

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

Planning Committee

The meeting will be held at **6.00 pm** on **10 March 2016**

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

Membership:

Councillors Terence Hipsey (Chair), Tom Kelly (Vice-Chair), Chris Baker, Steve Liddiard, Brian Little, Tunde Ojetola, Barry Palmer, Gerard Rice and Kevin Wheeler

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

Substitutes:

Councillors Clare Baldwin, Robert Gledhill and Barry Johnson

Agenda

Open to Public and Press

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To approve as a correct record the minutes of the Planning Committee meeting held on 11 February 2016.	
3 Item of Urgent Business	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
4 Declaration of Interests	
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meetings/discussions held relevant to determination of any planning application or enforcement action to be resolved at this meeting

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7 Public Address to Planning Committee

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

8 Tree Preservation Report relating to Oak tree located on land at 60 Derry Avenue, South Ockendon (TPO reference 03/2015) 19 - 22

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Queries regarding this Agenda or notification of apologies:

Please contact Jessica Feeney, Senior Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

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

Helpful Reminders for Members

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

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

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



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

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

Disclosable Pecuniary Interests shall include your interests or those of:

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

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

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

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

Pecuniary

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

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

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

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

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

Non- pecuniary

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



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

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

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

1. Create a great place for learning and opportunity

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

2. Encourage and promote job creation and economic prosperity

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

3. Build pride, responsibility and respect

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

4. Improve health and well-being

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

5. Promote and protect our clean and green environment

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

Minutes of the Meeting of the Planning Committee held on 11 February 2016 at 7.00 pm

Present: Councillors Tom Kelly (Vice-Chair), Chris Baker, Steve Liddiard, Brian Little, Tunde Ojetola, Barry Palmer, Gerard Rice and Kevin Wheeler

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillors Terence Hipsey (Chair) and Richard Bowyer

In attendance: Andrew Millard, Head of Planning & Growth
Leigh Nicholson, Development Management Team Leader
Matthew Gallagher, Principal Planner
Nadia Houghton, Principal planner
Jonathan Keen, Principal Planner
Vivien Williams, Planning Lawyer
Jessica Feeney, Senior Democratic Services Officer

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

111. Minutes

The minutes of the Planning Committee held on the 14 January 2016 were approved as a correct record.

112. Item of Urgent Business

There were no items of urgent business.

113. Declaration of Interests

There were no declarations of interest.

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

Councillor Liddiard declared that he opened the country park related to application 15/01184/FUL when he was Mayor in 2014/ 2015. It was also declared that Councillor Liddiard visited application 15/00877/FUL with a resident whilst campaigning.

115. Planning Appeals

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

RESOLVED:

The report was noted

116. 15/00877/FUL Petroplus, land part of Area 418. Coryton Refinery, The Manorway, Stanford-le-Hope

The Principal Planner introduced the report explaining that the application proposed the construction and operation of a photovoltaic (PV) solar farm which would produce electricity for export to the National Grid. The proposals would involve development on a parcel of land generally located to the north of the former Petroplus refinery site and to the east of Fobbing Marshes. The Committee were reminded that the application was deferred from the previous meeting pending on further information regarding the following:

- The environment - breeding birds and invertebrates.
- Lack of ecological information and details of mitigation
- Monitoring bird strikes conditions

The Principal Planner informed the Committee that a report had been published by the Kent Field Club which provided no evidence to prove any relations between bird fatality and solar farms.

Members felt comfortable with the information provided in the report.

It was proposed by Councillor Kelly and seconded by Councillor Liddiard that the Committee approve recommendation A which set out that the local planning authority formally determine pursuant to regulation 61 of the Conservation of Habitats and Species Regulations 2010 (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.

For: Councillors, Tom Kelly, Steve Liddiard, Brian Little, Barry Palmer

Against: Kevin Wheeler

Abstain: Chris Baker

It was proposed by Councillor Kelly and seconded by Councillor Liddiard that the application would be granted subject to conditions.

For: Councillors, Tom Kelly, Steve Liddiard, Brian Little, Barry Palmer.

Against: Chris Baker, Kevin Wheeler

Abstain: (0)

RESOLVED:

That the application be approved.

117. 15/01127/FUL: Harris DAF Fencing, Land Rear Of 506 - 518, London Road, West Thurrock, Essex

The Principal Planner introduced the report explaining that the application sought planning permission to retain a 3 metre high steel palisade fence around the perimeter of the site. The application had been submitted following enforcement investigations. The application site was a rectangular area of land immediately north of the existing Harris DAF site which was used to sell and service DAF commercial vehicles. The site was currently open and was predominantly grassed with some established trees and vegetation. The Principal Planner informed the Committee that Planning had received one objection and one supporting statement from residents. A petition had also been received objecting to the development.

Councillor Little queried if the fence had already been erected. The Principal Planner explained that work had been completed although Members were informed that the applicant could legally erect a 2 metre high steel palisade fence without planning permission.

Councillor Rice suggested that the fence was painted green to ensure that it blended into its surroundings. The Principal Planner confirmed that this could be added as a condition if the application was granted.

The Chair of the Committee invited Councillor Gerrish to make his statement of objection in doing so the following points were made:

- A 3 metre fence rather than 2 metre fence was higher than permissible.
- The fence would cause a loss of amenity.
- It would directly stop residents enjoying the benefit of this area of the Anchor Field giving a visual and environmental impact.
- A petition with 40 signatures objecting to the new fence had previously been submitted to the planning department.

The Chair of the Committee invited the applicant to make their statement of support in doing so the applicant made the following points:

- Harris DAF was a locally owned and managed company employing over 400 people in the local area.
- Harris acquired the land to the rear of their existing premises at 508-512 London Road. The applicant then decided to fence the land as the

dumping of rubbish on the land and break-ins to their existing site had reached unacceptable levels.

- It was felt that 2 metre fencing would be completely ineffective against the criminal activity that they suffered.
- The southern flank of the land already had a 3 metre security fence, this was erected 20 years ago.
- The fence around the allotments on the field also had a similar style of fencing.

Councillor Little questioned the probability of the application being granted if an appeal was submitted. The Head of Planning and Growth explained that the appeal may balance in the applicant's favour.

It was proposed by Councillor Kelly and seconded by Councillor Liddiard that the Committee would defer the application for a site visit.

For: Councillors, Tom Kelly, Brian Little, Tunde Ojetola and Barry Palmer

Against: Councillors, Chris Baker, Steve Liddiard, Gerrard Rice and Kevin Wheeler

Abstain: (0)

The Chair had the casting vote which was in favour of deferring the application for a site visit.

RESOLVED:

That the application be deferred for a site visit.

118. 15/01369/CV: Kemps Farm, Dennis Road, South Ockendon, Essex, RM15 5SD

The Principal Planner explained that the application sought to vary a condition for the construction of 7 new dwellings with associated access, parking provision and amenity space. The condition effectively sought 2 things, to remove permitted development rights for extensions to the property and secondly to prevent the use of the roof area for habitable accommodation. The applicant sought to vary the condition to allow the use of the roof space for habitable accommodation.

The Committee were informed that the applicant felt the condition was unnecessary as the wording of the condition would not result in any changes being made to the buildings, therefore it would not be harmful to the character or openness of the Green Belt. The wording of the condition was to prevent an intensification of use and protect the openness of the Green Belt. The request from the applicant had been considered and the condition was varied in the suggested manner.

Councillor Rice questions if the buildings exterior would be modified, The Principal Planner confirmed that the building's exterior would not be modified although there would be extra internal space.

The Committee invited the applicant to make his statement of support in doing so the following points were made:

- The principal of development was felt to be acceptable
- The neighbouring scheme had 1st floor windows
- The application would not increase building massing.
- It was stated that the habitable roof area accommodation would be difficult for Thurrock Council to enforce.

Councillor Ojetola questioned how the Council would enforce the roof area accommodation and if it was being used as a habitat. The Principal Planner explained that this could be enforced via site visits and by Planning Officers taking a view as to whether a condition was applied and expedient.

The possibility of a site visit was suggested although in further discussions this was rejected by Members of the Committee.

Councillor Rice questioned the probability of the application being granted if an appeal was submitted. The Head of Planning and Growth explained that it was a balanced argument, although it was added that the application may be rejected due to intensification on the green belt.

Councillor Palmer and Councillor Ojetola shared concerns that the plans did not present any ventilation or lighting, if was questioned if the applicant would need to submit another application for those modifications. The Principal Planner explained that another application would need to be submitted.

Councillor Little felt that certain applications were regularly revisiting the Planning Committee for variations. Councillor Ojetola also shared the view that the original applications were vastly varying throughout the year which changed original speculations.

It was proposed by Councillor Kelly and seconded by Councillor Rice that the application would be approved.

For: Councillors Chris Baker, Tom Kelly, Steve Liddiard, Brian Little, Barry Palmer, Gerrard Rice and Kevin Wheeler

Against: Councillor Ojetola.

Abstain: (0)

RESOLVED:

That the application be approved.

119. 15/01184/FUL: Land between M25 and West Road, West Road, South Ockendon, Essex

The Principal Planner explained that the approved turbines measured 74m in height and the current proposed turbines would measure 76.4m in height. There were no changes with the location of the turbines or the access to the site. The turbines would be located on land which was being restored into a country park. One of the turbines would feed back into the grid and the second would link to the Ockendon Academy. It was explained that there were no objections from consultees in relation to visual impact, noise, ecology and highways.

There were no questions from Members of the Committee.

The Chair of the Committee invited the applicant to speak in support of the application, the following points were addressed to the Committee:

- Construction would start in April 2016.
- The previously approved turbine model is no longer suitable due to improvements in turbine technology.
- The higher Feed-in Tariff regime has been missed and the increased productivity from the new model of turbine will help to compensate for this loss.
- In terms of community benefit, the southern turbine would provide a sustainable form of energy generation directly to the Ockendon Academy, and a proportion of the monies generated by the turbines would be donated to the Little Belhus Country Park Trust.

Councillor Baker explained that residents were against any new turbines as they were a noise nuisance, it was also added that many residents took their dogs for walks on this land.

Councillor Liddiard and Councillor Objetola encouraged the use of turbines and felt that it was a good scheme.

It was proposed by Councillor Kelly and seconded by Councillor Objetola that the application would be approved.

For: Councillors Tom Kelly, Steve Liddiard, Brian Little, Tunde Ojetola, Barry Palmer, Gerrard Rice

Against: Chris Baker

Abstain: Kevin Wheeler

RESOLVED:

That the application be approved.

The meeting finished at 8.45 pm

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**

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10 March 2016	ITEM: 6
Planning Committee	
Planning Appeals	
Report of: Leigh Nicholson, Development Management Team Leader	
Wards and communities affected: All	Key Decision: Not Applicable
Accountable Head of Service: Andy Millard, Head of Planning and Growth	
Accountable Director: Lyn Carpenter, Chief Executive	
This report is Public	
Purpose of Report: For Information	

Executive Summary

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

1. Recommendations:

1.1 That the Planning Committee note the report.

2. Introduction And Background:

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

3. Appeals Lodged:

3.1 Application No: 15/00510/FUL

Officer: Nick Westlake

Location: Land Part of Fiddlers Reach (Eastern Side), Wouldham Road, Grays.

Proposal: The development of a waste-wood fuelled combined heat and power station to generate heat and energy from biomass, comprising: a main building that contains the fuel reception and storage area, gasification and oxidation area, the boiler, flue gas treatment facility, stack; a building containing steam turbine and water treatment facilities, control room, and staff facilities; an auxiliary boiler house and associated stack; air cooled condenser; steam offtake pipe; and associated ancillary buildings and infrastructure including external hardstanding for vehicle manoeuvring / parking, weighbridges, an electricity substation and transformers, generators and associated diesel tank, air blast coolers, fire break water tanks and associated pumping building, cycle / motorbike store, surface water and foul drainage infrastructure, landscaping, fencing and security gates.

3.2 Application No: 15/00917/HHA

Officer: Modupeola Aleshinloye
Location: 8 Felipe Road, Chafford Hundred.
Proposal: Proposed loft conversion with rear dormer.

3.3 Application No: 15/01199/HHA

Officer: Zoe McAden
Location: 2 Marie Close, Corringham.
Proposal: Retention and completion of extension and modification to outbuilding to rear of property.

4. Appeal Decisions:

The following appeal decisions have been received:

4.1 Application No: 15/00472/HHA

Officer: Nigel Dyer
Location: 142 Hamble Lane, South Ockendon.
Proposal: Demolition of existing conservatory and construction of two storey side extension & front porch re-built.

Appeal Decision: Delegated Decision / Appeal Dismissed

Summary of decision

The Inspector considered the main issue to be the effect that the proposed development would have on the character and appearance of the surrounding area.

The Council raised no concern to the re-building of the front porch and the Inspector concurred with the Council's findings. The Inspector did however find the proposed two storey extension to be unacceptable because it would unbalance the appearance of the hipped roof terrace. The Inspector concluded that the development would be harmfully out of keeping with the existing streetscene and dismissed the appeal.

- 4.2 Application No:** 15/00701/HHA
- Officer: Jackie Ford
- Location: Casa Mia, 5 The Green, West Tilbury.
- Proposal: Two storey side extension, shed and front porch
- Appeal Decision:** **Delegated Decision / Appeal Dismissed**

Summary of decision

The Inspector considered the main issue to be whether the proposed development would be inappropriate development in the Green Belt, and, if so, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

The Inspector found that the host property had already been extended by the addition of '2 reasonably sized rooms' [in accordance with LDF CS Policy PMD6] and concluded that any further extension would amount to 'inappropriate development'. In accordance with the NPPF, substantial weight should be given to this factor.

The Inspector concluded that the development was unacceptable and found no very special circumstances to justify the proposal.

- 4.3 Application No:** 15/00528/HHA
- Officer: Nadia Houghton
- Location: Bushy Bit House, Back Lane, Purfleet.
- Proposal: Single storey rear extension
- Appeal Decision:** **Delegated Decision / Appeal Allowed**

Summary of decision

The Inspector considered the main issue to be whether the disputed conditions were reasonable, necessary and relevant to the development.

In the appeal decision letter the Inspector set out his appreciation of the Council's concerns regarding the cumulative impact of extensions and its planning objectives in imposing the two disputed conditions (conditions 4 & 5). The Inspector concluded however that the effect of the conditions were disproportionate to the scale of the development permitted, and allowed the appeal.

- 4.4 Application No:** 14/01089/CLOPUD
- Officer: Jonathan Keen
- Location: Manor House Farm, Brentwood Road, Bulphan
- Proposal: Proposed outbuilding
- Appeal Decision:** Delegated Decision / Appeal Dismissed

Summary of decision

In dismissing the appeal, the Inspector found the development to fall outside of Class E because it would not be reasonably 'required' for an incidental purpose connected with the residential property. In coming to this conclusion the Inspector considered the height and position of the building, its use and floorspace and other available space within the site. In relation to the latter, the Inspector suggested that the presence of rooms contained within the large garage consented in 2009 should not be ignored and could be utilised by the applicant for the storage of his collectables, negating the considerable scale of the outbuilding proposed.

5.0 Forthcoming Public Inquiry And Hearing Dates:

5.1 The following inquiry and hearing dates have been arranged:

None

6.0 Appeal Performance:

6.1 The following table shows appeal performance in relation to decisions on planning applications and enforcement appeals. The target is 31% (lower is better). This is no longer a National Performance Indicator, but it is considered that it is important to continue to monitor appeal decisions.

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	0	3	1	0	9	0	0	3	0	0	1	4	21
No Allowed	0	1	0	0	5	0	0	1	0	0	0	1	8
% Allowed													38%

7.0 Consultation (including Overview and Scrutiny, if applicable)

7.1 N/A

8.0 Impact on Corporate Policies, Priorities, Performance and Community Impact

8.1 This report is for information only.

9.0 Implications

9.1 Financial

Implications verified by: **Sean Clark**
Director of Corporate Finance and IT

There are no direct financial implications to this report.

9.2 Legal

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

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

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

9.3 Diversity and Equality

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

There are no direct diversity implications to this report.

9.4 Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental

- None

BACKGROUND PAPERS USED IN PREPARING THIS REPORT (include their location and identify whether any are exempt or protected by copyright):

The planning files relating to any application mentioned in this report are available from Planning, Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL. The planning enforcement files are not public documents and should not be disclosed to the public.

Appendices to This Report:

- None

Report Author Contact Details:

Name: Leigh Nicholson

E-mail: plan.appeals@thurrock.gov.uk

10 March 2016	ITEM: 8
Planning Committee	
Tree Preservation Report relating to Oak tree located on land at 60 Derry Avenue, South Ockendon (TPO reference 03/2015)	
Report of: Leigh Nicholson, Development Management Team Leader	
Wards and communities affected: All	Key Decision: Not Applicable
Accountable Head of Service: Andy Millard, Head of Planning and Growth	
Accountable Director: Lyn Carpenter, Chief Executive	
This report is Public	
Purpose of Report: For the Committee to consider whether to confirm Tree Preservation Order 03/2015 relating to an Oak tree located on land at 60 Derry Avenue, South Ockendon.	

Executive Summary

This report relates to a prominent Oak tree located on land at 60 Derry Avenue, South Ockendon. The report seeks confirmation of a provisional Tree Preservation Order (03/2015) to protect the tree from being felled.

1. Recommendations:

1.1 To seek confirmation of Tree Preservation Order 03/2015 for the Oak tree located on land at 60 Derry Avenue, South Ockendon.

2. Introduction

2.1 A Tree Preservation Order (TPO) is made by a Local Planning Authority to protect specific trees or a particular area, group or woodland from deliberate damage and destruction. TPOs can prevent the felling, lopping, topping, uprooting or otherwise wilful damaging of trees without the permission of the Local Planning Authority.

2.2 In July 2015 a request was made by a resident via Estuary Housing to fell the tree due to its large size within the garden and the nuisance that the tree was considered to cause.

2.3 In response to the threat of felling, TPO 03/2015 was served on the owner/occupier of 60 Derry Avenue, South Ockendon to protect the tree on this site. This provisional Order will lapse after 6 months so confirmation of the order is required for protection of the tree to be maintained.

3. Background:

3.1 The Oak tree is located adjacent to the rear boundary fence within the curtilage of 60 Derry Avenue. The tree provides significant amenity value to the surrounding area as it is clearly visible from the adjacent Lidl car park and Derry Road. There are few other trees of this size in the vicinity.

3.2 On 21st September 2015 a provisional TPO was served on the owner to protect the tree. This provisional Order will lapse after 21st March 2016.

3.3 In response to the provisional TPO one letter (signed by the occupiers of 56, 58 and 60 Derry Avenue) has been received which makes the following comments:

- They had all lived in their properties for 20 years and the tree has become more of a nuisance each year;
- The leaves ruin the grass and rear gardens each year;
- Sap from the tree causes problems with washing drying on clothes lines, making garden furniture sticky and affecting other plants growing in the gardens;
- Higher house insurance premiums due to having a large tree in close proximity of their houses.

4. Issues and Options

4.1 The tree contributes to visual amenity particularly when viewed from the south across the Lidl car park and from Derry Road. There are few other trees of this size in the vicinity and it is considered that the Oak tree should be preserved for its significant amenity value for the locality.

4.2 The neighbour comments received have been taken into account and the Council's Tree Advisor has agreed that the tree will require a crown reduction to be carried out to ensure that it does not become excessively large for the rear garden however this is not sufficient reason to fell the tree.

5. Recommendation

5.1 It is recommended that TPO 03/2015 is confirmed.

6. Consultation (including Overview and Scrutiny, if applicable)

6.1 The neighbour comments are reported elsewhere in this report.

7. Impact on Corporate Policies, Priorities, Performance and Community Impact

7.1 Tree Preservation Orders contribute to Thurrock's Strategic Priorities by protecting the Borough's green environment.

8. Implications

8.1 Financial

Implications verified by: **Sean Clark**
Direct of Corporate Finance and IT

There are no direct financial implications to this report.

8.2 Legal

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

A TPO is made by a Local Planning Authority to protect specific trees or a particular area, group or woodland from deliberate damage and destruction. The power to confirm Tree Preservation Orders is discretionary. It should be used where the Local Planning Authority is satisfied that the tree is of significant amenity value and where there the tree is under threat.

8.3 Diversity and Equality

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

There are no direct diversity implications to this report.

8.4 Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental

- None.

9. Background Papers Used In Preparing This Report (include their location and identify whether any are exempt or protected by copyright):

The planning files relating to any application mentioned in this report are available from Planning, Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL.

10. Appendices To This Report:

- None.

Report Author Contact Details:

Name: Leigh Nicholson

E-mail: plan.appeals@thurrock.gov.uk

Agenda Item 9

Planning Committee 10 March 2016

Application Reference: 15/01127/FUL

Reference: 15/01127/FUL	Site: Land Rear Of 506 - 518 London Road West Thurrock Essex
Ward: West Thurrock And South Stifford	Proposal: Retention of erection of three metre high security fence.

Plan Number(s):		
Reference	Name	Received
Project No.5031 01	Location Plan	18 th September 2015
Project No.5031 03	Location Plan	26 th October 2015
Project No.5031 04	Typical Palisade Fence Detail	26 th October 2015

The application is also accompanied by:	
<ul style="list-style-type: none"> - Photos - Design and Access Statement 	
Applicant: Mr Gary Carpenter	Validated: 26 October 2015 Date of expiry: 21 December 2015
Recommendation: Approve, subject to conditions.	

This application was deferred at the 11 February 2016 meeting of the Planning Committee to enable Members to visit the site to assess the impact of the fence in its context. The site visit took place on Wednesday 24th February 2016. The original report is appended and the recommendation is unaltered.

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Reference: 15/01127/FUL	Site: Land Rear Of 506 - 518 London Road West Thurrock Essex
Ward: West Thurrock And South Stifford	Proposal: Retention of erection of three metre high security fence.

Plan Number(s):		
Reference	Name	Received
Project No.5031 01	Location Plan	18 th September 2015
Project No.5031 03	Location Plan	26 th October 2015
Project No.5031 04	Typical Palisade Fence Detail	26 th October 2015

The application is also accompanied by: <ul style="list-style-type: none"> – Photos – Design and Access Statement 	
Applicant: Mr Gary Carpenter	Validated: 26 October 2015 Date of expiry: 21 December 2015
Recommendation: Approve, subject to conditions.	

This application has been called in by Councillors Gerrish, Holloway, B Rice, G Rice and Worrall to consider the impact of the development on local residents and the impact of the development upon protected species.

1.0 Description of Proposal

- 1.1 This application seeks planning permission to retain a 3m high steel palisade fence around the perimeter of the site. The application has been submitted following enforcement investigations.

2.0 Site Description

- 2.1 The 0.8 ha application site is a rectangular area of land immediately north of the existing Harris DAF site which is used to sell and service DAF commercial vehicles. The site is currently open and is predominantly grassed with some established trees and vegetation.
- 2.2 The site is bounded to the east by residential properties fronting London Road. Allotment gardens are found to the rear of the residential properties. To the south and west are industrial and commercial uses. Designated open space known as Anchor Field is found to the north of the application site.
- 2.3 Footpath No.16 is found north of the application site; it runs along the eastern boundary of Anchor Field, across the northern edge of the application site and crosses West Thurrock Way to the west.

3. Relevant History

Reference	Description	Decision
15/00228/CBRCH	Enforcement investigation regarding new fencing to rear of site without planning permission	Planning application submitted (the application is subject of this report)
09/00043/TTGFUL	Extension of workshop building and extension of site northwards to include part of the land at Anchor Field to accommodate concrete hardstanding parking for 11 HGVs, 6 LGVs and 31 cars associated with Harris DAFs operations.	Refused
73/00633/OUT	Erection of buildings for repair maintenance and parking facilities for passenger and commercial vehicles, storage of goods in transit. (OUTLINE)	Refused
68/00908/FUL	Vehicular Access (Amended Plan received 18.2.69.) (Details)	Approved
67/00853/FUL	Industrial and commercial development	Refused

4.0 Consultations and Representations

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/15/01127/FUL

- 4.1 This application has been advertised by the display of a public site notice and individual neighbour letters. No responses have been received. Members will be updated should any letters of representation be received.

PUBLIC FOOTPATHS:

- 4.2 No objections.

HIGHWAYS:

- 4.3 No objections.

LANDSCAPE AND ECOLOGY:

- 4.4 No objection to the erection of the fence, but concern raised to potential future impacts.

ESSEX WILDLIFE TRUST:

- 4.5 No objection.

5. Policy Context

National Planning Policy Framework

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

7. Requiring good design

Planning Practice Guidance (PPG)

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

- The use of planning conditions.

Local Planning Policy

Thurrock Local Development Framework

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

Policies for the Management of Development:

PMD1 (Minimising Pollution and Impacts on Amenity)²

PMD2 (Design and Layout)²

The Core Strategy has been subject to a focused review for consistency with the (NPPF). The focused review document was submitted to the Secretary of State for independent examination on 1 August 2013, and examination hearings took place on 8 April 2014. The inspector's report was received in October 2014. Minor changes have been made to some policies within the Core Strategy; the policies affected by the changes are indicated above.

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

Focused Review of the LDF Core Strategy

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

Draft Site Specific Allocations and Policies DPD

- 5.6 This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. The application site has no allocation within either of these draft documents. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination where their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation in Thurrock. The report to the 12th February 2014 Cabinet sets out a number of options for taking forward development plan making in Thurrock. Work has commenced on the production on a new integrated Local Plan. In light of this, there will be a fresh call for sites and the draft SSADPD will not be advanced.

Thurrock Core Strategy Position Statement and Approval for the Preparation of a

New Local Plan for Thurrock

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

6.0 Assessment

- 6.1 The principal issues to be considered in this case are:

- I. Plan designation and principle of development
- II. Design and appearance
- III. Neighbour amenity, landscape and ecology Impact
- IV. Highway and public footpath impact

I. PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

- 6.2 The application site is without formal designation on the Interim Proposal Map accompanying the Core Strategy; in such locations it is envisaged that land will continue the same use, though this does not necessary preclude alternative development options, subject to compliance with other policies within the Development Plan.

- 6.3 Members should be aware that the applicant could enclose the application site using 2m high fencing without planning permission (utilising Schedule 2, Part 2 Class A of the Town and Country Planning Act 1995 as amended). The application does not propose any change of use of the land.

- 6.4 In light of the above, no objection is raised to the principle of fencing in this location.

II. DESIGN AND APPEARANCE

- 6.5 The palisade fencing is of a commercial appearance, similar to other fencing in the location. The fence has a limited impact on the appearance and character of the locality. No objection is therefore raised under LDF CS Policy PMD1.

III. NEIGHBOUR AMENITY, LANDSCAPE AND ECOLOGY IMPACT

- 6.6 The closest neighbours to the site are located on London Road with their rear private gardens situated to the east of the application site approximately 35m southeast of the application site. The fencing would not be likely to result in any significant detrimental impact upon the amenities or privacies enjoyed by any nearby neighbours. The proposal is considered to comply with LDF CS Policy PMD2 with respect to its impact upon neighbours.

- 6.7 The land to the north of the application site is owned by the Council and is designated a Local Wildlife Site due to its important invertebrate assemblages and

the presence of three species of reptile. The Essex Wildlife Trust has recently signed an agreement with the Council to begin to manage the area.

- 6.8 The Council's Landscape and Ecology Advisor has raised concern that the enclosure of the application site may lead to the loss of biodiversity value within the Local Wildlife Site. However, given that the permitted development 'fall-back' position described above, it is not considered that an objection could be sustained at appeal.
- 6.9 In light of the above, the application is therefore considered to be compliant with LDF CS Policies PMD1 and PMD2 with regards to its impact upon landscaping and ecology.

IX. HIGHWAY AND PUBLIC FOOTPATH IMPACT

- 6.10 The Council's Highway Officer has raised no objections and the fencing would not interfere with Footpath No.16. Aerial photographs indicate that there is a well-worn track to the east of the application site which provides informal access from London Road to Footpath No.16. The fencing would not affect the continued use of this track.

7.0 Conclusions and Reason(S) For Approval

- 7.1 There is no objection to the principle of the development and it would be unlikely to have a demonstrably negative impact upon the local landscape. The fence would not interfere with established public rights of way in the location and the amenities of local residents would be unaffected. The objection from the Council's Ecology Advisor has been carefully considered but it not considered sufficient in this case to outweigh the factors that led to the following recommendation.

8.0 Recommendation

Approve, subject to the following conditions:

Condition(s):

TIME LIMIT

- 1 Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from 8th September 2015.

REASON: To ensure clarification of the works commenced in accordance with Section 73A of Chapter 8, Part III, of the Town and Country Planning Act 1990.

ACCORDANCE WITH PLANS

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

Plan Number(s):		
Reference	Name	Received
Project No.5031 01	Location Plan	18 th September 2015
Project No.5031 03	Location Plan	26 th October 2015
Project No.5031 04	Typical Pallisade Fence Detail	26 th October 2015

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

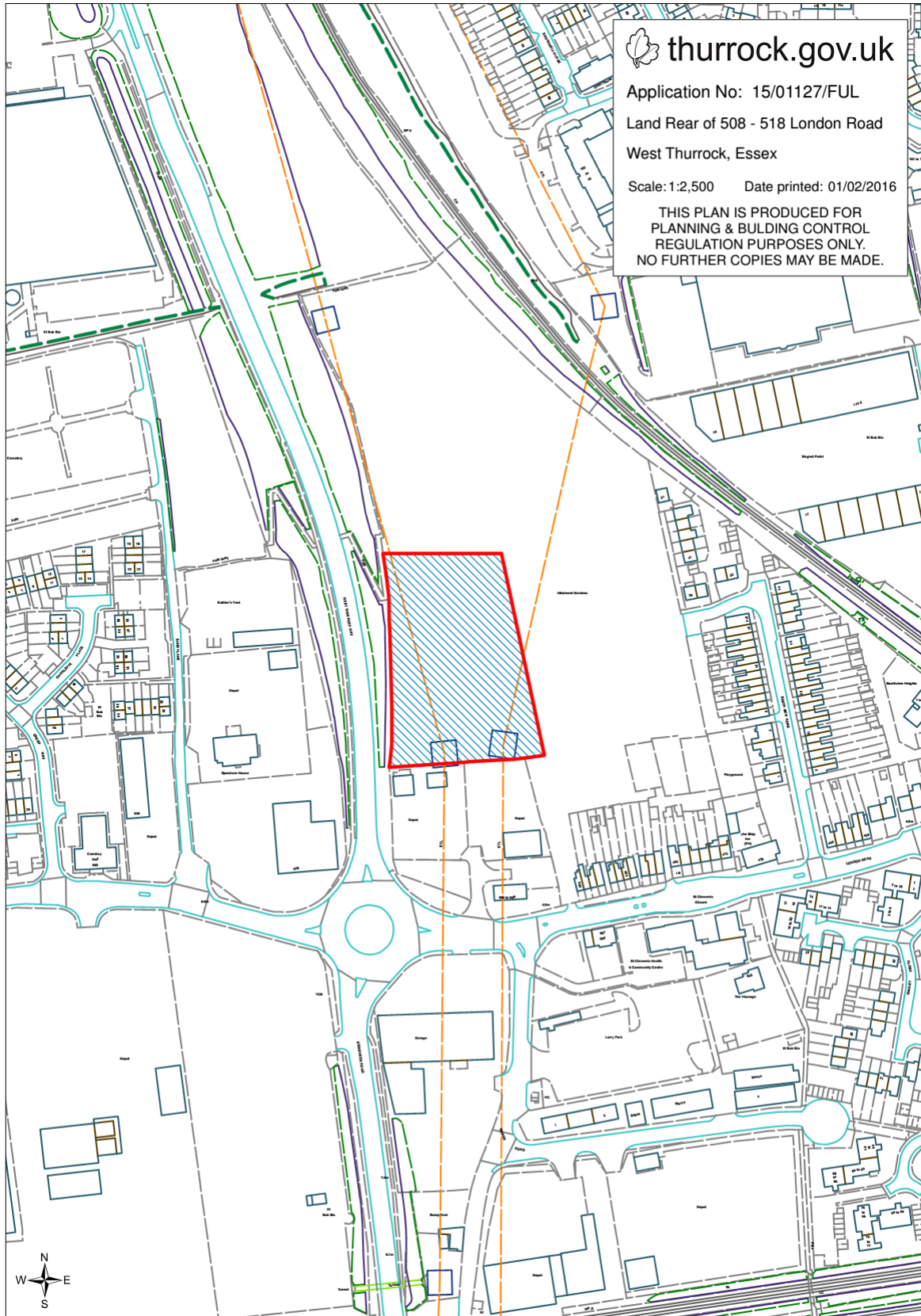
INFORMATIVE:

For the avoidance of doubt this permission relates solely to the provision of 3m high palisade fencing around the perimeter of the site. It does not provide any consent to develop the site or change the use of the site which would be subject to separate planning consent.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: www.thurrock.gov.uk/planning/15/01127/FUL

Alternatively, hard copies are also available to view at Planning, Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL.



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Reference: 15/01438/REM	Site: Aveley Football Club Mill Road Aveley Essex RM15 4SR
Ward: Aveley And Uplands	Proposal: Application for the approval of reserved matters (appearance, landscaping, layout and scale) following outline approval ref. 13/01021/OUT (demolition of existing buildings and redevelopment comprising up to 114 residential dwellings).

Plan Number(s):		
Reference	Name	Received
PH_115_001	Site Boundary Plan	09.12.15
PH_115_002D	Masterplan	11.02.16
PH_115_003D	Detailed Layout	11.02.16
PH_115_004D	Materials Layout	11.02.16
PH_115_005D	Storey Heights	11.02.16
PH_115_006	House Type A Plans & Elevations	09.12.15
PH_115_007	House Type A2 Plans & Elevations	09.12.15
PH_115_008A	House Type A3 Plans & Elevations	27.01.16
PH_115_009	House Type A-B Semi-Detached Plans & Elevations	09.12.15
PH_115_010	House Type B Plans & Elevations	09.12.15
PH_115_011	House Type C Plans & Elevations	09.12.15
PH_115_112A	House Type D Semi-Detached Plans & Elevations	27.01.16
PH_115_013	House Type D Terrace Plans & Elevations	09.12.15
PH_115_014	House Type E Plans & Elevations	09.12.15
PH_115_015	House Type F Plans & Elevations	09.12.15
PH_115_016A	House Type G Semi-Detached Plans & Elevations	27.01.16
PH_115_017	Car Port Plans & Elevations	09.12.15
PH_115_018A	Street Scenes	27.01.16
PH_115_019	Refuse Tracking Plan	11.02.16
PH_115_020	Forward Visibility Plan	11.02.16

The application is also accompanied by:

- Design and Access Statement; and
- Structural Statement

Applicant: Persimmon Homes (Essex) Ltd.	Validated: 10 December 2015 Date of expiry: 15 March 2016 (Art. 34)
Recommendation: Approve the reserved matters, subject to conditions.	

1.0 Description Of Proposal

1.1 This is an application for the approval of reserved matters, following the grant of outline planning permission for residential development on the Aveley Football Club site. The application seeks approval for the reserved matters of appearance, landscaping, layout and scale for a development of 114 dwellings. This application follows the grant of outline planning permission by the Council in 2015 for “demolition of existing buildings and redevelopment comprising up to 114 residential dwellings (ref. 13/01021/OUT). The outline planning permission is linked to a full planning permission for the relocation of Aveley F.C. from the Mill Road site to a site on Belhus Park, a short distance to the north-west of the current site (ref. 13/01022/FUL).

1.2 Table 1 below summarises some of the main points of detail contained within the development proposal:

Site Area	Approximately 2.5 hectares
Density	45.6 dwellings per hectare
Total dwellings	70 no. two-bedroom houses* 44 no. three-bedroom houses * - a total of 17 of these two-bedroom houses contain a first-floor office (measuring approximately 2.3m x 2.8m), which could be used as a third bedroom) TOTAL: 114 houses
Building Height	Two and three storeys
Car Parking	One or two spaces per dwelling (218 spaces) 3 allocated visitor spaces TOTAL: 221 parking spaces

1.3 This application seeks approval for all reserved matters (apart from access) for a development of 114 dwellings. The reserved matters follow the grant of outline

planning permission by the Council in 2015 (reference 13/01021/OUT). The outline planning permission established the principle of residential development on the site as well as establishing the access to the development via Mill Road (re-using the existing access serving the football ground). The outline planning permission is subject to s.106 obligations and planning conditions. Conditions attached to the outline approval refer to a number of parameters to control the development of the site including:

- maximum number of dwellings;
- maximum storey heights; and
- the provision of a layout which enables a future vehicular and pedestrian link between the football club site and the adjacent residential development site to the east (currently under construction by Persimmon Homes).

The main elements of the current proposals submitted are described below.

1.4 Appearance:

Matters of appearance comprise the external built form of the development including architecture, materials, colour and texture. Six main house types are proposed within the development, with variations applying within a limited number of each type. The proposed house types are summarised in the table below:

<u>House Type</u>	<u>Storey Height</u>	<u>Wall Finish</u>	<u>Roof</u>
A	Two	Red brick / off-white render panel	Pitched roof (grey tile)
A2	Two	Red brick / off-white render panel	Hipped-end roof (grey tile)
A3	Two	Red brick / off-white render panel	Hipped-end roof (grey tile)
B	Two	Off-white render	Pitched roof (grey tile)
C	Three	Yellow brick / sage green render panel	Pitched roof (grey tile)
D	Two	Yellow brick / cream boarding panel Red brick / sage green render panel	Pitched roof (grey tile)
E	Two	Yellow brick / sage green render panel	Pitched roof (grey tile)
F	Three	Yellow brick / sage green render panel	Pitched roof (grey tile)
G	Two (with 3 rd floor within	Yellow brick / off-white render panel	Pitched roof (grey tile)

	roofspace)		
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1.5 All of the proposed dwellings are two or three-storey, family houses arranged in detached, semi-detached and terraced groups. In general terms, the appearance of the proposed dwellings reflects the appearance of the adjoining residential site to the east currently being developed by Persimmon Homes. Details of finishing materials are subject to approval via a planning condition attached to the outline planning permission. However, the application proposes an indicative palette of materials which includes yellow and red-coloured bricks, white and sage-green render details, cream coloured weatherboarding, grey roof tiles, grey uPVC window frames and black rainwater goods.

1.6 Landscaping:

For the purposes of considering this application for the approval of reserved matters, landscaping includes screening by fences, walls etc., planting of trees, shrubs etc., and the laying out of gardens, courts squares etc. A submitted 'detailed layout' drawing indicates the provision of 'standard' 1.8m high walls and fences to screen private rear garden areas from the public realm. A planning condition of the outline planning permission requires the submission, approval and implementation of the precise details of all boundary treatments on-site. The applicant is not seeking discharge of this condition via the reserved matters submission and this condition remains to be discharged.

1.7 Similarly, the outline planning permission is subject to a condition requiring submission, approval and implementation of a scheme of hard and soft landscaping for the site. The current reserved matters submission does not seek to discharge this condition, although the submitted 'Masterplan' drawing shows a layout of private rear gardens, tree planting within the public realm and a small area of public open space at the south-western corner of the site.

1.8 Layout:

For the purposes of considering this application for the approval of reserved matters, the term layout refers to the way in which buildings, routes and open spaces are provided in relation to each other within the site and to buildings and spaces outside the site. The proposed layout of the site broadly follows the indicative masterplan drawing which accompanied the outline planning application. Dwellings would be arranged to face towards a simple grid of largely shared-surface roads which link through the site and connect to Mill Road (to the south-west) and the adjacent residential site (to the east). To the eastern, southern and western boundaries of the site proposed dwellings have been arranged so that private rear garden areas adjoin rear gardens of properties within St. Paul's Close, St. Michael's Close and dwellings within the adjacent development site. Along the northern site boundary dwellings would face towards the Aveley Bypass, reflecting the arrangement at the adjacent Persimmon site.

1.9 Scale:

For the purposes of considering this application for the approval of reserved matters, the term scale refers to the height, width and length of buildings in relation to their surroundings. All of the proposed dwellings would be two-storeys, two-storey with additional roofspace bedrooms or three-storeys in height with either a pitched roof or pitched roof with hipped-end design. The proposals include a small number (15) of detached dwellings with the remaining dwellings arranged as terraced groups (47 dwellings) or pairs of semi-detached (52 dwellings).

1.10 Access to the site is not a reserved matter for which permission is sought by this application. The outline planning permission (13/01021/OUT) established the principle of re-using the existing vehicular / pedestrian access serving the site from Mill Road. However, the outline permission is subject to a planning condition requiring that reserved matters submissions for the site provide a layout which enables a future vehicle and pedestrian link to the adjacent Persimmon development site. For reference, the outline planning permission for the Aveley village extension site (to the east) is also subject to a planning condition requiring the layout of development to enable a vehicle / pedestrian access to the Aveley FC site.

1.11 In addition to the application for the approval of reserved matters, the applicant has submitted two associated planning applications, detailed below, which are reported elsewhere on this agenda:

- 15/01453/FUL – Change of use of a 0.042 hectare strip of land to the east of Aveley Football Club to form part of residential gardens of new homes within the Football Club together with means of enclosure and hardstanding.

As noted in the applicant's Design and Access Statement the reserved matters submission is consistent with the site area of the outline planning permission. The extant permission excludes a narrow strip of land, measuring approximately 3m wide x 125m long and located immediately to the east of the football club site. This strip was not incorporated into the layout of the Persimmon residential site currently under construction to the west. Application reference 15/01453/FUL therefore seeks permission to use the strip of land as garden areas and car parking associated with the new dwellings on the football club site.

- 15/01455/FUL – Formation of a means of vehicular and pedestrian access between Belhouse Avenue and the Aveley Football Club site.

Vehicular and pedestrian access to the Football Club site is taken from Mill Road in the approved outline scheme, essentially re-using the existing access

point. As noted above, the planning permissions for the Football Club site and the adjacent residential site to the east include planning conditions which intend to enable a connection between the adjoining land parcels. As the narrow strip of land between the two sites does not have planning permission for the connection to link the two sites, the application seeks consent for a vehicular and pedestrian link to join the two sites.

2.0 Site Description

- 2.1 The existing Aveley FC site, known as Mill Field, is located to the east of Mill Road and south of the Aveley bypass (B1335). The site is accessed from Mill Road but does not have a frontage to this road. The site is roughly rectangular in shape with an area of approximately 2.5 hectares. The single football pitch is centrally located within the site, with a covered stand providing a seating area for spectators, an open terrace and single storey changing rooms positioned to the west of the pitch. A small covered terrace standing area for spectators is located on the northern side of the pitch behind one of the goals. A terraced standing area, which is partly covered adjoins the eastern side of the pitch and a smaller open terraced area is located behind the southern goal. Open grassed areas are located in between the pitch and the northern, eastern and southern boundaries of the site. All boundaries of the site demarcated with a 1.8m high concrete panel and post fence, with vegetation comprising trees and shrubs.
- 2.2 A single storey clubhouse / function room building is positioned at the south-western corner of the pitch. The pitch is floodlit, with illumination provided by luminaires mounted on columns located close to the four corners of the pitch. Mobile phone antennae are mounted on three of the four floodlight columns and associated equipment cabinets and enclosures are located to the east and west of the pitch. A car parking area is located to the west of the pitch, close to the access onto Mill Road.
- 2.3 Natural ground levels across the site fall gently from north-west to south-east. However, in order to create a flat playing surface, the centre of the site appears to have been levelled and there is a more pronounced fall in ground levels between the western site boundary and the pitch and the pitch and the eastern boundary of the site. The site is located in the low flood risk area (Zone 1).
- 2.4 Two-storey semi-detached and terraced dwellings in St. Paul's Close (constructed in the mid-1970's) adjoin the site to the west. Similarly, two-storey dwellings in St. Michael's Close (built in the late 1980's) adjoin the site to the south. To the east of the site is the Aveley village extension residential currently being developed by Persimmon Homes. Two-storey dwellings in this development adjoin the site. To the north of the site on the northern side of the Aveley bypass and the associated road verges are dwellings in Nethan Drive.

3. Relevant History

Reference	Proposal	Decision
50/00230/FUL	Use of land for football ground	Approved
50/00230A/FUL	Erection of accommodation for supporters, layout of grounds	Approved
50/00230B/FUL	Officials Hut	Approved
53/00244/FUL	Covered stand	Approved
57/00037/FUL	Erection of spectators stand	Approved
60/00305/FUL	Clubhouse	Approved
67/00313/FUL	Erection of 8no. 60 feet high floodlighting towers	Approved
75/00689/FUL	Use of football club for Sunday market purposes	Refused
75/00986/FUL	Use of football club for greyhound racing	Approved (temporary permission)
75/00986A/FUL	Layout of a sanded greyhound racing track. Operate an electric hare, install special lighting and a Totalisator end erect kennels. Meetings to be held on Wednesday and Friday evenings. Trials and training sessions - Sunday mornings	Refused
82/00173/FUL	Refreshment bar / printing room	Approved
90/01040/FUL	Erection of two stands, toilet block and turnstiles	Approved
95/00476/OUT	Residential development	Withdrawn
95/00273/FUL	Installation of portable toilet and group entry control turnstile block	Approved
96/00621/FUL	Cantilevered roof structure to create shelter to existing stands behind the pavilion end goal	Approved
01/00133/FUL	Proposed replacement of telecommunications base station including equipment cabin and six antennae and 21m high lattice tower with light incorporated into structure for football pitch. Removal of existing lighting tower.	Refused
01/01266/RDG	Erection of 15m lattice tower to replace existing floodlight tower with 6 polar antennae and 2 dishes with relocated floodlight and ancillary equipment cabin	Refused
01/01274/FUL	Erection of 20m lattice telecommunications tower to replace existing floodlight tower with 6 antennae and 2 dishes with relocated floodlights and ancillary equipment cabin	Refused
02/00062/FUL	Erection of a 20m monopole	Refused

	telecommunications mast to replace existing floodlight tower with 3 antennae and 3 dishes with relocated floodlights and ancillary equipment cabin	
02/00730/FUL	Erection of a 21.7m high monopole telecommunications mast to replace existing floodlight tower with 3 antennae and 3 dishes with relocated floodlights	Approved
05/00055/FUL	Replacement of existing temporary toilet facilities with single storey block and viewing platform for disabled persons	Approved
13/01021/FUL	Outline planning application (with all matters reserved except access) for the demolition of existing building and redevelopment comprising up to 114 residential dwellings	Approved
15/00519/CONDC	Application for the approval of details reserved by condition no. 14 (phasing of replacement facilities) of planning permission ref. 13/01021/OUT	Advice Given
15/01453/FUL	Change of use of a 0.042 hectare strip of land to the east of Aveley Football Club to form part of residential gardens of new homes within the Football Club site together with means of enclosure and hardstanding	Under consideration – reported elsewhere on this agenda
15/01455/FUL	Formation of a means of vehicular and pedestrian access between Belhouse Avenue and the Aveley Football Club site	Under consideration – reported elsewhere on this agenda

4. Consultations And Representations

4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council’s website at:
www.thurrock.gov.uk/planning/15/01438/REM

PUBLICITY:

4.2 The application has been publicised by the display of a site notice, a newspaper advertisement and consultation with relevant consultees and landowners.

4.3 Three letters of representation have been received from neighbours adjoining the site, raising the following comments / concerns:

- proximity of existing trees at a neighbouring property to proposed dwellings and implications for root damage, subsidence or heave;
- disturbance during construction;
- surface water drainage;
- proposed housing is unwanted;
- potential for access onto Mill Road to become a 'main road';
- untidy land at the church hall; and
- increased noise and traffic congestion.

In addition, comments have been received from the following consultees:

4.4 ANGLIAN WATER:

No comments.

4.5 ENVIRONMENTAL HEATH:

No comments.

4.6 HIGHWAYS:

No objection.

5. Policy Context

National Planning Guidance

5.1 National Planning Policy Framework (NPPF)

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

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

- delivering a wide choice of high quality homes;
- requiring good design;
- promoting healthy communities; and
- meeting the challenge of climate change, flooding and coastal change.

5.3 Planning Practice Guidance

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

- climate change;
- design;
- flood risk and coastal change;
- renewable and low carbon energy; and
- use of planning conditions.

Local Planning Policy

5.4 Thurrock Local Development Framework (2011)

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The Adopted Interim Proposals Map shows the site as a ‘Housing Land Proposal’. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- CSSP1 (Sustainable Housing and Locations); and
- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)¹

Thematic Policies:

- CSTP1 (Strategic Housing Provision);
- CSTP20 (Open Space);
- CSTP22 (Thurrock Design);
- CSTP23 (Thurrock Character and Distinctiveness)²;
- CSTP25 (Addressing Climate Change)²;
- CSTP26 (Renewable or Low-Carbon Energy Generation)²; and
- CSTP27 (Management and Reduction of Flood Risk)²

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²;
- PMD2 (Design and Layout)²;
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)³;
- PMD8 (Parking Standards)³;

- PMD9 (Road Network Hierarchy);
- PMD10 (Transport Assessments and Travel Plans)²;
- PMD12 (Sustainable Buildings)²;
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation); and
- PMD15 (Flood Risk Assessment)²

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

5.5 Focused Review of the LDF Core Strategy (2014)

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes.

5.6 Draft Site Specific Allocations and Policies DPD

This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. Site Allocation Policy SAP1 (Land for Housing Development) identifies the application site as a preferred housing site without permission (ref. AVE05) with an indicative capacity of 110 dwellings. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

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

The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough’s Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy ‘Broad Locations & Strategic Sites’ to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the ‘parking’ of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan. It is anticipated that a new Local Plan for Thurrock could be adopted by 2020.

6. Assessment

6.1 The principle of the residential development of this site was established by the grant of outline planning permission under reference 13/01021/OUT. Accordingly, the use of the site for residential purposes cannot be revisited through consideration of this application for the approval of reserved matters.

6.2 The outline planning permission also establishes vehicular and pedestrian access to the site from Mill Road via the re-use of the existing access serving the football club site. The principal issues to be considered in this case are the appearance, landscaping, layout and scale of the development with reference to the outline planning permission, the parameters of which were set by the outline permission and the its accompanying Design Code. In addition, the impact upon surrounding amenity, the surrounding highways network, design and sustainability are also material considerations in this case.

6.3 Appearance:

The report presented to Planning Committee considering the outline planning application (13/01021/OUT) noted that there is no prevailing style or consistency in finishing materials in areas surrounding the site. Existing dwellings to the west of the site in St. Paul's Close were constructed in the mid-1970's and are typically two-storey and with facing brick and / or render, with pitched and tiled roofs. Dwellings to the south of the site in St. Michael's Close, which date from the 1980's are similarly two-storey with brick or render finishes and pitched tiled roof forms. The proposed appearance of the dwellings, comprising red or yellow brick with contrast render detailing and grey-coloured tiled roofs would not appear as out of character with existing residential development to the east and south.

6.4 To the west of the site Persimmon Homes are currently constructing 'The Village' development of 340no. houses and apartments. The initial phases of this development, located adjacent to the football club site, are largely complete and occupied. Although the detailed house types on 'The Village' development are different from those currently proposed, the overall appearance of the proposed dwellings would be similar. The palette of proposed finishing materials would be close in appearance to the red and buff-coloured facing brick used on 'The Village' and grey-coloured roof tiles have also been used on 'The Village'. The appearance of the current proposals is of a similar language as the adjacent Persimmon scheme. The proposed use of dark-grey coloured window frames, flat canopies above the front door and contrast render detailing also reflects features within 'The Village' development. The architecture of the proposed house-types is therefore sympathetic to the adjacent Persimmon scheme and would have the appearance of a contemporary residential development.

6.5 Landscaping:

The outline planning permission is subject to conditions requiring the submission and approval of details of boundary treatments and hard and soft landscaping proposals. The applicant is not seeking to discharge these conditions as part of the reserved matters submission.

6.6 Nevertheless, a 'Detailed Layout' drawing has been submitted which suggests the position of close-board fencing, post and wire fencing and brick walls to separate private rear garden areas from areas of public realm and to provide delineation between private garden areas. Details of the final design, type, height and position of boundary fencing will be submitted to discharge the requirements of the planning condition.

6.7 As noted above, the outline planning permission is also subject to a planning condition requiring that a scheme of proposed hard and soft landscaping is submitted for approval prior to the commencement of development. As the applicant does not currently seek the discharge of this condition, only limited landscaping details have been provided on the 'Detailed Layout' drawing. However, this drawing shows the provision of private rear garden areas for each plot, as well as an area of public open space located at the south-western corner of the site. Most of the proposed plots are allocated small front garden areas which would contain planting. Areas of new shrub planting are indicated at corner locations throughout the site and street trees are also suggested on the 'Detailed Layout' drawing.

6.8 At the centre of the site a hardsurfaced 'square' is proposed which could contain a more formal arrangement of tree planting and seating. Proposed surfacing materials would be used to mark out the partial alignment of the centre-circle of the football pitch. At the northern boundary of the site adjacent to the B1335 (Aveley bypass) a more robust arrangement of tree and shrub planting is indicated to visually separate dwellings from the carriageway. This arrangement broadly reflects the landscape buffer adjacent to the bypass which has been implemented on the 'The Village' development to the east.

6.9 Therefore, the indicative provision and arrangement of landscaping is considered appropriate and capable of final agreement through the discharge of the existing planning condition.

6.10 Layout:

An indicative 'Masterplan' drawing submitted to accompany the outline planning application shows the broad layout of the development comprising:

- a terrace of dwellings facing northwards towards the Aveley bypass;

- proposed rear gardens abutting existing rear gardens at properties in St. Paul's Close west of the site;
- proposed rear gardens abutting existing rear gardens at properties in St. Michael's Close south of the site;
- proposed rear gardens abutting existing rear gardens at recently constructed properties in 'The Village' development east of the site; and
- the potential for a vehicular / pedestrian link between the site and 'The Village' development.

- 6.11 The proposed layout of dwellings maintains the back-to-back relationship with existing dwellings adjoining the site to the east, west and south. The proposals also provide a built frontage to the Aveley bypass, reflecting the arrangement at 'The Village' development and ensuring that dwellings do not 'turn their back' to this road. The broad arrangement of streets within the layout ensures a satisfactory definition of public and private spaces through the use of perimeter blocks of development.
- 6.12 All dwellings within the development would be served by a conventional rear garden space. All dwellings would benefit from rear gardens which are regular in shape and measuring between 8 and 18m in depth. The most generous rear gardens, both in terms of depth and width, are generally located adjacent to the eastern, western and southern boundaries of the site. Located closer to the centre of the site rear garden depths generally reduce to approximately 10-12m, with depths of 8m on a small number of plots. Garden depths on some plots would be below the 12m recommended by Annex 1 of the Local Plan (1997). However, in granting outline planning permission the Council has accepted that a development of up to 114 dwellings on the site, at a density of 44 dwellings per hectare, is acceptable. In this context, a variation in rear garden depths and areas is to be expected and would arguably be a matter for prospective owners and occupiers to judge the suitability of the amenity space proposed.
- 6.13 Local Plan Appendix 1 suggests a minimum 20m back-to-back distance between proposed and existing dwellings. On the western part of the site houses at proposed plot nos. 32-46 would have a back-to-back relationship with existing dwellings at nos. 18-44 St. Paul's Close. Proposed rear garden depths are 14m to 15m, resulting in a back-to-back distance of 23m to 30m. The suggested distance is therefore met and exceeded with regards to neighbours in St. Paul's Close.
- 6.14 Proposed plot nos. 23-28 would have a back-to-back relationship with existing dwellings located at nos. 61-103 St. Michael's Close to the south. As above, proposed rear garden depths for these plots are generally 14m to 15m resulting in back-to-back distances of 22m to 25m, in excess of the minimum suggested distance. Three of the proposed plots (nos. 18, 19 and 29) would have either a flank-to-flank or a flank-to-back with existing dwellings in St. Michael's Close. All of the proposed first floor windows within these plots, which face towards neighbouring properties, serve non-habitable floorspace (landing areas and

bathrooms). Subject to the use of obscure glazing, to be secured by planning condition, there are no amenity implications arising from these relationships.

- 6.15 To the east of the site proposed houses at plot nos.1-7, 10, 11 and 14-18 would have a back-to-flank, flank-to-flank or back-to-back relationship with existing dwellings within 'The Village' development. Proposed back-to-back distances are generous at approximately 33m. Where first floor windows are proposed within flank walls facing towards 'The Village' the windows would only serve landing areas. As above, such windows could be obscure glazed by planning condition.
- 6.16 The proposed layout of the development would therefore result in a satisfactory relationship with existing dwellings surrounding the site (as assessed against Local Plan Annex suggested standards).
- 6.17 Within the site, back-to-back relationships between proposed dwellings are considered to be satisfactory and comply with the suggested Local Plan Annex standard. There would be a limited number of corner locations within the site where first floor windows could be close to neighbouring garden areas. However, due to the limited number of first floor windows and the angles between rear windows, unacceptable loss of privacy between neighbouring windows and garden areas would be avoided. The limited number of these 'tight' corner-garden relationships do not impact upon development adjoining the site and it is considered that the appropriateness of these irregular gardens is ultimately a decision for future buyers and occupiers.
- 6.18 In conclusion under this heading, the proposed layout of development is considered to be robust, legible and displays a clear distinction between public and private space. A small number of proposed gardens are only of modest dimensions. However, it is not considered that an objection could be sustained to a limited number of small rear garden areas in circumstances where there is no significant harm to amenity.

6.19 Scale:

Condition no. 5 of the outline planning permission requires that no building on any part of the development shall exceed three-storeys in height. Of the 114 dwellings proposed, six dwellings (arranged in three semi-detached pairs) would be three-storeys high. The three-storey house type (plot nos. 9-12 and 95-96) would be located on the eastern part of the site, adjacent to the access point with 'The Village' development. The position of these three-storey houses serves the purposes of 'announcing' the entrance into the site from the east and 'book-ending' the western end of a vista along Belhouse Avenue. The scale of these three-storey dwellings is therefore considered appropriate in urban design terms.

- 6.20 The proposals include the provision of 26 no. two-storey dwellings with a third floor accommodated within the roofspace (house type G). These plots, arranged in 13

no. semi-detached pairs, would contain second floor bedrooms lit via front-facing dormer windows and rear facing rooflights. House type G are located on the southern and western parts of the site and 10 dwellings of this type would adjoin neighbouring properties on either the southern or western boundary. As noted above, the proposed back-to-back distances on these parts of the site exceed suggested separation and the scale of these dwellings is therefore appropriate. The majority of house, 62 in number, would be two-storeys in height. However, six different two-storey house types are proposed which would provide subtle variations within the scale of two-storey development.

6.21 Adjoining development in St. Paul's Close and St. Michael's Close is exclusively two-storeys in height and detached, semi-detached or terraced in format. The proposed scale of the development would be sympathetic with the residential scale of these adjoining roads. To the east of the site, recent development within 'The Village' comprises two-storey semi-detached and terraced houses in Courts Way, Tany Road and Belhouse Avenue, with three-storey development further to the east. It is considered that the scale of the development proposed would be compatible with the adjoining Persimmon development.

6.22 Access Arrangements:

The outline planning permission did not reserve the matter of access and therefore established the principle of re-using the existing football club access road from Mill Road. The report considering the outline planning application which was presented to Planning Committee in March 2014 noted that:

"The proposals involve the re-use of the existing access into the site from Mill Road. Improvements to the junction of this access road with Mill Road are proposed in the form of a raised pedestrian table and footpath improvements on the eastern side of Mill Road. The proposed access road serving the site would comprise a 4.8m wide carriageway, with a pedestrian footway between 1.7m and 2m in width."

6.23 Although the outline planning permission allows the re-use of the existing football club access to serve the residential development, there has been a longstanding intention to access any new development south of the Aveley bypass from the bypass itself. Both 'The Village' development site and the site of the football club were identified in the non-statutory Aveley and South Ockendon Masterplan (2007) produced by the former Thurrock Development Corporation as a residential development site with access *"formed by a junction between the Bypass, the access road to Belhus Park and a new access road into the new development"*. The outline planning application for 'the Village' development (approved by the Development Corporation in 2010) provided for a new roundabout junction on the bypass to access both the residential site and an improved access into Belhus Park (replacing the former left-in / left-out junction). Although at this time there was no

planning application for redevelopment of the football club site, the outline permission for 'The Village' site was subject to a planning condition requiring:

"The details submitted pursuant to condition number 1 of this planning permission shall provide for a layout of development which enables a future vehicular and pedestrian link to be achieved between the application site and the adjacent Aveley Football Club to the west."

The subsequent reserved matters submission for 'The Village' site included a carriageway and footpath connection to the western boundary of the site and this has now been built as part of Belhouse Avenue.

- 6.24 The report to the March 2015 Planning Committee mentioned above also noted that:

"The applicant (Aveley F.C. and Elev8 International Ltd) considers that there is a potential 'ransom-strip' between the two sites which may prevent a connection being made."

The site area plans for both 'The Village' and football club sites, as originally submitted, do indeed show the position of a narrow strip of land in-between the two sites which was not in the control of either Persimmon or the football club. Therefore, similar to 'The Village' development, the outline permission for the football club site is also subject to a planning condition requiring a layout which enables a potential link between sites.

- 6.25 The strip of land now appears to be within the control of the applicant (Persimmon Homes) and two separate applications for full planning permission, which are reported elsewhere on this agenda, seek permission to use the strip as both residential land and to create the vehicular and pedestrian connection. Although the current reserved matters submission involves the same site as the outline permission, as is required, the two related applications will secure the delivery of the connection and link the two sites as intended. The detailed layout drawing submitted with the current application shows that the 'approved' access onto Mill Road will be retained, but with drop bollards restricting use of this route to cyclists, pedestrians and emergency vehicles only. The applicant is prepared to accept a planning condition requiring the 'downgrading' of the Mill Road access upon provision of the link to 'The Village' site.

- 6.26 Other Issues:

As noted at paragraph 4.3 of this report, three letters of representation have been received raising the following issues and concerns:

- proximity of existing trees at a neighbouring property to proposed dwellings and implications for root damage, subsidence or heave;

- disturbance during construction;
- surface water drainage;
- proposed housing is unwanted;
- potential for access onto Mill Road to become a 'main road';
- untidy land at the church hall; and
- increased noise and traffic congestion.

A response to each of these points is provided below.

6.27 Neighbouring trees:

An adjoining property to the south of the site (no. 59 St. Michael's Close) contains six Leylandii trees adjacent to the boundary of the site. The flank wall of the proposed house at plot no. 29 would be positioned some 1-1.5m from the party boundary and therefore close to the existing trees, which are not protected by an existing Tree Preservation Order and would not meet the criteria for serving a new Order. In response to the concerns raised by the neighbour, the applicant has submitted a 'Structural Statement' which confirms that the foundation design of the new dwellings will be in accordance with NHBC standards. As the matter of foundation depth and design is within the scope of the Building Regulations it is not appropriate for consideration as part of the planning process. Under common law a landowner can cut the branches from a neighbour's tree(s) if they overhang his or her property. The overhanging branches are regarded as a 'nuisance' and may be cut at the boundary between the two properties whether or not they are causing any damage. The cut branches, including any fruit, remain the property of the neighbouring owner. The same rule applies to encroaching roots. The housebuilder would therefore be entitled to remove any overhang from the neighbouring trees. As above, this is separate from the planning process and does not influence the consideration of the reserved matters submission.

6.28 Disturbance during construction:

The outline planning permission for the site is subject to planning conditions requiring the submission, approval and implementation of a Construction Environmental Management Plan and controls over the days/ hours of demolition and construction works. Any disturbance during demolition / construction would therefore be mitigated to acceptable levels.

6.29 Surface water drainage:

The outline planning permission for the site is subject to a planning condition requiring the submission, approval and implementation of a surface water management strategy.

6.30 Proposed housing is unwanted:

The principle of residential redevelopment of the site has been accepted by the Council and there is a valid outline planning permission for development with up to 114 dwellings.

6.31 Potential for access onto Mill Road to become a 'main road':

As noted above, the outline planning permission secures the re-use of the existing football club access onto Mill Road as the vehicular and pedestrian access for the residential redevelopment. However, via the accompanying current planning applications (refs. 15/01453/FUL and 15/01455/FUL), there is now an opportunity provide vehicular access through 'The Village' development connecting to the Aveley bypass (B1335). A planning condition can be used to ensure that the approved access route onto Mill Road is 'downgraded' to serve as a pedestrian, cyclist and emergency route only. The detailed layout drawing accompanying the application shows drop bollards installed along the Mill Road access to restrict general vehicular access.

6.32 Untidy land at the church hall:

Located to the north of the existing football club access road and south of houses in St. Paul's Close is St. Michael's Church Hall building, which faces onto Mill Road. To the rear (east) of the church hall is an associated Scout Hall building. Both buildings were constructed in the 1960's / 70's, however both buildings are unused and the Scout Hall building is in a poor state of repair. The small area of open land in between the two buildings is also overgrown. It is understood that the Scout group now use buildings at Aveley Methodist Church in Shannon Way. The site of the church and scout hall does not form part of the application site and it assumed that the church and scout hall is in private ownership. As the site is adjacent to and visible from the Mill Road access it is considered likely that, through details of landscaping required by planning condition, Persimmon will provide fencing to the site boundary. It is also likely that street lighting will be installed along this future pedestrian, cycle and emergency access route.

6.33 Increased noise and traffic congestion:

These issues were taken into account when the outline planning application was considered by Planning Committee. As the current submission is for the approval of reserved matters these issues cannot be re-visited at this stage.

7. Conclusions And Reasons For Recommendation

- 7.1 It is considered that the details submitted would ensure a satisfactory appearance, landscaping, layout and scale of residential development, compatible with the character of the surrounding area and resulting is a good quality design, as required by local and national planning policies. The planning applications which accompany this submission of reserved matters would enable pedestrian and

vehicular access into the site from the adjoining 'The Village' development, thus meeting the intentions of planning conditions attached to the original outline planning permissions. Therefore, subject to planning conditions which relate specifically to the reserved matters, it is recommended that the reserved matters are approved.

8. Recommendation

It is recommended that the reserved matters are APPROVED subject to the following conditions:

APPROVED PLANS

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

PH_115_001	Site Boundary Plan
PH_115_002D	Masterplan
PH_115_003D	Detailed Layout
PH_115_004D	Materials Layout
PH_115_005D	Storey Heights
PH_115_006	House Type A Plans & Elevations
PH_115_007	House Type A2 Plans & Elevations
PH_115_008A	House Type A3 Plans & Elevations
PH_115_009	House Type A-B Semi-Detached Plans & Elevations
PH_115_010	House Type B Plans & Elevations
PH_115_011	House Type C Plans & Elevations
PH_115_112A	House Type D Semi-Detached Plans & Elevations
PH_115_013	House Type D Terrace Plans & Elevations
PH_115_014	House Type E Plans & Elevations
PH_115_015	House Type F Plans & Elevations
PH_115_016A	House Type G Semi-Detached Plans & Elevations
PH_115_017	Car Port Plans & Elevations
PH_115_018A	Street Scenes
PH_115_019	Refuse Tracking Plan
PH_115_020	Forward Visibility Plan

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

OBSCURE GLAZING

2. The following windows shall be permanently glazed with obscure or frosted glass:

Plot 11 – first floor flank window;

Plot 18 – first floor flank window;

Plot 19 – first floor flank window; and
Plot 29 – first floor flank window.

REASON: To protect the privacy of adjoining properties in accordance with Policy PMD1 of the Adopted Thurrock Core Strategy and Policies for the Management of Development DPD (2011).

VEHICULAR ACCESS

3. Notwithstanding the details shown on the approved Masterplan drawing (PH_115_002B) and the approved Detailed Layout drawing (PH_115_003B) primary vehicular access into the site shall only be from 'The Village' development to the east of the site (the details of which are shown on related planning permission reference 15/01455/FUL). Upon the construction of the vehicular access to 'The Village' development site, the access onto Mill Road shall only be used for emergency and / or commercial bus access and as a pedestrian and cycle route. Prior to the first occupation of any of the dwellings on-site a scheme showing measures to restrict general vehicle use of the Mill Road access shall be submitted to and agreed by the local planning authority. The agreed measures shall be implemented prior to the first occupation of the site and thereafter permanently retained.

REASON: In order to ensure the provision of appropriate access arrangements for the development in accordance with Policy PMD9 of the Adopted Thurrock Core Strategy and Policies for the Management of Development DPD (2011).

Informative:

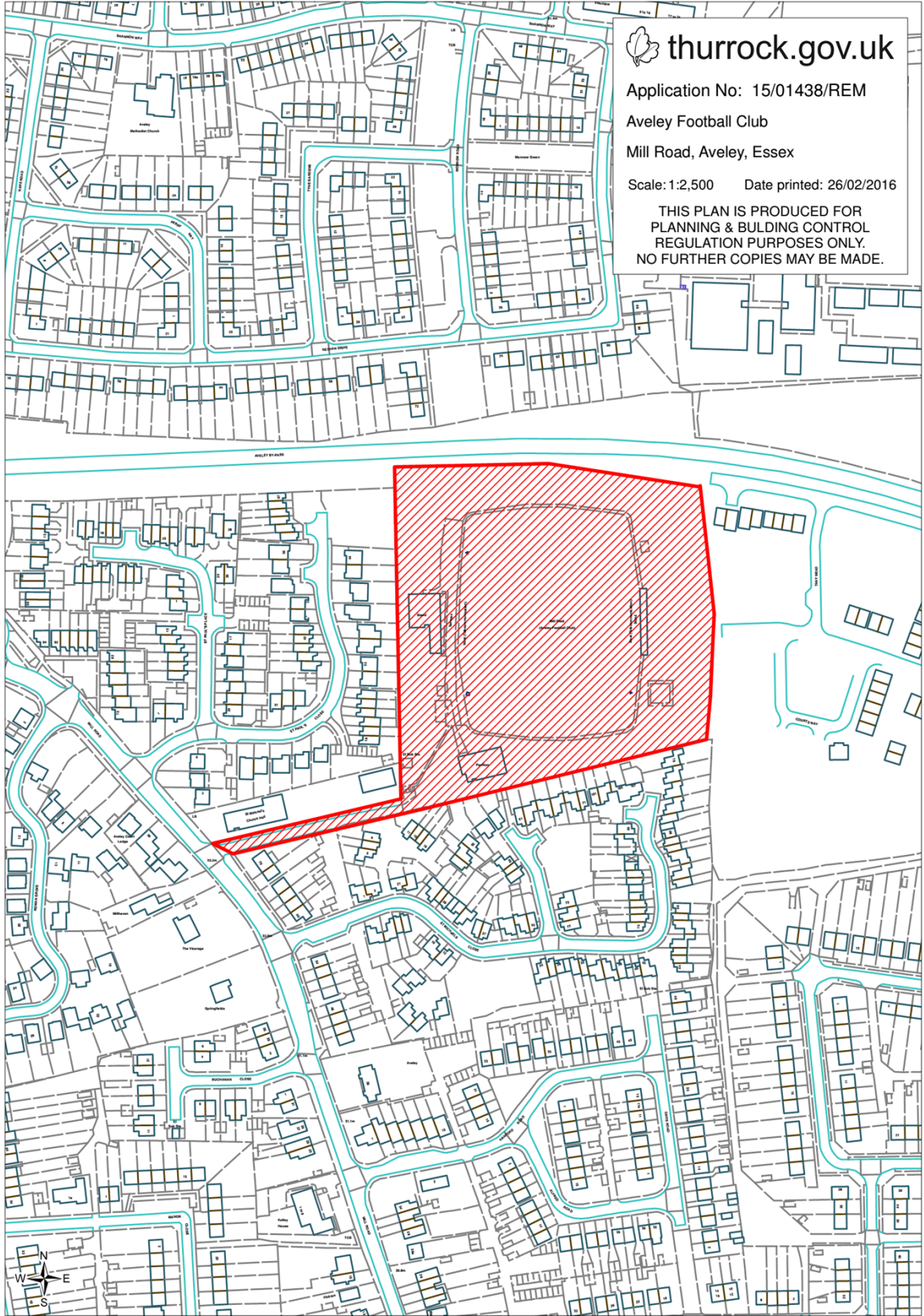
1. In submitting details to discharge condition no. 22 of planning permission reference 13/01021/OUT, the applicant is encouraged to incorporate landscaping features which will celebrate and commemorate the historic use of the site by Aveley Football Club.

Documents:

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

www.thurrock.gov.uk/planning/15/01438/REM

Alternatively, hard copies are also available to view at Planning, Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL.



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Reference: 15/01453/FUL	Site: Aveley Football Club Mill Road Aveley Essex RM15 4SR
Ward: Aveley And Uplands	Proposal: Change of use of a 0.042 hectare strip of land to the east of Aveley Football Club to form part of residential gardens of new homes within the Football Club site together with means of enclosure and hardstanding.

Plan Number(s):		
Reference	Name	Received
PH_116_001	Location and Layout Plan	10 December 2015

The application is also accompanied by:

- Design and Access Statement

Applicant: Persimmon Homes (Essex) Ltd.	Validated: 14 December 2015 Date of expiry: 15 March 2016 [Article 34 EOT]
Recommendation: Grant planning permission, subject to conditions.	

1. Description of Proposal

- 1.1 This application seeks planning permission for the change of use of a narrow strip of land located between the Aveley Football Club site (to the west) and 'The Village' residential development, currently being constructed by Persimmon to the east. The site comprises an open strip of land with tree and shrub planting. The application proposes a change in the use of the land such that it would be used as rear / side garden and car parking areas for a number of new residential properties to be built on the site of the football club site.
- 1.2 By way of background, outline planning permission (ref. 09/00091/TTGOUT) for the development of up to 340 dwellings on land

south of the Aveley bypass (B1335) was granted by the Thurrock Development Corporation in 2010. A subsequent application for the approval of reserved matters (ref. 12/01090/REM), submitted by Persimmon Homes, was approved by the Council in March 2013 and construction of the development commenced shortly afterwards. The Aveley Football club site lies to the west of the Persimmon site (known as 'The Village'). In 2015 the Council granted outline planning permission for the demolition of existing buildings and redevelopment comprising up to 114 residential dwellings on the football club site. This outline planning permission is linked to a full planning permission for the relocation of the football club from the Mill Road site to a site on Belhus Park, a short distance to the north-west of the current site (ref. 13/01022/FUL).

1.3 The football club site and the site of 'The Village' are separated by a narrow strip of land, measuring approximately 125m (measured north-south) x 3m (measured east-west). This strip did not form part of the site area for each of the outline applications and, at the time, was not in the ownership of the respective applicants. The strip therefore forms a narrow 'buffer' between the two residential sites.

1.4 The current planning application essentially seeks permission to incorporate the site into the garden areas of residential plot nos. 1-7, 10, 11 and 14-18 of the football club site. The following related planning applications are reported elsewhere on this agenda:

- 15/01438/REM – Application for the approval of reserved matters (appearance, landscaping, layout and scale) following outline approval ref. 13/01021/OUT (demolition of existing buildings and redevelopment comprising up to 114 residential dwellings).

This application seeks approval for reserved matters following the grant of outline planning permission in 2015.

- 15/01455/FUL – Formation of a means of vehicular and pedestrian access between Belhouse Avenue and the Aveley Football Club site.

Vehicular and pedestrian access to the Football Club site is taken from Mill Road in the approved scheme, essentially re-using the existing access point. The planning permissions for the Football Club site and the adjacent residential site to the east include planning conditions which enable a connection between the adjoining land parcels. As the narrow strip of land between the two sites does not have planning permission for the connection to link the two sites, this application

seeks consent for a vehicular and pedestrian link to join the two sites.

2. Site Description

2.1 Historic mapping suggests that the narrow strip of land comprising the application site was formed in the post-war years to separate the football club from open fields (partly used for mineral extraction and later infilling) to the east. The site is currently an open strip of land containing a number of small trees and shrubs. A concrete panel and post fence separates the site from the football club. Residential gardens within ‘The Village’ and Belhouse Avenue adjoin the site to the east.

3. Relevant History

Aveley F.C. Site:

Reference	Proposal	Decision
50/00230/FUL	Use of land for football ground	Approved
13/01021/FUL	Outline planning application (with all matters reserved except access) for the demolition of existing building and redevelopment comprising up to 114 residential dwellings	Approved
15/00519/CONDC	Application for the approval of details reserved by condition no. 14 (phasing of replacement facilities) of planning permission ref. 13/01021/OUT	Advice Given
15/01455/FUL	Formation of a means of vehicular and pedestrian access between Belhouse Avenue and the Aveley Football Club site	Under consideration – reported elsewhere on this agenda
15/01438/REM	Application for the approval of reserved matters (appearance, landscaping, layout and scale) following outline approval ref. 13/01021/OUT (demolition of existing buildings and redevelopment comprising up to 114 residential dwellings).	Under consideration – reported elsewhere on this agenda

'The Village' Site:

Reference	Proposal	Decision
09/00091/TTGOUT	Outline application for the redevelopment of the site for up to 340 residential dwellings with associated car parking, roads, landscaping , public open space and associated works	Approved
12/01090/REM	Submission of reserved matters pursuant to outline planning permission 09/00091/TTGOUT for the creation of 340 no. one, two, three and four bedroom houses and apartments, plus associated roads, paths, drives, car parking, ancillary structures and landscaping (amendment to reserved matters approved under reference 10/50216/TTGREM on 09 December 2010).	Approved

4. Consultations And Representations

4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council's website at:
www.thurrock.gov.uk/planning/15/01455/FUL

PUBLICITY:

4.2 The application has been publicised by consultation with relevant consultees and landowners. No replies have been received.

4.3 The following comments have been received from the following consultees:

4.4 HIGHWAYS:

No objections.

4.5 ENVIRONMENTAL HEALTH:

No comments.

5. Policy Context

National Planning Guidance

5.1 National Planning Policy Framework (NPPF)

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

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

- delivering a wide choice of high quality homes;
- requiring good design;

5.3 Planning Practice Guidance

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

- design;
- determining a planning application; and
- use of planning conditions.

Local Planning Policy

5.4 Thurrock Local Development Framework (2011)

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The Adopted Interim Proposals Map shows the site as a ‘Housing Land Proposal’. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- CSSP1 (Sustainable Housing and Locations); and
- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)¹

Thematic Policies:

- CSTP22 (Thurrock Design).

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²; and
- PMD2 (Design and Layout)²

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

5.5 Focused Review of the LDF Core Strategy (2014)

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes.

5.6 Draft Site Specific Allocations and Policies DPD

This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. Site Allocation Policy SAP1 (Land for Housing Development) identifies the application site as a preferred housing site without permission (ref. AVE05) with an indicative capacity of 110 dwellings. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

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

The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan. It is anticipated that a new Local Plan for Thurrock could be adopted by 2020.

6. **ASSESSMENT**

- 6.1 The principle of residential development on the Aveley F.C. site was approved in 2015 and an application for the approval of reserved matters is currently under consideration and reported elsewhere on this agenda. Members of the Committee will be aware that construction of 'The Village' development is continuing with those dwellings located closest to the football club site already occupied.
- 6.2 In considering the outline planning application for redevelopment of the football club site, the report to the March 2015 Planning Committee noted the presence of a buffer strip to the east of the site. The current application has been submitted by Persimmon Homes, who now control the strip of land. The effect of the proposals, if approved, would be for the site to be incorporated into the residential curtilages of a number of plots to be developed by Persimmon at the football club site. The proposal would therefore address the somewhat peculiar current situation where a vacant strip of land separates residential plots recently developed and to be built by the same housebuilder. Subject to suitable planning conditions there are no reasons why the application should not be granted planning permission.

7. **Conclusions And Reasons For Recommendation**

- 7.1 The proposal would address the current anomaly of a vacant strip of land separating two housing development sites and is recommended for approval.

8. Recommendation

It is recommended that the planning application APPROVED subject to the following conditions:

TIME LIMIT

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

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

APPROVED PLANS

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

PH_116_001 Location and Layout Plan

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

BOUNDARY TREATMENT

3. No development shall take place until there has been submitted to and approved in writing by the local planning authority details of the locations, heights, designs, materials and types of all boundary treatments to be erected on site. The boundary treatments shall be completed in strict accordance with the approved details before the buildings are first occupied.

REASON: In the interests of visual amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings in accordance with Policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

LANDSCAPING

4. No part of the development hereby permitted shall be occupied until a scheme of hard and soft landscaping for the site has been submitted to, and approved in writing by, the local planning authority. The submitted scheme shall include details of all existing trees and shrubs on the site,

and details of any to be retained, together with measures for their protection in the course of development and details of the management and maintenance arrangements for new planting. All planting, seeding or turfing comprised within the landscaping scheme shall be carried out in the first planting season following completion of that stage or phase of development. Any trees or plants which within a period of 5 years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other specimens of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development.

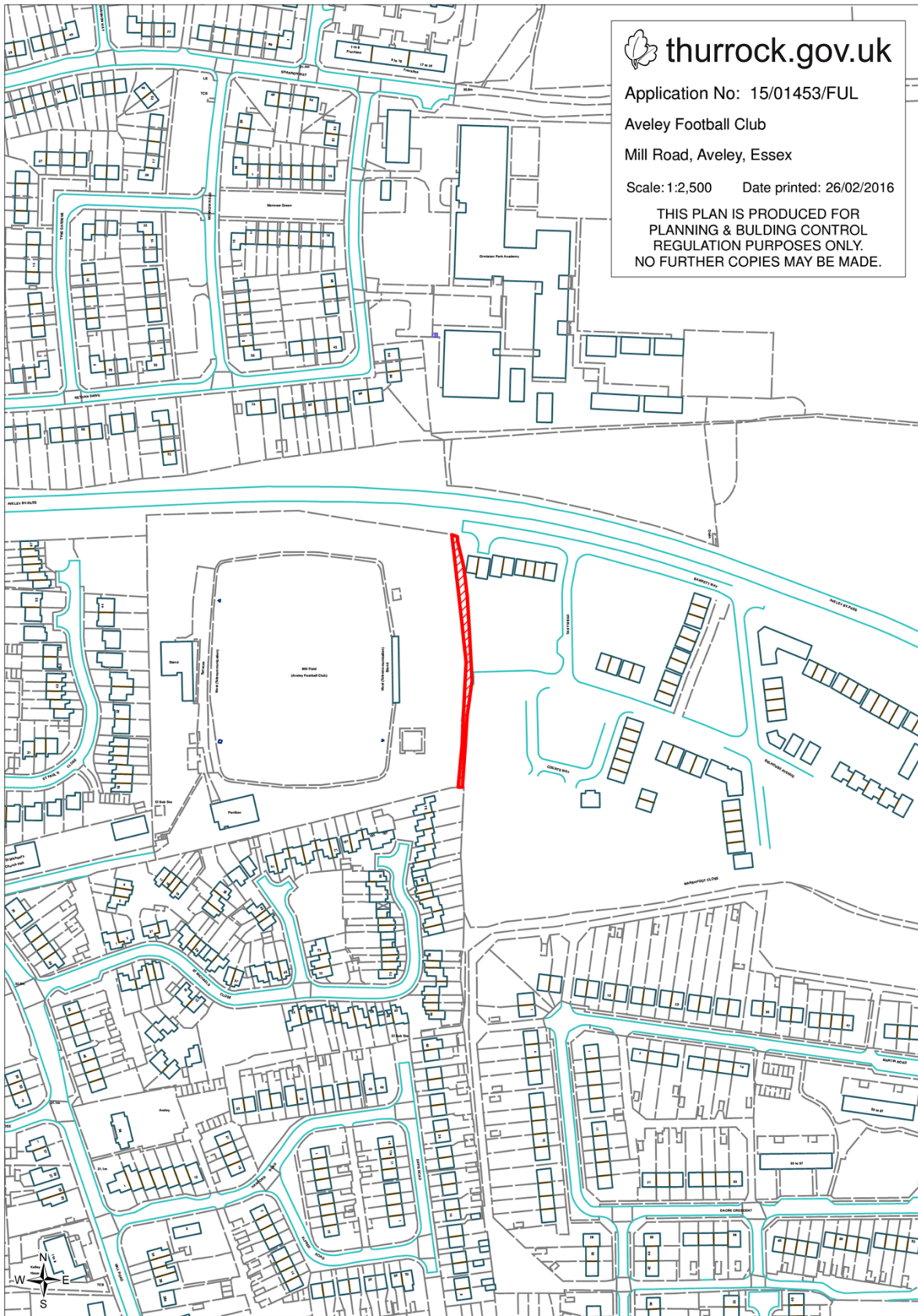
Informative:

1. The applicant is reminded that under the Wildlife and Countryside Act 1981 [section 1] it is an offence to take, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Any trees and scrub present on the application site should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. Both the RSPB booklet "Wild Birds and the Law" and the Guidance Notes relating to Local Planning and Wildlife Law produced by Natural England are useful.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: www.thurrock.gov.uk/planning/15/01455/FUL

Alternatively, hard copies are also available to view at Planning, Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL.



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Reference: 15/01455/FUL	Site: Aveley Football Club Mill Road Aveley Essex RM15 4SR
Ward: Aveley And Uplands	Proposal: Formation of a means of vehicular and pedestrian access between Belhouse Avenue and the Aveley Football Club site.

Plan Number(s):		
Reference	Name	Received
PH_116_001	Location and Layout Plan	10 December 2015

The application is also accompanied by: - Design and Access Statement	
Applicant: Persimmon Homes (Essex) Ltd.	Validated: 14 December 2015 Date of expiry: 15 March 2016 [Article 34 EOT]
Recommendation: Grant planning permission, subject to conditions.	

1. Description Of Proposal

- 1.1 This application seeks full planning permission for the formation of a vehicular and pedestrian access between the Aveley Football Club site (to the west) and Belhouse Avenue (to the east). Belhouse Avenue is a recently constructed residential road within 'The Village' development, currently being constructed by Persimmon.
- 1.2 By way of background, outline planning permission (ref. 09/00091/TTGOUT) for the development of up to 340 dwellings on land south of the Aveley bypass (B1335) was granted by the Thurrock Development Corporation in 2010. A subsequent application for the approval of reserved matters (ref. 12/01090/REM), submitted by Persimmon Homes, was approved by the Council in March 2013 and construction of the development commenced shortly afterwards. The

Aveley Football club site lies to the west of the Persimmon site (known as 'The Village'). In 2015 the Council granted outline planning permission for the demolition of existing buildings and redevelopment comprising up to 114 residential dwellings on the football club site. This outline planning permission is linked to a full planning permission for the relocation of the football club from the Mill Road site to a site on Belhus Park, a short distance to the north-west of the current site (ref. 13/01022/FUL).

- 1.3 The football club site and the site of 'The Village' are separated by a narrow strip of land, measuring approximately 125m (measured north-south) x 3m (measured east-west). This strip did not form part of the site area for each of the applications and, at the time, was not in the ownership of the respective applicants. The strip therefore forms a narrow 'buffer' between the two residential sites.
- 1.4 The outline planning permission for the Aveley F.C. site (13/01021/OUT) established the principle of re-using the existing vehicular / pedestrian access serving the site from Mill Road. However, the outline permission is subject to a planning condition requiring that reserved matters submissions for the site provide a layout which enables a future vehicle and pedestrian link to the adjacent Persimmon development site. For reference, the outline planning permission for 'The Village' site is also subject to a planning condition requiring the layout of development to enable a vehicle / pedestrian access to the Aveley FC site.
- 1.5 The current planning application now seeks permission to create a vehicular and pedestrian link across the strip of land separating the sites, such that vehicular access for dwellings at the football club site would be gained from the B1335. The following related planning applications are reported elsewhere on this agenda:

- 15/01453/FUL – Change of use of a 0.042 hectare strip of land to the east of Aveley Football Club to form part of residential gardens of new homes within the Football Club together with means of enclosure and hardstanding.

This full application seeks permission to use the strip of land as garden areas and car parking associated with the new dwellings on the football club site.

- 15/01438/REM – Application for the approval of reserved matters (appearance, landscaping, layout and scale) following outline approval

ref. 13/01021/OUT (demolition of existing buildings and redevelopment comprising up to 114 residential dwellings).

This application seeks approval for reserved matters following the grant of outline planning permission in 2015.

2. Site Description

2.1 Historic mapping suggests that the narrow strip of land comprising the application site was formed in the post-war years to separate the football club from open fields (partly used for mineral extraction and later infilling) to the east. The site is currently an open strip of land containing a number of small trees and shrubs. A concrete panel and post fence separates the site from the football club. Residential gardens within ‘The Village’ and Belhouse Avenue adjoin the site to the east.

3. Relevant History

Aveley F.C. Site:

Reference	Proposal	Decision
50/00230/FUL	Use of land for football ground	Approved
13/01021/FUL	Outline planning application (with all matters reserved except access) for the demolition of existing building and redevelopment comprising up to 114 residential dwellings	Approved
15/00519/CONDC	Application for the approval of details reserved by condition no. 14 (phasing of replacement facilities) of planning permission ref. 13/01021/OUT	Advice Given
15/01453/FUL	Change of use of a 0.042 hectare strip of land to the east of Aveley Football Club to form part of residential gardens of new homes within the Football Club site together with means of enclosure and hardstanding	Under consideration – reported elsewhere on this agenda
15/01438/REM	Application for the approval of reserved matters (appearance, landscaping, layout and scale) following outline approval ref. 13/01021/OUT (demolition of existing buildings and redevelopment comprising up to 114	Under consideration – reported elsewhere on this agenda

	residential dwellings).	
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'The Village' Site:

Reference	Proposal	Decision
09/00091/TTGOUT	Outline application for the redevelopment of the site for up to 340 residential dwellings with associated car parking, roads, landscaping , public open space and associated works	Approved
12/01090/REM	Submission of reserved matters pursuant to outline planning permission 09/00091/TTGOUT for the creation of 340 no. one, two, three and four bedroom houses and apartments, plus associated roads, paths, drives, car parking, ancillary structures and landscaping (amendment to reserved matters approved under reference 10/50216/TTGREM on 09 December 2010).	Approved

4. Consultations And Representations

4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council's website at: www.thurrock.gov.uk/planning/15/01455/FUL

PUBLICITY:

4.2 The application has been publicised by consultation with relevant consultees and landowners.

4.3 Two letters of representation have been received from neighbours to the east of the site within 'The Village' development, raising the following comments / concerns:

- increased traffic;
- noise pollution;
- air pollution;
- traffic congestion; and
- road safety implications.

In addition, comments have been received from the following consultees:

4.4 HIGHWAYS:

No objections – the proposals would provide a safe and efficient access for the housing development on the Aveley FC Site. Whilst the extant outline permission for the football club site identified an access onto Mill Lane, this was only agreed as a fall back arrangement should the link between the Aveley FC site and the Aveley bypass site could not be advanced. The carriageway classification of Belhouse Avenue is such that the road layout and geometry could easily accommodate additional dwellings permitted on the Aveley FC site.

5. Policy Context

National Planning Guidance

5.1 National Planning Policy Framework (NPPF)

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

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

- delivering a wide choice of high quality homes;
- requiring good design;
- promoting healthy communities; and
- meeting the challenge of climate change, flooding and coastal change.

5.3 Planning Practice Guidance

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

containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- design;
- determining a planning application; and
- use of planning conditions.

Local Planning Policy

5.4 Thurrock Local Development Framework (2011)

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The Adopted Interim Proposals Map shows the site as a ‘Housing Land Proposal’. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- CSSP1 (Sustainable Housing and Locations); and
- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)¹

Thematic Policies:

- CSTP22 (Thurrock Design).

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²;
- PMD2 (Design and Layout)²; and
- PMD9 (Road Network Hierarchy).

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

forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

5.5 Focused Review of the LDF Core Strategy (2014)

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes.

5.6 Draft Site Specific Allocations and Policies DPD

This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. Site Allocation Policy SAP1 (Land for Housing Development) identifies the application site as a preferred housing site without permission (ref. AVE05) with an indicative capacity of 110 dwellings. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

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

The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough’s Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy ‘Broad Locations & Strategic Sites’ to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the ‘parking’ of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan. It is anticipated that a new Local Plan for Thurrock could be adopted by 2020.

6. Assessment

- 6.1 The principle of residential development on the Aveley F.C. site was approved in 2015 and an application for the approval of reserved matters is currently under consideration and reported elsewhere on this agenda. Members of the Committee will be aware that construction of 'The Village' development is continuing with those dwellings located closest to the football club site already occupied.
- 6.2 Although the outline planning permission for Aveley F.C. allows the re-use of the existing football club access to Mill Road to serve the residential development, there has been a longstanding intention to access any new development south of the Aveley bypass from the bypass itself. Both 'The Village' development site and the site of the football club were identified in the non-statutory Aveley and South Ockendon Masterplan (2007) produced by the former Thurrock Development Corporation as a residential development site with access *"formed by a junction between the Bypass, the access road to Belhus Park and a new access road into the new development"*. The outline planning permission for 'The Village' development (approved by the Development Corporation in 2010) provided for a new roundabout junction on the bypass, to access both the residential site and an improved access into Belhus Park (replacing the former left-in / left-out junction). Although at that time there was no planning application for redevelopment of the football club site, the outline permission for 'The Village' site was subject to a planning condition requiring:
- "The details submitted pursuant to condition number 1 of this planning permission shall provide for a layout of development which enables a future vehicular and pedestrian link to be achieved between the application site and the adjacent Aveley Football Club to the west."*
- 6.3 The subsequent reserved matters submission for 'The Village' site, approved by the Council in 2013, included a carriageway and footpath connection to the western boundary of the site and this has now been built as part of Belhouse Avenue. The carriageway of Belhouse Avenue has been constructed to a width 6.7m-6.8m flanked by 2m wide footpaths and was described as a 'Primary Road' in the Design and Access Statement accompanying the reserved matters submission.
- 6.4 In considering the outline planning application for redevelopment of the football club site the report to the March 2015 Planning Committee noted the presence of the buffer strip to the east of the site and the aspiration to link the two residential sites. Therefore, similar to 'The Village' development, the outline permission for the football club site is also subject

to a planning condition requiring a layout which enables a potential link between sites.

6.5 The current application has been submitted by Persimmon Homes, who now control the strip of land. The effect of the proposals, if approved, would be to link the two development sites in accordance with the intention of the conditions attached to the respective outline planning permissions. The carriageway and footway dimensions and alignment would correspond between the two residential sites which would promote connectivity and ease of movement across the entire Persimmon development. Design which promotes ease of movement is encouraged by Planning Practice Guidance. As a purpose-built roundabout junction was constructed on the bypass as part of the outline planning permission, it is desirable in highway terms for this new roundabout junction to be used to access development on the football club site. The current proposals would facilitate such access. The re-use of the existing football club access onto Mill Road, although approved by the outline permission, is not an 'ideal' access route due to the sub-standard carriageway and footpath widths and the need for remedial works in Mill road. Therefore, accessing the football club site from the bypass through 'The Village' development is the preferred option from a highways perspective. In order to prevent 'rat-running', a planning condition can be used (on the reserved matters submission) to ensure that the approved access route onto Mill Road is 'downgraded' to serve as a pedestrian, cyclist and emergency route only.

6.6 Other Issues:

As noted at paragraph 4.3 of this report, two letters of representation have been received raising the following issues and concerns:

- increased traffic;
- noise pollution;
- air pollution;
- traffic congestion; and
- road safety implications.

These issues are addressed below.

6.7 Increased traffic / congestion / road safety implications:

General highways and traffic issues were taken into account when the outline planning applications for the Aveley F.C. and 'The Village' site were considered by Planning Committee. The consultation response from the

Council's Highways Officer, summarised at paragraph 4.4, notes that the carriageway design and geometry of Belhouse Avenue can accommodate additional dwellings permitted on the Aveley FC site. Consequently there can be no objections to the proposals on the ground of highway safety or capacity.

6.8 Air / noise pollution:

The issue of noise mitigation on the facades of dwellings facing directly onto the Aveley bypass was a factor influencing the determination of the outline planning applications for both residential sites. However, noise and air quality issues at other locations within the development sites were not raised by the Environmental Health Officer. Accordingly, there is nothing to suggest that noise or air quality are factors to be taken into account at this stage. It is notable that the existing layout of 'The Village' development and the proposed layout of the football club site include raised tables within the carriageway in order to reduce vehicle speed and resultant traffic noise.

7. Conclusions And Reasons For Recommendation

- 7.1 The proposed vehicle and pedestrian access would link the two residential sites currently being developed sand to be developed by Persimmon Homes. The access would fulfil the aims of planning conditions attached to the respective outline planning permissions for residential redevelopment. In terms of design

8. Recommendation

It is recommended that the planning application be APPROVED subject to the following conditions:

TIME LIMIT

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

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

APPROVED PLANS

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

PH_116_001 Location and Layout Plan

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

LANDSCAPING PLAN

3. No development shall take place until there has been submitted to, and approved in writing by, the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development, and a programme of maintenance. All planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding season following commencement of the development [or such other period as may be agreed in writing by the local planning authority] and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

REASON: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

ACCESS

4. The vehicular and pedestrian access hereby approved shall be used as the primary means of vehicular access into the site. Upon the construction of the vehicular and pedestrian access, the access onto Mill Road (as shown on planning permission ref. 13/01021/OUT) shall only be used for emergency and / or commercial bus access and as a pedestrian and cycle route.

REASON: In order to ensure the provision of appropriate access arrangements for the development in accordance with Policy PMD9 of the Adopted Thurrock Core Strategy and Policies for the Management of Development DPD (2011).

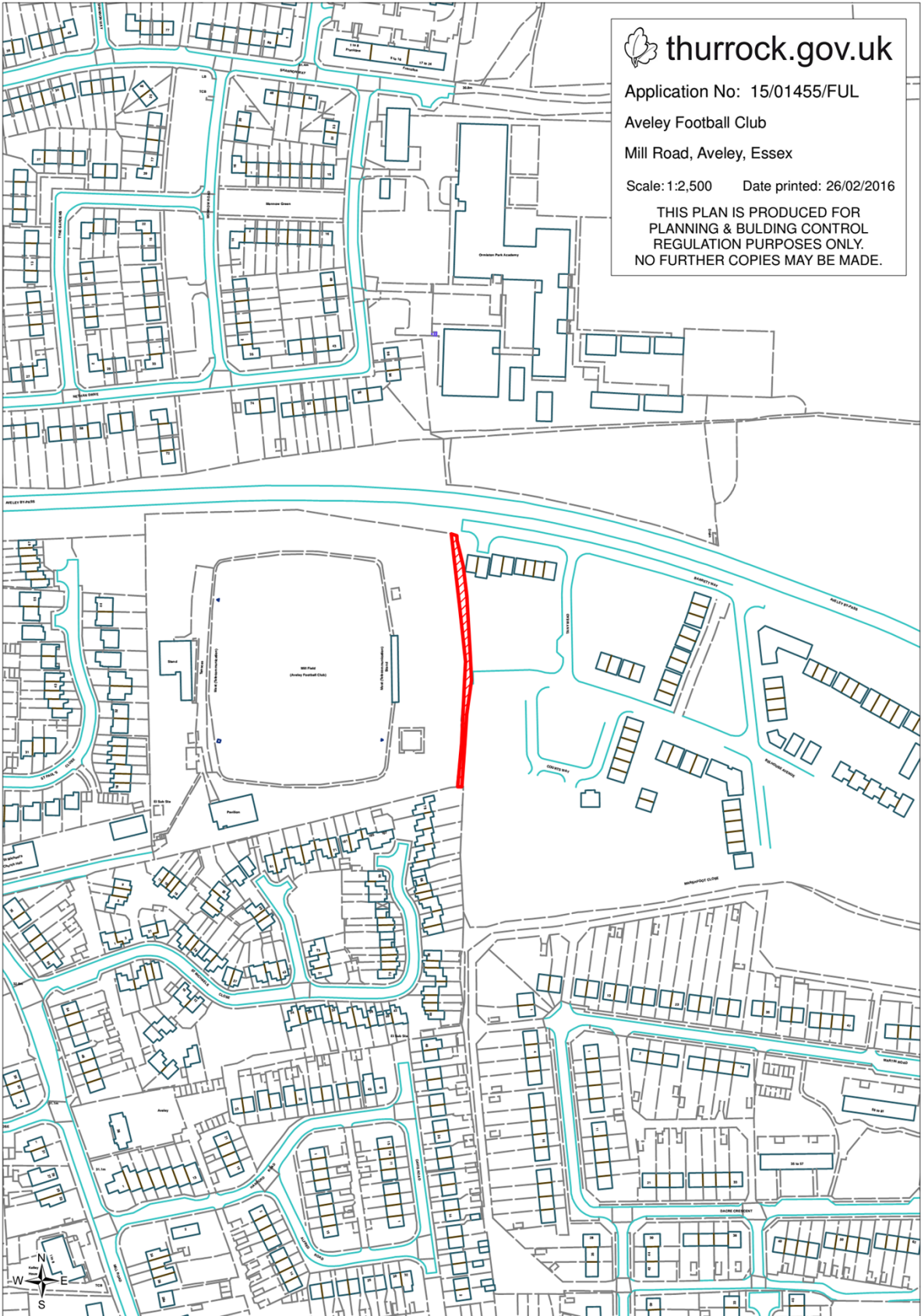
Informative:

1. The applicant is reminded that under the Wildlife and Countryside Act 1981 [section 1] it is an offence to take, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Any trees and scrub present on the application site should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. Both the RSPB booklet “Wild Birds and the Law” and the Guidance Notes relating to Local Planning and Wildlife Law produced by Natural England are useful.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: www.thurrock.gov.uk/planning/15/01455/FUL

Alternatively, hard copies are also available to view at Planning, Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL.



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Reference: 15/01342/FUL	Site: Bulimba Butts Road Stanford Le Hope Essex SS17 0JH
Ward: Stanford Le Hope West	Proposal: Retention of a boundary fence and change of use of existing part of residential garden to commercial open storage.

Plan Number(s):		
Reference	Name	Received
TQ6882	Location Plan	11th November 2015
BULIMBA	Site Layout	11th November 2015

The application is also accompanied by: - Aerial Photograph	
Applicant: Mr Darren Matthews	Validated: 11 November 2015 Date of expiry: 17 th March 2016
Recommendation: To refuse and to authorise enforcement action.	

This application has been called in by Councillor S. Hebb, Councillor J. Halden, Councillor B. Little, Councillor D. Stewart and Councillor S. Little for members of the Planning Committee to review the application and assess any impact of amenity to local community.

1. Description Of Proposal

- 1.1 This application seeks planning consent to reduce an existing 3m high fence to a 2.7m and the change of use of part of the residential garden to commercial open storage. The proposal also seeks to reduce the depth of the area for commercial use by 2.4m.
- 1.2 The application is a revised planning application following the refusal of application reference 14/01363/FUL which was subsequently appealed and dismissed by the Planning Inspectorate.

2. Site Description

- 2.1 The application site forms part of a residential garden which has been converted to part of a joinery works at the end of Butts Road, adjacent to a fenced National Grid compound and a railway line.
- 2.3 The site is on land designated as a residential area on the Council's LDF Proposals Map. Although Butts Road is primarily residential in character, there are pockets of commercial use, including the joinery works and a coal yard.

3. Relevant History

Reference	Description	Decision
14/01363/FUL	Retrospective Change of use of part of residential garden to commercial open storage space with the erection of a 3 metre high security fence.	Refused and subsequent appeal dismissed

4. Consultations And Representations

- 4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council's website via public access at the following link:

www.thurrock.gov.uk/planning/15/01342/FUL

PUBLICITY:

The application has been advertised by way of individual neighbour letters. A public site notice has also been displayed. One written comment has been received, objecting to the proposals on the following grounds:

- Out of character;
- Spoiling view;
- Overlooking.

ENVIRONMENTAL HEALTH:

- 4.2 No objections.

LANDSCAPE:

- 4.3 Recommend refusal.

5. Policy Context

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

Planning Practice Guidance (PPG)

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

- Design;
- Noise

Local Planning Policy

Thurrock Local Development Framework

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

Thematic Policies:

CSTP1 (Strategic Housing Provision)
CSTP22 (Thurrock Design)

Policies for the Management of Development:

PMD1 (Minimising Pollution and Impacts on Amenity)²
PMD2 (Design and Layout)²

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

5.5 The Core Strategy has been subject to a focused review for consistency with the (NPPF). The focused review document was submitted to the Secretary of State for independent examination on 1 August 2013, and examination hearings took place on 8 April 2014. The Inspector's report was received in October 2014 and was approved by Council on 28th January 2015. Minor changes have been made to some policies within the Core Strategy; the policies affected by the changes are indicated above.

6. Assessment

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

- I. Plan designation and principle of development
- II. Design, relationship of development with surroundings
- III Residential impacts

I. PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

6.2 The site is designated as a residential area on the Council's LDF Proposals Map. The NPPF states at paragraph 56:

'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'.

6.3 Para 57 and 58 goes onto state *'It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.....Planning policies and decisions should aim to ensure that developments among other things will*

- *function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; and*
- *are visually attractive as a result of good architecture and appropriate landscaping'.*

6.4 Policy PMD1 of the LDF Core Strategy relates to minimising pollution and impacts on amenity. This Policy states *'The main sources of pollution in Thurrock are emissions from road transport and industrial processes.....The Borough also has a history of incompatible land uses, with housing having been developed next to heavy industries. This has resulted in a poor living environment. The Council's aspiration is to break from previous trends and to minimise pollution, enhance local amenity and provide safe and healthy environments for the community....'*

- 6.5 Policy PMD1 further states that *'Development will not be permitted where it would cause unacceptable effects on: i. the amenities of the area; ii. the amenity of neighbouring occupants; or iii. the amenity of future occupiers of the site.'*
- 6.6 'Bulimba' and 'Shirley' are semi-detached pair of houses sitting between the joinery works and coal yard. Approximately 170 sqm of the original 231 sqm garden of Bulimba has been hard surfaced and fenced off to expand the joinery works premises.
- 6.7 The boundaries of the application site with the remaining garden for 'Bulimba' and the garden of 'Shirley' have been increased in height with a solid, green metal fence.
- 6.8 The previous application referred to in section 3 was refused on the basis of the impact of the new use, for commercial purposes on part of land previously occupied by the garden of Bulimba. The Inspector indicated in dismissing the previous appeal that changes to the fence *"would not address the issue of the closer proximity of businesses activity to the neighbouring properties"* (paragraph 9). Whilst this proposal would set the commercial use further away from the rear of Bulimba, in light of the comments of the Inspector it is considered that the use of the garden for commercial purposes in any respect should be viewed as harmful to neighbour amenity.

II DESIGN, RELATIONSHIP OF DEVELOPMENT WITH SURROUNDINGS

- 6.9 The current proposal seeks a reduction of the height of the fence from 3m to 2.7m and extension in the depth of the existing garden by 2.4m (thereby reducing the size of the excluded commercial area).
- 6.10 The Council's Landscape Officer objects to the proposal. He indicates that although the visual impacts of the fence and change of use to commercial open storage are contained (with there being few significant effects beyond the immediate neighbours) the effects on these neighbours are considered significant as the tall, solid fence is very obtrusive and stored material would be close to the adjoining residential property. He advises that the scheme would mean that this property would be bounded on both sides by commercial premises which alter the character and the setting of their property. He recommends that this application as it stands is refused on landscape grounds.
- 6.11 In dismissing the appeal the Inspector stated (paragraph 8):

Although the fence which has been installed seeks to minimise the impact on neighbouring residents, its height, solid materials and non-domestic appearance make it appear particularly intrusive and overbearing to the outlook for neighbouring residents from their homes and gardens. I note the appellant's view that, given the environmental circumstances, one would be

hard pressed to adversely affect the outlook of adjacent properties, but I find that the expansion of the business onto former garden land has materially diminished an already compromised environment.

- 6.12 The proposed limited reduction in height of the fence and the similarly limited additional distance from the back of the property is not considered to be enough of a change to overcome the harm identified to the outlook and overbearing impact of the fence which was part of the Inspector's reasoning for dismissing the previous appeal. It could also be argued that reducing the height of the fence will cause additional harm to neighbours in relation to loss of amenity as a result of the activity carried out on the site. Fundamentally, the development is not appropriate for this location.
- 6.13 Accordingly the proposal is considered to adversely affect the character and residential amenity of the neighbouring properties, failing to accord with the aims of Core Strategy Policy PMD1 and PMD2.

III RESIDENTIAL IMPACTS

- 6.14 The application site is a garden of a residential dwelling, the extension of the works yard into the garden is already impacting on the both the original property and the adjacent property 'Shirley'. The previous application was also refused on the basis of the impact of the use of the garden area on the amenities of the occupiers of the nearby properties
- 6.15 In dismissing the appeal the Inspector stated (paragraph 6):

In this mixed residential and commercial context, there is a degree of noise and activity which residents already experience, and ambient noise levels would include operating trains and traffic noise. However, the sub-division of the garden of 'Bulimba' and the change of use to commercial storage has moved the associated activity closer to residents of that frontage house and 'Shirley'. The timber storage is an integral part of the business on site, and in the absence of any technical assessment to the contrary, I consider that use of the yard creates a material degree of noise and disturbance in close proximity to residential properties.

- 6.16 The current proposal still seeks to use the majority of the garden area of Bulimba for commercial purposes. The marginal (2.4m) decrease in depth of the yard area is not considered to overcome the issued raised in the original refusal or by the Inspector at appeal.
- 6.17 Accordingly it is considered that the use of the garden area for commercial storage would continue to negatively impact on the amenities of the occupiers of Bulimba and Shirley, contrary to Policy PMD1 of the Core Strategy.

7. Conclusions And Reason(S) For Refusal

- 7.1 The expansion of the commercial activities closer to residential properties would adversely impact on the amenities of neighbouring properties.
- 7.2 The proposed changes to the previous application are not considered to overcome the harm previously identified, and the in-principle objection identified by the Inspector.
- 7.3 The proposal therefore remains unacceptable in respect of the living conditions by reason of the uses taking place, contrary to Policy PMD1 of the Core Strategy and also impacting on the outlook and amenities as a result of the fence, contrary to Policies PMD1 and PMD2 of the Core Strategy.
- 7.4 Furthermore, it is expedient to take enforcement action to remedy this breach of planning control due to the impact of the use on the amenity of neighbours and the dominant and visually intrusive impact of the fencing on the occupiers of the neighbouring properties.

8. Recommendation

- A) To refuse permission for the reasons set out below.
- B) To authorise the service of an Enforcement Notice under S.172 of the Town and Country Planning Act 1990 (as amended) and to authorise any subsequent legal action to enforce the provisions of that Notice to remedy the breaches of planning control identified in this report.

Reason(s):

Refuse planning permission for the following reason:

1. The site is on land designated as a residential area on the Council's LDF Proposals Map. Policy PMD1 of the Local Development Framework requires development not to cause unacceptable effects on the amenities of the area, the amenity of neighbouring occupants or the amenity of future occupiers of the site and pollution.

Policy PMD2 (Design and Layout) requires that all design proposals should respond to the sensitivity of the site and its surroundings and must contribute positively to the character of the area in which it is proposed and should seek to contribute positively to local views, townscape, heritage assets and natural features and contribute to the creation of a positive sense of place.

A) The change of use of part of residential garden to commercial open storage space by reason of its proximity to existing residential properties is detrimental to the outlook and amenities of those properties, contrary to Policy PMD1 of the Core Strategy. The use of

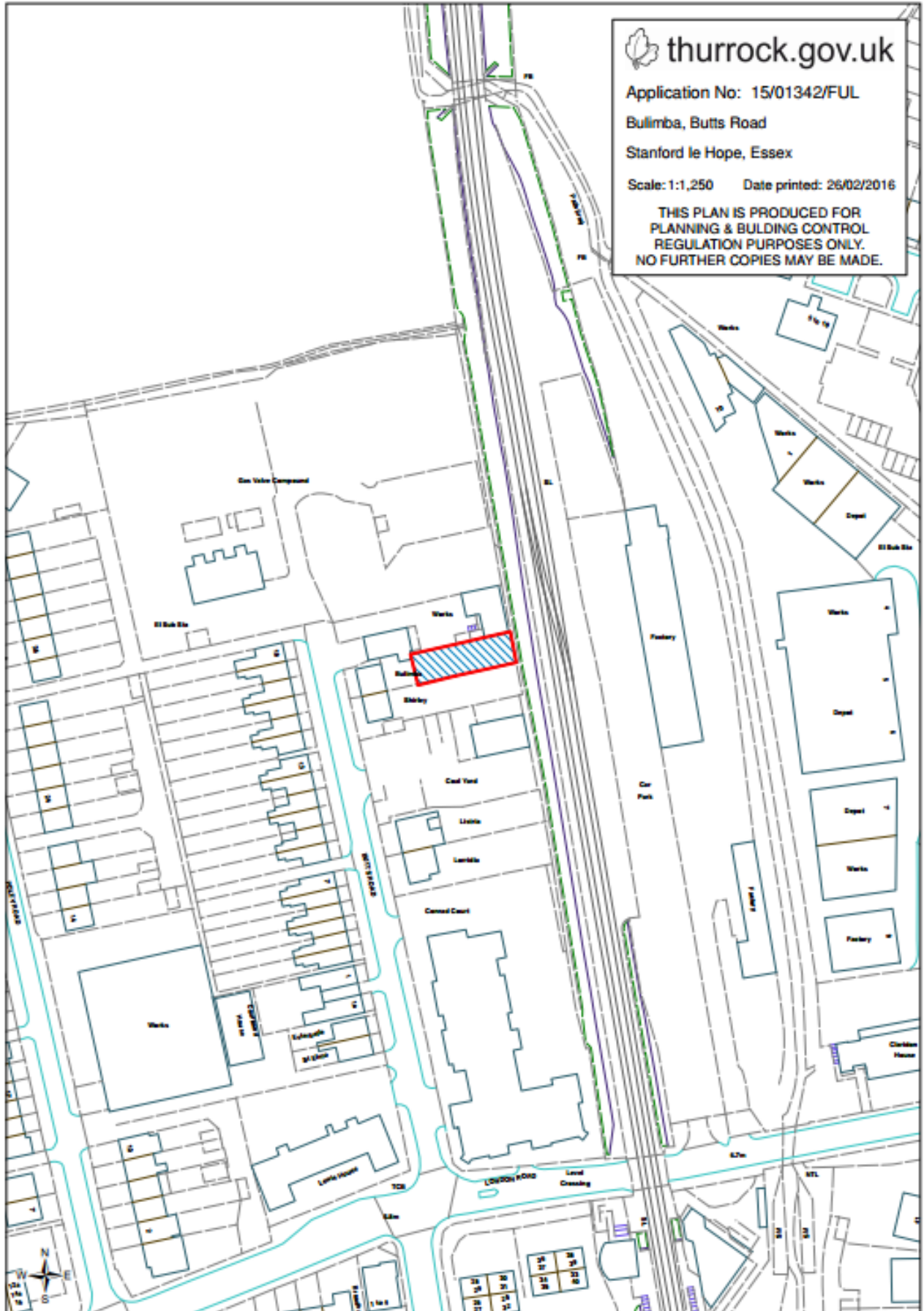
the extended area of land for commercial purposes is considered to be unacceptable in principle.

B) In addition the erection of a 2.7m high security fence, by reason of its height, materials and proximity to the boundary of residential dwellings, is a dominant and visually intrusive feature to the occupiers of those properties, contrary to Policies PMD1 and PMD2 of the Core Strategy.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: www.thurrock.gov.uk/planning/15/01342/FUL

Alternatively, hard copies are also available to view at Planning, Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL.



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Reference: 15/01522/FUL	Site: Stables Hatch Farm Fen Lane Bulphan Essex
Ward: Orsett	Proposal: Demolition of existing buildings and erection of four new detached dwellings

Plan Number(s):		
Reference	Name	Received
100	Location Plan	30th December 2015
101	Site Layout	30th December 2015
102	Landscaping	30th December 2015
103	Elevations	30th December 2015
104	Elevations	30th December 2015

The application is also accompanied by: - Design and Access Statement	
Applicant: Mr David McDermott	Validated: 29 December 2015 Date of expiry: 14 March 2016 [Article 34 EOT]
Recommendation: Approve, subject to conditions.	

This application is being considered at Committee because an earlier application was called in for consideration and the current proposal is a revised version of that scheme.

1. Description Of Proposal

- 1.1 The application seeks full planning permission for the redevelopment of the site to provide four new residential dwellings. The existing structures would be demolished as part of the development and the new properties would be organised around a central core with a semi-circular access way.

- 1.2 The dwellings would each be provided with a double garage, off street parking and private rear garden areas.

2. Site Description

- 2.1 The application site is an approximately rectangular site on the southern side of Fen Lane close to the junction with China Lane.
- 2.2 The existing site has a courtyard appearance with buildings to the north eastern side and a single building in the centre of the site. The site lies in the Green Belt.

3. Relevant History

Reference	Description	Decision
14/01112/FUL	Construction of three new detached dwellings and the demolition of the barns and stables and the erection of three dwellings in the same configuration and scale of the original building.	Refused

4. Consultations And Representations

- 4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council’s website via public access at the following link:

www.thurrock.gov.uk/planning/15/00183/FUL

PUBLICITY:

- 4.2 Neighbours were notified directly by letter. A site notice and press notice were also displayed. Two responses have been received objecting to the proposals on the following grounds:

- Principle of development in the Green Belt;
- Development would be out of keeping with the surroundings;
- Access would be difficult to the site on the narrow road;
- It is difficult to cross the A128 to get to the village;
- Site is prone to flooding
- Green Belt should only be used for agricultural buildings;
- Dwellings would be out of character with the other dwellings in the hamlet
- Impact on openness of Green Belt

FLOOD RISK MANAGER:

- 4.3 No objections (subject to conditions).

HIGHWAYS:

- 4.4 No objections (subject to conditions).

LANDSCAPE AND ECOLOGY OFFICER:

- 4.5 No objections (subject to conditions).

ESSEX COUNTY COUNCIL ARCHAEOLOGY:

- 4.6 No objections (subject to conditions).

ENVIRONMENTAL HEALTH:

- 4.7 No objections (subject to conditions).

ENVIRONMENT AGENCY:

- 4.8 No objections.

5. Policy Context**5.1 National Planning Policy Framework**

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

- 5.2 Annex 1 makes clear that Development Plan policies should not be considered out-of-date simply because they were adopted prior to publication of the Framework. It also sets out how decision-takers should proceed taking account of the date of adoption of the relevant policy and the consistency of the policy with the Framework. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

- 5.3 The following headings and content of the NPPF are relevant to the consideration of the current proposals.
4. Promoting sustainable transport
 7. Requiring good design
 8. Promoting healthy communities
 9. Protecting Green Belt land
 10. Meeting the challenge of climate change, flooding and coastal change
 11. Conserving and enhancing the natural environment
- 5.4 Detailed below are in an extracts from the NPPF with regards to housing need and Green Belt Policy;
- 5.5 'Do housing and economic needs override constraints on the use of land, such as Green Belt?

The National Planning Policy Framework should be read as a whole: need alone is not the only factor to be considered when drawing up a Local Plan.

The Framework is clear that local planning authorities should, through their Local Plans, meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies include those relating to sites protected under the Birds and Habitats Directives, and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park or the Broads; designated heritage assets; and locations at risk of flooding or coastal erosion.

The Framework makes clear that, once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan'. (Paragraph: 044Reference ID: 3-044-20141006)

5.6 Planning Practice Guidance (PPG)

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

- Climate change
- Conserving and enhancing the historic environment
- Design
- Determining a planning application
- Natural Environment
- Planning obligations
- Use of Planning Conditions
- Water supply, wastewater and water quality

5.7 Local Planning Policy

Thurrock Local Development Framework

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

SPATIAL POLICIES

- CSSP1: Sustainable Housing and Locations
- CSSP3: Sustainable Infrastructure
- CSSP4: Sustainable Green Belt
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock¹

THEMATIC POLICIES

- CSTP1: Strategic Housing Provision
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness²
- CSTP25: Addressing Climate Change²
- CSTP26: Renewable or Low-Carbon Energy Generation²
- CSTP33: Strategic Infrastructure Provision

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD6: Development in the Green Belt²
- PMD8: Parking Standards³
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans²
- PMD12: Sustainable Buildings²
- PMD16: Developer Contributions²

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

5.8 Focused Review of the LDF Core Strategy

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

5.9 Draft Site Specific Allocations and Policies DPD

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

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

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

6.0 Assessment

Background To Application

6.1 The previous application (14/01112/FUL) was refused solely on the impact of the development on the Green Belt. That scheme sought the redevelopment of the site for 6 dwellings, which would have significantly increased the footprint of development across the site. The proposal was consequently considered to be 'inappropriate' and the matters that were put forward were not considered to constitute the very special circumstances that would be required to warrant a departure from policy being made. The current application proposes a reduced development in an attempt to overcome the previous refusal.

6.2 The principal issues to be considered in this case are:

- I Plan designation and principle of development
- II Design
- III Highways
- IV Neighbour amenity
- V Surface water management, ecology and landscaping

I PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

6.3 The proposal seeks to demolish existing buildings and construct four new two storey dwellings with detached garages. The relevant guidance within the NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate unless the proposal involves limited infilling or the partial or complete redevelopment of previously development sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

6.4 The NPPF defines "previously developed land" to be (page 55): *Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.*

- 6.5 The site in its present form has a large area of hard surfacing and existing buildings so clearly complies with the definition of previously developed land. The key issue in this case (in terms of whether the proposal complies with the requirements of the NPPF) is how different the proposed residential dwellings are in terms of Green Belt impact, to the existing buildings, hard surfacing and outdoor storage.
- 6.6 In order to make a reasoned comparison, it is necessary to consider what is being removed.
- 6.7 The development would remove three existing buildings which are used for horse stabling along with commercial activists and storage. There is an existing hard surfacing apron around and between the buildings. The proposal would result in the removal of all of the existing buildings and the provision of four detached dwellings within area occupied by the main yard area of the site.
- 6.8 The following shows a comparison of the floorspace and volume between the existing uses and proposed dwellings:

	Area (Footprint)	Volume
Current	967 sqm	2,791 cubic metre
Proposed	950 sqm	2,416 cubic metre
Difference	17 sqm reduction	375 cubic metre reduction

- 6.9 As can be seen from above, the development would result in a 17 sqm decrease in footprint across the site and a 13.5% decrease in built volume. Whilst the layout of the development as proposed is spread out further across the whole of the site, the decrease in the footprint and volume is considered to be beneficial to the character, openness and appearance of the Green Belt at this point.
- 6.10 Given the reduction in floorspace and volume the proposal accords with the guidance in the NPPF in relation to previously developed land and the amended wording of Policy PMD6 of the Core Strategy, as it would not have a greater impact on the Green Belt than the existing development. Accordingly the development is considered to be in accordance with policy, and it does not need to be justified via the demonstration of very special circumstances.

II. DESIGN

- 6.13 The proposed dwellings would be of traditional design with steep pitched roofs, traditional windows openings and features such as dormer windows and chimneys typical of older style dwellings. The materials pallet shown is considered to be appropriate and could be conditioned to ensure a high quality finish.
- 6.14 The dwellings would have double garages and space for at least two vehicles on a plot and gardens well in excess of the council's minimum standards as expressed in Annexe 1 of the Local Plan (1997).
- 6.15 The design is considered to be acceptable in relation to the location and area, and accordingly the proposals are considered to satisfy Policies PMD2 and CSTP22 of the Core Strategy.

III. HIGHWAYS

- 6.16 The Council's Highways Officer is satisfied with the details and subject to conditions to ensure parking is retained and the roadway is provided before the dwellings are occupied the proposals comply with Policy PMD8 of the Core Strategy.

IV. NEIGHBOUR AMENITY

- 6.17 The site would be suitably distant from neighbours not to impact on the amenities that nearby occupiers presently enjoy. The houses would be set out so as not to impact on one another. Policy PMD1 is considered to be satisfied in this regard.

V. SURFACE WATER MANAGEMENT, ECOLOGY AND LANDSCAPING

- 6.18 The Council's Flood Risk Manager is satisfied with the proposals subject to a condition and the Environment Agency has raised no objections. Accordingly the proposal is considered to be acceptable in this regard.
- 6.19 The Council's Landscape Advisor has raised some concern about the proposal to enclose the site frontage (along Fen Lane) with close boarded fencing. A condition could be applied to ensure a more appropriate boundary treatment on this frontage.

VI. OTHER MATTERS

- 6.20 The County Archaeologist advises that there is evidence to show that there is the possibility that the site may have been occupied by farm buildings in the 19th century. He recommends both a condition relating to building recording and an archaeological excavation to find any evidence of the site being previously occupied. This could be covered by suitable conditions.

- 6.21 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 proposals contribute to the delivery of 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.
- 6.22 The proposal is for a small scale development and no infrastructure requirements have been identified arising from this development at this time. Accordingly, it is not considered necessary for a s.106 contribution in this instance

7.0 Conclusions and Reason(S) For Approval

- 7.1 The application site is previously developed land in the Green Belt. The development would result in a reduction in footprint and volume in comparison with the existing lawful buildings on the site. The development therefore accords with Policy PMD6 and the NPPF as the proposals would not have a greater impact on the Green Belt than the existing buildings. The development therefore constitutes 'appropriate development' in the Green Belt and is consequently acceptable in principle.
- 7.2 Matters of detail such as design and layout are all considered to be acceptable. Suitable conditions could be applied to ensure that the proposal results in a high quality development that will enhance and improve the appearance of the site.
- 7.3 The current proposal is a significantly reduced scheme in comparison with the refused proposal, the previous reasons for refusal in terms of harm to and impact upon the Green Belt are considered to have been overcome.

8.0 Recommendation

Approve, subject to the following conditions:

Condition(s):

Time Limit

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

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

Samples of Materials

- 2 Samples of all materials to be used in the construction of the external surfaces of the building(s) hereby permitted, shall be submitted to and approved in writing by, the Local Planning Authority, before any part of the development is commenced.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality.

Ground Levels

- 3 Prior to the commencement of any development, details shall be submitted to and agreed in writing by the Local Planning Authority showing the final ground level of the site and the finished floor level of the building(s) hereby permitted.

REASON: To determine the scope of this permission and safeguard the character of the immediate area in accordance with Policies PMD1 and PMD2 of the Core Strategy.

Details of Means of Enclosure

- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 and before any development hereby permitted is first commenced, a scheme showing full details of fences, walls, gates or other means of enclosure in and around the site (including the main access gate) and including the timing of their provision, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter these works shall only be undertaken in accordance therewith.

REASON: To safeguard the character of the locality and in the interests of privacy and amenity in accordance with Policies PMD2 and PMD6 of the Core Strategy.

Landscaping

- 5 No construction works in association with the erection of the dwellings hereby permitted shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) All species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (b) Finished levels and contours;
- (c) Means of enclosure;

- (d) Minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units including the cycle store, signs and lighting);
- (e) External surface material for parking spaces, pedestrian accesses.
- (f) A full assessment of the Leyland Cypress trees to the southern and eastern boundaries of the site.

All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. Any trees, plants or hedges which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: In the interests of the character and visual amenities of the area in accordance with Policy PMD2 of the Core Strategy.

Surface Water Drainage

- 6 No development shall take place until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a period for its implementation; and
 - iii. provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime

REASON: To ensure a satisfactory method of surface water drainage and to prevent pollution of local watercourses.

Porous Hardsurfacing

- 7 The hardstanding areas within the residential curtilages of the

properties hereby permitted shall be contracted with a porous surface.

REASON: In the interests of surface water management.

Construction of Road Way Prior to Occupation

- 8 Prior to the occupation of any dwelling, the proposed estate road(s), footways and footpaths, turning spaces and driveways (where applicable) between the dwelling(s) and the existing highway, shall be properly consolidated and surfaced to the satisfaction of the Local Planning Authority. The footways and footpaths between any dwelling and the existing highway shall be complete within six months from the date of occupation of the dwelling.

REASON: In the interests of highway safety and amenities of the occupiers of the proposed residential development in accordance with Policy PMD2 of the Core Strategy

Garages for Parking Only

- 9 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 and Section 55 of the Town and Country Planning Act 1990 or any subsequent Acts or Order re-voking or renewing the provisions of that Act or Order, the garages hereby permitted shall be used solely for parking of vehicles in domestic use or for incidental domestic storage only.

REASON: To ensure adequate provision is made for vehicle parking and in the interests of the Green Belt in accordance with Policies PMD6 and PMD8 of the Core Strategy

Highways Management Plan

- 10 A Highways Management Plan (HMP) shall be submitted and approved by the Local Planning Authority prior to commencement of the development hereby approved, details to include (as appropriate):

- i. Hours of operation
- ii. Construction access
- iii. Temporary hard standing
- iv. Storage of materials
- v. Heavy plant storage
- vi. Abnormal Load Vehicle movements and routing
- vii. Crane storage and its use
- viii. Contractor parking
- ix. Wheel Washing Facilities

Once submitted to and agreed in writing by the Local Planning

Authority the works shall be undertaken in strict accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the proposed development does not cause pollution in accordance with Policy PMD1 of the Core Strategy and in accordance with NPPF

Construction and Waste Management Plan

- 11 Prior to the commencement of the works subject to this consent hereby approved, a Construction Management Plan and Waste Management Plan shall be submitted to and agreed in writing prior to the commencement of the works hereby approved. The details shall include;

i Details of measures to minimise fugitive dust during construction demolition and stockpiling of materials;

ii A Waste Management Plan;

iii An asbestos survey with the details of its removal by a competent contractor;

iv. Details of any security lighting or flood lighting proposed including mitigation measures against light spillage outside the site boundary;

v. Details of crushing and/or screening of demolition and excavation materials including relevant permits;

vi. Details of measures to minimise noise and vibration during construction and demolition to comply with the recommendations (including those for monitoring) set out in Parts 1 and 2 of BS5228:2009 'Code of Practice for Noise and Vibration Control on Construction and Open Sites'.

Once submitted to and agreed in writing by the Local Planning Authority the works shall be undertaken in strict accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority. All construction activities should be carried out using best practice with reference to BS5228 (control of noise from construction sites) to minimise the effect of construction on local residents).

REASON: To ensure that the proposed development does not cause pollution in accordance with Policy PMD 1 of the Core Strategy and in accordance with NPPF

Contamination

- 12 Prior to commencement of the development hereby approved the site shall be decontaminated in accordance with details, which shall have been previously submitted to and approved by the Local Planning Authority. These details shall include those for a site investigation sufficiently detailed to enable a quantitative risk

assessment of site contaminants on both groundwater and surface water to be undertaken, together with a conceptual model to illustrate all potential contaminant sources, pathways and receptors and a remediation method statement and a validation report detailing the works undertaken, any changes to the conceptual model and quantitative risk assessment together with validation data.

REASON: In order to ensure that the site is rendered safe for human habitation and in the interests of avoiding pollution of the water environment.

Hours of Work

- 13 Works on the site in connection with the demolition and removal of existing structures, other preparatory works, and the construction of the development hereby approved shall be limited to between the hours of 8 am to 6 pm Mondays to Fridays and 8 am to 1 pm on Saturdays, with no working on Sundays or Bank Holidays. Any piling of foundations shall be carried out at such times and by such means as shall have been previously agreed by the Local Planning Authority.

REASON: In order to protect the residents of local properties from unacceptable noise nuisance in accordance with Policy PMD1 of the Core Strategy

Removal of PD Rights (Residential)

- 14 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any subsequent re-enacting or revoking Acts or Orders, no development falling within Classes A, B, C or E shall be carried out on the site without the prior written consent of the Local Planning Authority. Furthermore, and notwithstanding the details shown the plans no habitable accommodation shall be formed within the roof areas of the dwellings hereby permitted without the prior written permission of the Local Planning Authority.

REASON: To prevent an intensification use of the dwellings which lie within the Metropolitan Green Belt in accordance with Policy PMD6 of the Core Strategy

Archaeology

- 15 No demolition of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

REASON: In the interests of the historical value of the site in

accordance with Policy PMD4 of the Core Strategy and the NPPF.

External Lighting Scheme

- 16 Prior to the commencement of development details of any external lighting, including details of the spread and intensity of light together with the size, scale and design of any light fittings and supports, shall be submitted to and agreed in writing by the local planning authority. Thereafter external lighting shall only be provided and operated in accordance with the agreed details or in accordance with any variation agreed in writing by the local planning authority.

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 [2011].

Junction Layout (Technical Details)

- 17 Development shall not be commencement until details of the junction of the site access onto the highway (including sight splays) have been submitted to and approved in writing by the local planning authority and the dwellings and buildings shall not be occupied until those junctions have been constructed in accordance with the agreed details.

REASON: In the interests of highway safety in accordance with Policies PMD2 and PMD9 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD 2011.

Refuse Strategy

- 18 Prior to commencement of the development hereby approved a Refuse Access Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall identify how waste and recycling provision will be provided in relation to the Council's three bin policy, including details of bin storage. These agreed measures shall be implemented on site prior to occupation and retained in perpetuity for the life of the development

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

Plan Numbers

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

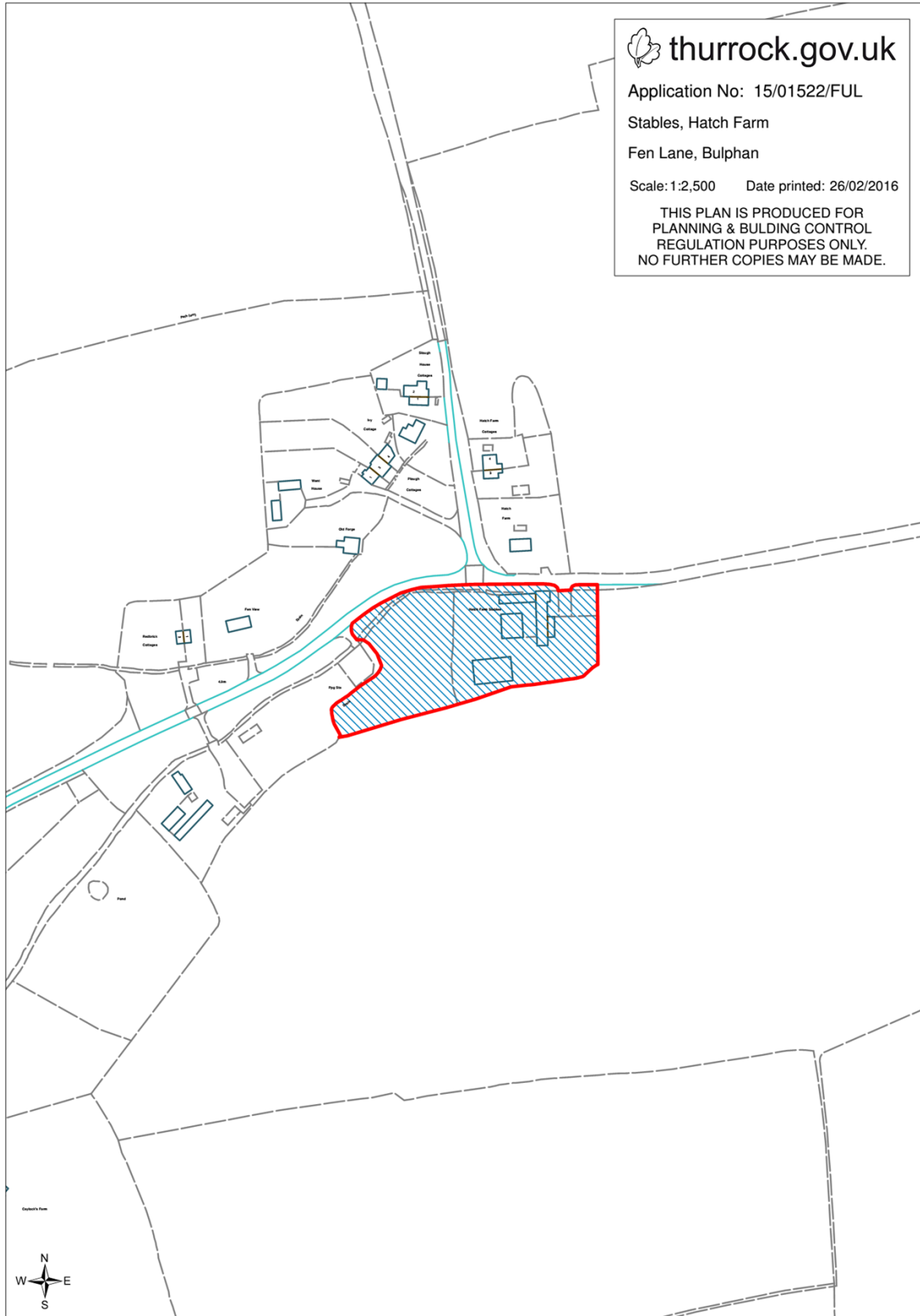
Plan Number(s):		
Reference	Name	Received
100	Location Plan	30th December 2015
101	Site Layout	30th December 2015
102	Landscaping	30th December 2015
103	Elevations	30th December 2015
104	Elevations	30th December 2015

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

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: www.thurrock.gov.uk/planning/15/01522/FUL

Alternatively, hard copies are also available to view at Planning, Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL.



<p>Reference: 15/01303/FUL</p>	<p>Site: School Bungalow 105 The Sorrells Stanford Le Hope Essex SS17 7ES</p>
<p>Ward: Stanford East And Corringham</p>	<p>Proposal: Demolition of existing caretakers building and associated plant rooms, erection of a medical health facility (Class D1), and adaption of vehicular access from the existing private road, creation of dedicated pedestrian walkway, with associated car parking and landscaping, and maintenance of existing private access road.</p>

Plan Number(s):		
Reference	Name	Received
L 001A	Location Plan	30th October 2015
L 010B	Floor Layout	30th October 2015
L 020B	Elevations	30th October 2015
L 021B	Drawing	30th October 2015
L 030B	Drawing	30th October 2015
L 031B	Drawing	30th October 2015
L 032B	Drawing	30th October 2015
16211SE-01A	Drawing	30th October 2015
16211SE-02	Drawing	30th October 2015
16211UG-01A	Drawing	30th October 2015
TCP THRKHUB 1A	Drawing	30th October 2015

The application is also accompanied by:

- Design and Access Statement
- Flood Risk Assessment Appendix A
- Flood Risk Assessment Appendix B-D
- Flood Risk Assessment Body
- Transport Statement Note
- BREEAM Pre Assessment Report
- Planning Statement Reduced
- Demolition Survey
- Arboricultural Impact Assessment

<ul style="list-style-type: none"> - Environmental Noise Report - Fire Safety Strategy - Preliminary Ecological Appraisal 	
<p>Applicant: North East London Foundation Trust (NELFT)</p>	<p>Validated: 4 November 2015</p> <p>Date of expiry: 14th March 2016 [Article 34 EOT]</p>
<p>Recommendation: Approve, subject to conditions.</p>	

The application is being considered at Planning Committee because a very similar application was considered by the Planning Committee on 14th March 2013 following a call in request.

1. Description of Proposal

- 1.1 This application seeks planning permission for a medical centre on the site of the former Graham James Infant School and caretaker’s house. The proposal seeks to develop a purpose built medical facility for adult and children services provision, to offer up to date facilities to the local community. The aim would be to enable a range of healthcare services to be provided for the local community including a GP practice.
- 1.2 The proposed building is essentially a backward “L” fronting onto The Sorrells and running back towards the school. The building would have a footprint of approximately 620sqm and would be two storeys in height with a small plant room on the roof.
- 1.3 The ground floor would house the public entrance, reception, waiting area, consulting/interview/clinical rooms, group rooms, community store and plan rooms. The first floor would contain offices with meeting rooms, staff support facilities, offices, it room and plant room and the plant roof. The roof area would have a screened plant area and photovoltaic array.
- 1.4 The application indicates that the building would be open:
 - Monday – Friday 08:00 – 20:00
 - Saturday – 08:00 – 12:00
 - Sunday and bank holiday - closed.
- 1.5 The development would be served by a total of 34 car parking spaces with 4 of these designated disabled driver spaces.
- 1.6 The proposal differs from the recently approved scheme in the following

regards:

- Change in car park layout;
- Removal of A1 pharmacy use from the proposal;
- Changes to internal layout.
- Changes to external appearance

2. Site Description

2.1 The site is that of the former Graham James Infant School which closed in 1991 when the Infant and Junior Schools amalgamated. It is a backward L-shape and includes 105 The Sorrells, which was the old school caretaker’s house. It fronts The Sorrells between 107 and the community hall wrapping to the rear of the hall. To the north it is bounded by 105 The Sorrells and a parking area to the rear of properties in Gordon Road and Colborne Close. It is bounded on other sides by land associated with the school, including the vehicular access to the school which meets The Sorrells adjacent to the community centre.

3. Relevant History

Reference	Description	Decision
12/01098/FUL	Medical Centre and Pharmacy (A1)	Approved

4. Consultations And Representations

4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council’s website via public access at the following link:

www.thurrock.gov.uk/planning/15/01303/FUL

PUBLICITY:

4.2 The application has been advertised by way of neighbour letters and a site notice has been placed nearby, a press notice has also been provided. Three letters have been received.

In objection, two letters:

- Height and proximity of building in relation to neighbouring occupiers;
- Increase in traffic to the site;
- The building would replace a bungalow that was previously on the site;
- Overlooking of neighbouring property and resultant devaluation;
- The access, which will be shared with the school would be inadequate;

- There will be an increase of traffic onto The Sorrells which is already busy;
- Cars may try and park in the school car park, town car parks or roads;
- Security issue for school children as a result of the development;
- Concerns of the impact of construction;
- Noise created during construction and during operation

In support, one letter:

- Site is presently semi derelict;
- Anti-social behaviour is taking place on the site;
- The facility would be a welcome addition.

ENVIRONMENTAL HEALTH:

- 4.3 No objection (Subject to conditions).

PUBLIC RIGHTS OF WAY

- 4.4 No objections.

FLOOD RISK MANAGER:

- 4.5 No objections (subject to conditions).

HIGHWAYS:

- 4.6 No objections (subject to conditions).

LANDSCAPE AND ECOLOGY:

- 4.7 No objections (subject to conditions).

5. Policy Context

National Planning Policy Framework

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

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

1. Building a strong, competitive economy

Planning Practice Guidance (PPG)

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

- Design;
- Planning obligations and;
- The use of planning conditions.

Local Planning Policy

Thurrock Local Development Framework

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

Management of Development Policies:

PMD1 - Minimising Pollution and Impacts on Amenity²

PMD2 - Design and Layout²

PMD8 - Parking Standards³

PMD9 – Road Network Hierarchy;

PMD10- Transport Assessments and Travel Plans;

PMD12 – Sustainable Buildings;

PMD13 – Decentralised, Renewable and Low Carbon Energy Generation

PMD14 – Carbon Neutral Development; and

PMD16 – Developer Contributions.

Strategic Spatial Policies:

CSSP2 – Sustainable Employment Growth; and

CSSP3 – Sustainable Infrastructure.

Thematic Policies:

CSTP9 – Wellbeing, Leisure and Sports;
 CSTP10 – Community Facilities;
 CSTP11 – Health Facilities;
 CSTP18 – Green Infrastructure;
 CSTP22 - Thurrock Design
 CSTP23 - Thurrock Character and Distinctiveness²
 CSTP25 – Addressing Climate Change;
 CSTP26 – Renewable or Low Carbon Energy Generation; and
 CSTP29 – Waste Strategy.

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

- 5.5 The Core Strategy has been subject to a focused review for consistency with the (NPPF). The focused review document was submitted to the Secretary of State for independent examination on 1 August 2013, and examination hearings took place on 8 April 2014. The Inspector's report was received in October 2014 and was approved by Council on 28th January 2015. Minor changes have been made to some policies within the Core Strategy; the policies affected by the changes are indicated above.

6. Assessment

- 6.1 The main issues relating to this application are:

- I Plan designation and principle of development
- II Design and scale
- III Impact of development on the highway network
- IV Noise and amenity
- V Landscaping

I PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

- 6.2 The site has no notation on the Proposals Map issued with the Local Development Framework Core Strategy and Policies for the Management of Development in December 2011. It is intended that such land remains broadly in its existing use, but does not preclude other uses if they are considered acceptable on their merits.
- 6.3 The site is in a sustainable location, close to other facilities such as schools, community hall and town centre which would allow for linked trips and within a major residential area. The uses are not considered incompatible in principle with residential, educational, retail and community uses and it is noted that the proposal seeks to provide modern up to date

purpose built facilities allowing an existing established local doctors' practice to relocate, expand and provide enhanced services to the local community. The proposal would also provide full time employment opportunities.

- 6.4 In light of the above, the use of the site as a medical centre is considered acceptable. Members will also note that the principle of a medical centre on this site has also been established by the grant of planning permission in 2013.

II DESIGN AND SCALE

- 6.5 The application site is set within area characterised by mainly two storey dwellings, the two storey primary school and single storey community hall. The proposed building whilst two storey would be 1.5 metres higher than neighbouring housing but is not considered to be out of scale. It has a contemporary feel and would become a feature in the local street scene without dominating it.

- 6.6 The concerns of local residents in relation to the scale of the proposal are noted. The scheme now proposed is for a two storey medical centre and is considered an appropriate scale for this site and is not materially different from the previously approved application which remains implementable.

III IMPACT OF DEVELOPMENT ON THE HIGHWAY NETWORK

- 6.7 The application seeks to take access from the existing T junction access to the Graham James Primary School from The Sorrells and would share the access with the community hall. This access currently has a gate close to the top of the junction with The Sorrells, it is proposed to relocate this gate closer to the school past the entrance to the proposed development. This would still allow the school to be closed off out of school hours.

- 6.8 The applicants acknowledge that the scheme will create more traffic than the existing scenario. Car parking has been provided on site in accordance with the Highway Officer's requirements and the Highway Officer is satisfied with the layout proposed. Subject to conditions, the proposal is considered to comply with Policies PMD8 and PMD9 in relation to highways and access.

IV NOISE AND AMENITY

- 6.9 The surgery would operate at times consistent with such operations. Most of the activity will be within the building apart from patients coming to and from the site. No objection is raised in this respect. A condition is recommended to cover hours of construction.

- 6.10 It is not considered that the scheme would have an adverse effect on the amenities of adjoining occupiers. The nearest dwelling is to the north east and its flank is some 3 metres from the proposed building. Whilst a window is shown at first floor level in this elevation it serves a void above the reception area at ground floor so there would be no overlooking of the rear garden of the adjacent house. There is also a window on the first floor landing of the staircase and it is suggested that this be conditioned to be obscure glazed. There are windows in the element to the rear but these have distant views over a yard area and the rear gardens of properties in Gordon Road

V. LANDSCAPE

- 6.11 The submitted plans show a landscaping scheme around and within the site. The Council's Landscape Advisor has indicated that the layout of the building is considered to be acceptable within the street scene, but that additional details should be provided as part of a landscaping condition.

VI. OTHER MATTERS

- 6.12 Whilst some objections remain to the current proposal, these matters were addressed during the 2012 application and are not considered to be materially different in the current scheme. The issue of a loss of property value is not in itself a material planning consideration.
- 6.13 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.
- 6.14 Changes to Government policy in April 2015 mean that the Council can no longer use a tariff based approach to s106 (as was the case with the former Planning Obligation Strategy). Consequently, the Council has developed an Infrastructure Requirement List (IRL) that identifies specific infrastructure needs on an area basis. In relation to commercial floorspace, 1000 sq.m is the level at which contributions would normally be required.
- 6.15 The details submitted indicate that across the building on site there would be more than 1000 sq.m floor space created. In this instance the proposal seeks to provide a range of healthcare facilities which is one of the types of development that would normally be funded by contributions. On the basis that the proposal will provide significant benefits to the community, it is not

considered appropriate to seek a contribution from the developer in this instance.

7. Conclusions And Reasons For Approval

- 7.1 The proposal is largely similar to a recently granted permission which could still be implemented.
- 7.2 In light of the previous consent, and the general presumption of making the best use of previously development land the proposal is considered to be acceptable in principle.
- 7.3 The proposal would bring up to date health care facilities in a purpose built contemporary building in compliance with Policy CSTP 9; allow existing health care facilities to modernise and expand; contribute to providing a hub of community facilities with the existing school and community centre; generate employment and would allow an improvements to landscaping in and around the site.
- 7.4 Matters such as neighbour amenity, and highways and parking have been considered and have been found to be acceptable subject to conditions. Approval is therefore recommended.

8. Recommendation

Approve subjection to the following condition(s):

TIME LIMIT

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

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

LANDSCAPING

2. No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development, and a programme of maintenance. All planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding season following commencement of the development (or such other period as may be agreed in writing by the Local Planning

Authority) and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. This scheme shall include measures to achieve biodiversity gains as set out in the BREEAM ecology report, for example using species where possible from the RHS Perfect for Pollinators list.

REASON: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by Policies SS02, CSTP18, CSTP19, CSTP22, CSTP23, PMD2 and PMD7 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

LANDSCAPE MANAGEMENT PLAN

3. A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The Landscape Management Plan shall be carried out as approved.

REASON: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by Policies SS02, CSTP18, CSTP19, CSTP22, CSTP23, PMD2 and PMD7 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

SAMPLES OF MATERIALS

4. Notwithstanding the information on the approved plans, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in strict accordance with the approved details.

REASON: In the interests of amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings as set out in Policies CSTP22, CSTP23 and PMD2 of the Thurrock Local Development Framework Core Strategy and Policies for

Management of Development (December 2011).

CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

5. No development shall take place until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide for, but not necessarily be limited to,
- i) the parking of vehicles of site operatives and visitors;
 - ii) measures to control the emission of dust and dirt during construction of the development;
 - iii) details of construction traffic routing, including details of the access to be used during construction;
 - iv) the phasing of development and the location of construction compounds;
 - v) details of wheel washing facilities, including a barrier to stop all vehicles before they enter the highway. Mud and other debris from wheels and the undercarriage of all vehicles leaving the site during the period of works shall be cleaned off prior to such vehicles entering the highway;
 - vi) loading, unloading and storage of plant and materials;
 - vii) commitment to no bonfires on site;
 - viii) waste management plan; and
 - ix) Control of noise with reference to BS5228 (Code of Practice for Noise and Vibration Control on Construction and Open Sites).

REASON: In the interest of residential amenity in accordance with Policy PMD1 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development 2011 (December 2011).

HOURS OF DEMOLITION/CONSTRUCTION

6. Demolition and construction works shall not take place outside 08.00 hours to 18.00 hours Mondays to Fridays and 08.00 hours to 13.00 hours on Saturdays and at no time on Sundays or Bank Holidays.

REASON: In the interest of residential amenity in accordance with Policy PMD1 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

CONTAMINATION

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared, in accordance with the requirements of Condition 8, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met. It shall also include a long term monitoring and maintenance plan for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification report, and for the reporting of this to the Local Planning Authority.

REASON: To ensure that the proposed development does not cause pollution of controlled waters and that the development complies with approved details in the interest of protection of controlled waters in accordance with the aims and objectives of Policy PMD1 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

REMEDIATION

8. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing, of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The scheme must be carried out in accordance with its terms prior to the commencement of development other than that required carrying out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

REASON: To ensure that the proposed development does not cause pollution of controlled waters and that the development complies with

approved details in the interests of protection of controlled waters in accordance with the aims and objectives of Policy PMD1 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

BREEAM

9. The development hereby permitted shall be built to a minimum standard of 'Very Good' under the Building Research Establishment Environmental Assessment Method (BREEAM) unless current government guidance prevailing at the time of commencement has renewed or revoked any such requirements. Prior to first use of the building hereby permitted a copy of the Post Construction Completion Certificate for the building verifying that the 'Very Good' BREEAM rating has been achieved shall be submitted to the Local Planning Authority.

REASON: To ensure that development takes place in an environmentally sensitive way, to assist the Government in meeting its targets of reducing carbon dioxide emissions in accordance with Policies CSTP25, CSTP26, PMD12, PMD13 and PMD14 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

USE OF RENEWABLES

10. No development shall take place until a scheme demonstrating that at least 10% of the development's energy will be derived from decentralised and low carbon or renewable sources has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in complete compliance with this scheme unless otherwise agreed, in writing, with the Local Planning Authority.

REASON: To ensure that development takes place in an environmentally sensitive way to assist the Government in meeting its targets of reducing carbon dioxide emissions and to accord with Policies CSTP25, CSTP26, PMD12, PMD13 and PMD14 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

GREEN TRAVEL PLAN

11. Prior to the first use of the development hereby permitted a Green Travel Plan shall be submitted to, and agreed in writing with, the Local Planning Authority. The Green Travel Plan shall include detailed and specific measures to reduce the number of journeys made by car to the

development hereby permitted and shall include specific details of the operation and management of the proposed measures. The commitments explicitly stated in the Green Travel Plan shall be binding on the applicants or their successors in title. The measures shall be implemented upon the first occupation of the building hereby permitted 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 Green 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 Policies CSTP14 and PMD10 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

LEVELS (WITH ADJACENT BUILDINGS)

12. Prior to the commencement of any development, details shall be submitted to, and approved in writing by, the Local Planning Authority showing the existing and proposed site levels and the finished floor level of the building hereby permitted. These details shall show the relationship with the levels of immediately adjacent land and shall include cross sections. Development shall be in strict accordance with the approved details.

REASON: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings as set out in Policy PMD1 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

EXTERNAL LIGHTING SCHEME

13. Prior to commencement of development details of any external lighting, including details of the spread and intensity of light together with the size, scale and design of any light fittings and supports, shall be submitted, to and agreed in writing by the Local Planning Authority. Thereafter external lighting shall only be provided in accordance with the agreed details or in accordance with any variation agreed, in writing, by the Local Planning Authority.

REASON: In the interests of amenity and to ensure that the proposed development is integrated within its immediate surroundings as required by Policy PMD1 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December

2011).

BOUNDARY TREATMENTS

14. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of the locations, heights, designs, materials and types of all boundary treatments to be erected on site. The boundary treatments shall be completed in strict accordance with the approved details before the use hereby permitted is commenced.

REASON: In the interests of visual amenity, privacy and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings as required by Policy PMD1 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

CAR PARKING PRIOR TO FIRST USE

15. Prior to the commencement of the use hereby permitted the car parking spaces shown on the approved plans shall be provided and delineated on-site in accordance with the approved plans. Notwithstanding the Town & Country Planning (General Permitted Development) Order 2015 (or any subsequent re-enacting Order) no development shall be carried out on the site so as to preclude vehicular access to those car parking spaces. The car parking spaces shall be available in their entirety during the whole of the time that the building is open to the staff employed thereat or to persons visiting the building.

REASON: In the interests of highway safety and amenity in accordance with policies CSTP14 and PMD8 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

CYCLE AND POWERED TWO WHEELER PARKING

16. Prior to the commencement of development hereby approved details of the number, size, location, design and materials of secure and weather protected cycle and powered two wheeled parking facilities to serve the employees and customers of the gymnasium shall be submitted to and agreed in writing with the Local Planning Authority. Such parking facilities as agreed in writing shall be installed on site prior to the first use of the development hereby permitted and shall thereafter be permanently retained for sole use for cycle and powered two wheeled parking for the employees and customers of the gymnasium hereby permitted.

REASON: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with policies CSTP14 and PMD10 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

HOURS OF USE

17. The development hereby approved shall be cleared of all patients by 20:00 hours and by all staff by 22:30 hours Monday to Friday, and the premises shall be cleared of all patients by 12:00 hours and by all staff by 14:00 hours on Saturdays. The facility shall not open for business before 08:00 hours Mondays to Saturdays. The development shall not be open to patients or staff on Sundays and Bank Holidays

REASON: In the interest of amenity as required by Policy PMD1 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

OBSCURE WINDOWS

18. The first floor windows indicated on the northern elevation shall be permanently obscure glazed and any opening sections of these windows shall be a minimum of 1.7m above the finished floor level of the rooms in which they are to be installed.

REASON: In the interests of residential amenity

REFUSE STRATEGY

19. Prior to the commencement of the use hereby permitted a Refuses Access Strategy shall be submitted to the Local Planning Authority and approved in writing. This Strategy shall include bin storage facilities for the site, including the refuse collection points. Thereafter the Strategy shall be implemented and retain strictly in accordance with the approved details.

REASON: In the interests of highway safety and amenity in accordance with policies CSTP14 and PMD8 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (December 2011).

SURFACE WATER DRAINAGE

20. Surface Water Drainage development shall not begin until a detailed

surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

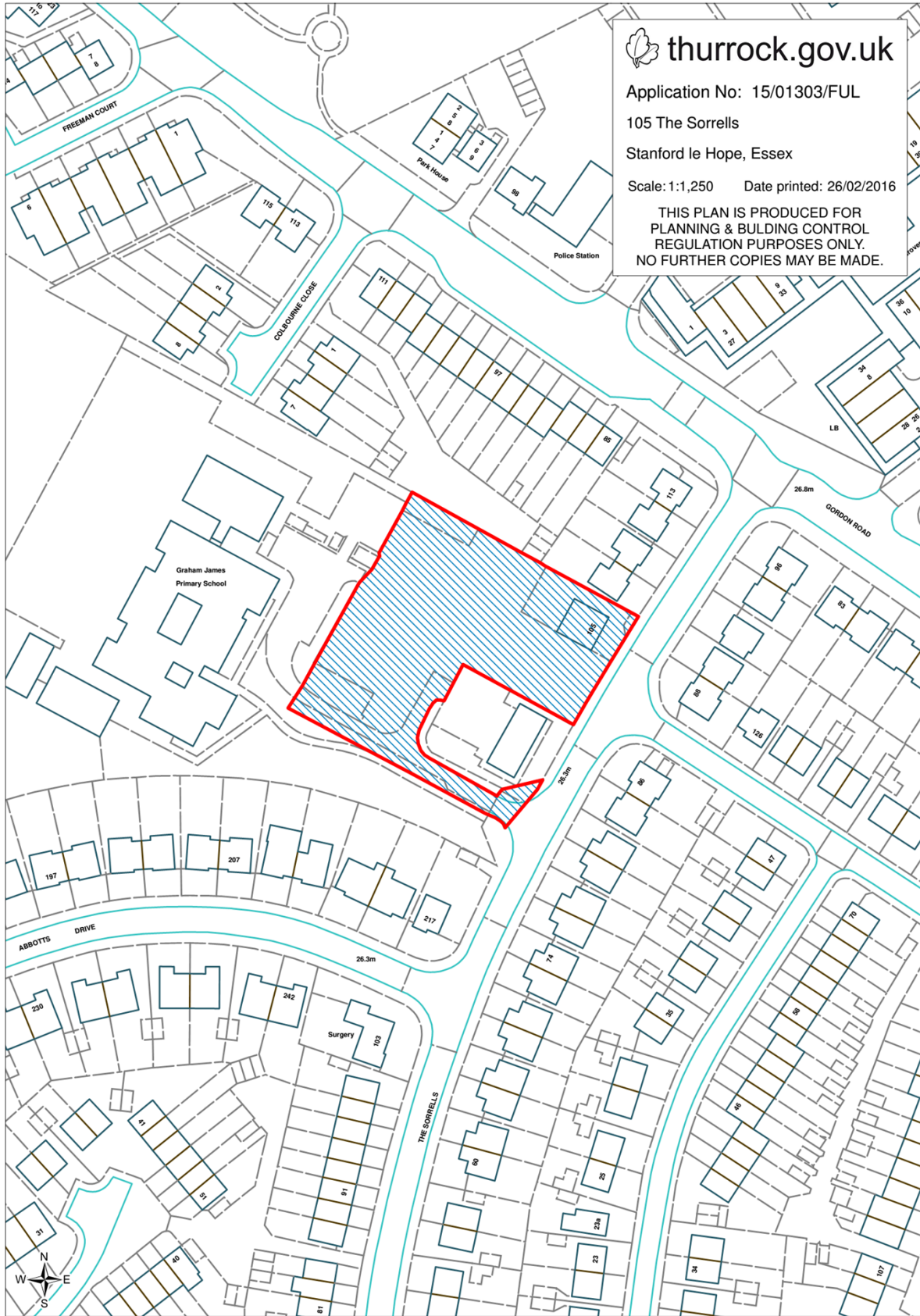
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a period for its implementation; and
- iii. provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime

REASON: To reduce the potential for surface water run-off on the site.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: www.thurrock.gov.uk/planning/15/01303/FUL

Alternatively, hard copies are also available to view at Planning, Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL.



 **thurrock.gov.uk**
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105 The Sorrells
Stanford le Hope, Essex
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