows for all storm events up to and including the 1 in 100 plus 40% climate change storm event.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.

- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

**Reason:**

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

All in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2015).

**Surface Water Maintenance Plan**

21. No development, with the exception of demolition, shall commence until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the local planning authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements shall be provided and be implemented for all times thereafter.

**Reason:** To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. In accordance with policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

**Surface Water Yearly Logs**

22. The applicant or any successor in title must maintain yearly logs of maintenance which shall be carried out in accordance with any Maintenance Plan. These shall be made available for inspection upon the written request of the Local Planning Authority.

**Reason:** To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as

intended to ensure mitigation against flood risk. All in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2015).

### **Foul Drainage**

23. No development, with the exception of demolition, shall commence until details of the foul drainage scheme to serve the development have been submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented, retained and maintained prior to the first occupation of the development.

**Reason:** To ensure the incorporation of an appropriate drainage scheme and to avoid pollution of the water environment and to minimise flood risk in accordance with policies PMD1 and PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Ecological Method Statement**

24. Prior to works commencing on site an Ecology Method Statement shall be submitted to, and approved in writing by, the local planning authority. The Ecology Method Statement shall be based on the recommendations proposed within the Ecological Report dated May 2020 accompanying the planning application and shall include details of:

- a) Phasing of operations;
- b) Methodologies for translocation of protected species, in particular great crested newts and reptiles, including where European Protected Species licences are required, details of locations of off-site on on-site receptors and what additional surveys may be required to confirm their suitability as receptors;
- c) Protection measures to minimise disturbance of species to be retained on site during construction, in particular for badgers;
- d) Measures for protection of retained habitat
- e) Details of ecological enhancement measures to be delivered through the development;
- f) External lighting to be used during construction

The Ecological Method Statement shall be implemented in accordance with the approved plan and timescale. Any translocation undertaken shall be verified in writing to the local planning authority by an independent qualified ecologist within 28 days of undertaking the translocation.

**Reason:** To ensure effects of the development upon the natural environmental are adequately mitigated in accordance with policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015) – Should it also refer to ensuring compliance with National and European wildlife legislation?

### Habitat Management Plan

25. No development , with the exception of demolition, shall commence until a Habitat Management Plan, based on the guidance contained in the Ecological Report dated May 2020, has been submitted to and approved in writing by the local planning authority. Prior to the occupation of the development the Habitat Management Plan shall be implemented for a 5 year period as stated in the Ecological Report dated May 2020 implementing the following key measures:

- Ongoing population surveys for great crested newts and/or reptiles in year 1, 3 and 5.
- If any remedial measures are required to any of the new ponds works should ideally be carried out during autumn or early winter, to avoid the amphibian breeding season, during which the newt and toad larvae are metamorphosing, and before the first frost. Any desilting should be carried out carefully with all arisings left along the edge for a few days to allow any animals the chance to return to the water. After the material has been allowed to dry out it should be disposed of appropriately.
- The ponds are to be kept fish free.
- Although ponds should be left to colonise naturally, planting up of the pond margins with suitable species to provide shelter and breeding habitat may be necessary. If required native species of local provenance should be used.
- Terrestrial habitat should be allowed to colonise naturally, but periodic strimming of certain areas may be required to prevent dominance of bramble scrub, as necessary.
- Details of who is responsible for the management of the Habitat Management Plan

The Habitat Management Plan shall be retained and managed accordingly over the 5 year period as approved.

**Reason:** In order to ensure that the interests of ecology and biodiversity or protected species are addressed in accordance with policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Noise mitigation measures**

26. Prior to the occupation of the development the noise mitigation measures as identified in the Noise and Vibration Assessment dated April 2020 shall be installed during the construction of the development to the identified dwellings within the Noise and Vibration Assessment dated April 2020. The noise mitigation measures shall be maintained, where necessary, and retained at all times thereafter.

**Reason:** To protect the amenities of residential occupiers from nearby noise sources in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

### **Communal TV/Satellite**

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

**Reason:** In the interests of visual amenity and to ensure that the development can be integrated within its immediate surroundings in accordance with Policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2015).

### **Contamination and Remediation**

28. No development shall commence, not including demolition to ground floor slab, until the remediation strategy for decontaminating land as set out in the Geo-Environmental Assessment dated April 2020 has been implemented.

**Reason:** To ensure that risks from land contamination to the future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in

accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development (2015).

### **Contamination and Remediation – Validation Report**

29. Following completion of measures identified in the remediation strategy for decontaminating land as set out in the Geo-Environmental Assessment dated April 2020 a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing of the Local Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of the land, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development (2015).

### **Energy and Sustainability Measures**

30. Prior to the occupation of the development the measures set out in the Energy and Sustainability Statement dated May 2020 shall be implemented as approved and shall be maintained and retained at all times 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 (2015).

### **External Lighting**

31. Prior to the occupation of the development details of any external lighting, with the exception of lighting within residential plots, shall be submitted to and agreed in writing by the local planning authority. The details shall include details of the spread and intensity of light together with the size, scale and design of any light fittings and supports. The approved external lighting shall only be implemented and operated in accordance with the agreed details.

**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 (2015).

## Historic Building Recording

32. No demolition shall take place until:

- a) A programme of historic building recording in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the local planning authority.
- b) The completion of the recordings in accordance with the WSI submitted.

Prior to demolition and following completion of recordings a report detailing the results of the recording programme and confirmation of the deposition of the archive to an appropriate depository as identified and agreed in the WSI shall be submitted to and approved by the local planning authority.

**Reason:** To ensure that investigation and recording of any remains takes place prior to commencement of development in accordance with Policy PMD4 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

## Superfast Broadband

33. The dwellings within the development shall be provided with the means of connecting to superfast broadband. Upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, shall be in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the local planning authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure.

**Reason:** In order to ensure that suitable infrastructure is provided at the site for the benefit of occupiers, in accordance with paragraph 112 of the NPPF.

## Construction Environmental Management Plan (CEMP)

34. No demolition or development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority in writing. The CEMP should contain or address the following matters:

- (a) Hours of use for the construction of the development;
- (b) Hours and duration of any piling operations;
- (c) Vehicle haul routing in connection with construction, remediation and engineering operations;
- (d) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site;
- (e) Details of construction any access or temporary access, and details of temporary parking requirements; Road condition surveys before demolition and after construction is completed; with assurances that any degradation of existing surfaces will be remediated as part of the development proposals. Extents of road condition surveys to be agreed as part of this CEMP;
- (f) Location and size of on-site compounds (including the design layout of any proposed temporary artificial lighting systems);
- (g) Details of any temporary hardstandings;
- (h) Details of temporary hoarding;
- (i) Method for the control of noise with reference to BS5228 together with a monitoring regime;
- (j) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime;
- (k) Dust and air quality mitigation and monitoring;
- (l) Water management including waste water and surface water discharge;
- (m) Method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals;
- (n) A Site Waste Management Plan;
- (o) Ecology and environmental protection and mitigation;
- (p) Community liaison including a method for handling and monitoring complaints, contact details for site managers;
- (q) Details of security lighting layout and design; and
- (r) A procedure to deal with any unforeseen contamination, should it be encountered during development.

Demolition and development 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 and to ensure the construction phase does not materially affect the free-flow and safe movement of traffic on the highway; in the interest of highway efficiency, safety and amenity, in accordance with Policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2015).

**Informative:** Any works, which are required within the limits of the highway reserve,

require the permission of the Highway Authority and must be carried out under the supervision of that Authority's staff. The Applicant is therefore advised to contact the Authority at the address shown below before undertaking such works.

#### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application and 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: <http://regs.thurrock.gov.uk/online-applications>

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