

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 **26 May 2016**

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

Membership:

Membership to be confirmed.

Substitutes:

Substitutes to be confirmed.

Agenda

Open to Public and Press

	Page
1 Apologies for Absence	
2 Minutes	5 - 10
To approve as a correct record the minutes of the Planning Committee meeting held on 7 April 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	
5 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	
6 Planning Appeals	11 - 18

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 | 15/01483/FUL - Land east of St. Andrew's Road, north of Gaylor Road and west of Dock Road, Tilbury. | 19 - 94 |
| 9 | 16/00361/FUL - 6 Tennyson Avenue, Grays, Essex, RM17 5RG | 95 - 104 |
| 10 | 15/00268/FUL - Land South Of Railway Line Adjacent Purfleet Distribution | 105 - 142 |
| 11 | 16/00232/FUL - Malgraves Meadow Lower Dunton Road, Horndon On the Hill | 143 - 154 |
| 12 | 16/00165/FUL - Pallet On Land Opposite National Grid Stoneness Road. | 155 - 164 |
| 13 | 16/00164/FUL - Thurrock Motorcycle Training Stoneness Rod West Thurrock | 165 - 174 |

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

Agenda published on: **18 May 2016**

Information for members of the public and councillors

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- Access the modern.gov app
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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 7 April 2016 at 6.00 pm

Present: Councillors Terence Hipsey (Chair), Tom Kelly (Vice-Chair), Chris Baker, Steve Liddiard, Brian Little, Tunde Ojetola, Barry Palmer, Gerard Rice (arrived at 18.43) and Kevin Wheeler

Steve Taylor, Campaign to Protect Rural England Representative

In attendance: Andrew Millard, Head of Planning & Growth
Janet Clark, Strategic Lead Operational, Resources and Libraries Unit
Matthew Ford, Principal Highways Engineer
Jonathan Keen, Principal Planner
Leigh Nicholson, Development Management Team Leader
Sarah Williams, School Capital and Planning Project Manager
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.

133. Minutes

The minutes of the Planning Committee held on the 10 March 2016 were approved as a correct record.

134. Item of Urgent Business

There were no items of urgent business.

135. Declaration of Interests

Councillor Wheeler declared a non-pecuniary interest regarding application 15/01508/FUL Benton's Farm as it was in his ward.

Councillor Baker declared a non-pecuniary interest regarding application 16/00173/TBC Somers Heath Primary School as it was in his ward.

136. 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 B Little received correspondence related to applications 15/01522/FUL and 15/01303/FUL.

137. Planning Appeals

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

Councillor Ojetola recommended that consideration is given to including this matter on next year's Planning Transport and Regeneration Overview and Scrutiny Committee work programme.

RESOLVED:

The report was noted.

138. 15/01303/FUL School Bungalow, 105 The Sorrells, Stanford Le Hope, Essex, SS17 7ES

The Committee was informed that the application was deferred at the 10 March 2016 Planning Committee to enable Members to visit the site. The site visit took place on Thursday 24 March 2016. Members were informed that the application remained recommended for approval subject to revised conditions.

Councillors Baker, Ojetola and B Little discussed the restriction of sunlight to the neighbouring property from the erection of the building.

The Principal Planner outlined plans which showed the differences between the current application and the previously consented scheme, these included a reduction in height and distance from the neighbouring property. The Principal Planner indicated that the proposed scheme should have less impact on the neighbour than the previously consented scheme.

Councillor Ojetola queried if it was possible to refuse the application considering that another application was approved for a similar building in 2013. Members were informed that it would be difficult to refuse the application as the building in 2013 was approved under similar circumstances.

Councillor Hipsey questioned if the application was refused could the applicant revert back to the original application submitted without the amendments. The Head of Planning and Growth informed the committee that if the application was refused the applicant would need to submit a new application for the previously consented scheme which expired on 14th March 2016 (i.e. between the two committee meetings). However the previously approved scheme had been assessed against the same policies and was a strong material consideration.

It was proposed by Councillor Liddiard and seconded by Councillor Palmer that the application be approved.

For: Councillors, Tom Kelly, Steve Liddiard, Tunde Ojetola, Barry Palmer

Against: Terry Hipsey, Chris Baker, Brian Little

Abstain: (0)

RESOLVED:

That the application be approved subject to conditions and the revised conditions detailed in the update report

139. 15/01522/FUL: Stables, Hatch Farm

The Committee was informed that the application was deferred at the 10 March 2016 Planning Committee to enable Members to visit the site. The site visit took place on Thursday 24 March 2016. Members were informed that the application remained recommended for approval.

Councillor Ojetola questioned why this application did not require the demonstration of Very Special Circumstances. The Principal Planner explained that the NPPF allowed for the redevelopment of previously developed sites in the Green Belt subject to the development not having more of an impact on the Green Belt than the existing buildings.

Councillor B Little queried if there was a condition regarding landscaping. The Principal Planner advised members that there was a landscaping condition which required the applicant to submit details to the Authority relating to proposed planting, details would also be required of any fencing.

Councillor Baker felt that the junction located on a bend to the Stables Hatch Farm could prove dangerous in wet and foggy weather conditions. The Principal Planner explained that a condition had been included for junction details, including site splays to be submitted to the Authority for approval.

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

For: Councillors Terry Hipsey, Tom Kelly, Chris Baker, Steve Liddiard, Gerard Rice, Tunde Ojetola, Barry Palmer

Against: Brian Little,

Abstain: (0)

RESOLVED:

That the application be approved.

140. 15/01483/FUL : Project Ant

The Principal Planner informed the Committee that the Planning Department had received a formal request from the applicant for application 15/01483/FUL to be deferred from the 7 April 2016 Planning Committee. The reason given was to allow for further discussions regarding planning conditions and particularly a condition requested by Highways England. Members were informed that it was intended to be presented at the next Planning Committee on 26 May 2016.

141. 15/01508/FUL: Bentons Farm

The Principal Planner informed the Committee that the application sought full planning permission for the redevelopment of the site to provide nine new dwellings.

Councillor B Little queried if the new dwellings included affordable housing. The Principal Planner explained that due to the reduced number of dwellings from the original application the Authority could no longer require affordable housing.

The Chair invited the agent Michael Smith, to make his supporting statement to the Committee.

Councillor Wheeler questioned what types of trees were going to be planted around the site. The agent explained that the trees would be a variety of Pink Cherries, Rowans and White Cherries, it was added that the trees would be between 3.6m and 4.2m high when first planted and could reach up to heights of 13m.

Councillor Ojetola raised a concern that the new application did not provide for education contributions due to the reduced number of dwellings from eleven to nine. Councillor Ojetola requested that the Planning Transport and Regeneration Overview and Scrutiny Committee explored the education fund boundaries.

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

For: Councillors Terry Hipsey, Tom Kelly, Chris Baker, Steve Liddiard, Tunde Ojetola, Barry Palmer and Kevin Wheeler.

Against: Brian Little

Abstain: (0)

RESOLVED:

That the application be approved.

142. 16/00173/TBC: Somers Heath Primary School

The Committee was informed that the application sought planning permission to combine Somers Heath Primary School and Knightsmead School into a single two form entry school by the construction of a single storey link block.

Members felt that this was a good news story as it would generate a number of education places for the growing population.

It was proposed by Councillor Baker and seconded by Councillor Wheeler that the application be approved.

For: Councillors Terry Hipsey, Tom Kelly, Chris Baker, Steve Liddiard, Brian Little, Tunde Ojetola, Barry Palmer and Gerard Rice, Kevin Wheeler.

Against: (0)

Abstain: (0)

RESOLVED:

That the application be approved.

The meeting finished at 6.52 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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26 May 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: Steve Cox, Director of Environment and Place	
This report is Public	
Date of notice given of exempt or confidential report: N/A	
Purpose of Report: For Information	

Executive Summary

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

1. Recommendations:

1.1 To note the report.

2.0 Introduction And Background:

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

3.0 APPEALS LODGED:

3.1 **Application No:** 15/01191/FUL
Location: Land Adjacent 9
 Lyndhurst Road
 Corringham
 Essex

Proposal: Erection of a new dwelling with private amenity space and off street car parking.

4.0 APPEAL DECISIONS

The following appeal decisions have been received:

4.1 Application No: 15/01075/HHA

Location: 56 Fyfield Drive
South Ockendon
Essex
RM15 5QE

Proposal: First floor extension over existing garage.

Decision: Appeal Allowed

Summary of decision:

4.1.1 The Inspector considered the main issue to be the effect of the development on the living conditions of the residents of 57 Fyfield Drive with regard to light and outlook.

4.1.2 In allowing the appeal, the Inspector took into account the existing relationship between the properties and found that whilst the existing relationship is poor, the proposed development would not materially alter the living conditions that the occupiers of No.57 presently experience. The Inspector found no conflict with LDF-CS Policy PMD1 or PMD2 or Annexe 1 of the Borough Local Plan 1997.

Link to full appeal decision: [Appeal Decision Notice](#)

4.2 Application No: 15/00563/FUL

Location: 14 Crammavill Street
Stifford Clays
Grays
Essex
RM16 2BD

Proposal: Change of use from A1 retail to A5 hot food takeaway

Decision: Appeal Dismissed

Summary of decision:

- 4.2.1 The Inspector considered the main issue to be the effect of the development on the retail function of the Crammavill Street shopping parade.
- 4.2.2 The Inspector took into account representations made by the appellant but found Policy SH11 of the Borough Local Plan 1997 and LDF-CS Policy CSTP7 to be in general accordance with the NPPF's requirement to plan positively for community facilities such as shops in support of promoting healthy communities.
- 4.2.3 The Inspector found that the development would 'tip the balance' away from the existing retail function of the Neighbourhood Centre and was not satisfied that a long term A1 use of the premises could not be secured. The Inspector concluded that the proposal would have an adverse effect on the retail function of the Crammavill Street shopping parade without appropriate justification, contrary to LP Policy SH11 and LDF CS Policy CSTP7.

Link to full appeal decision: [Appeal Decision Notice](#)

- 4.3 **Application No:** 15/01105/HHA
Location: 43 San Marcos Drive
Chafford Hundred
Grays
Essex
RM16 6LU
Proposal: Single storey side extension
Decision: Appeal Dismissed

Summary of decision:

- 4.3.1 The Inspector considered the main issue to be the effect of the development on the character and appearance of the host dwelling and streetscene.
- 4.3.2 In dismissing the appeal, the Inspector took the view that the extension would result in a confusing and incongruous visual relationship between the host dwelling, extension and ancillary garage. The Inspector concluded that the proposal would have an unacceptably harmful effect on the character and appearance of the host dwelling and streetscene, contrary to LDF-CS Policy PMD2. In making this decision, the Inspector commented that Policy PMD2 was consistent with the NPPF, particularly section 7 concerning good design.

Link to full appeal decision: [Appeal Decision Notice](#)

- 4.4 **Application No:** 15/00229/FUL

Location: 246 Heath Road
Chadwell St Mary
Essex
RM16

Proposal: 3APChange of use from hostel to residential (Use Class C3) to form 3 no. dwellings, together with associated alterations/extensions.

Decision: Appeal Dismissed

Summary of decision:

- 4.4.1 The Inspector considered the main issues to be:
- i. Whether the proposal would amount to inappropriate development within the Green Belt;
 - ii. Whether there would be any other harm to the Green Belt; and
 - iii. Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.
- 4.4.2 With regards to (i & ii), the Inspector found support for the principle of a change of use but found that the extensions would result in an overall loss of openness. As the proposal would fail to preserve the openness of the Green Belt, it would conflict with the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open.
- 4.4.3 The Inspector considered the appellant's case but found the proposals to be in conflict with the NPPF and LDF-CS Policy PMD6 owing to the scale of the new development proposed. The Inspector concluded that the proposal represented inappropriate development in the Green Belt.
- 4.4.4 With regards to (iii), the Inspector considered the site to be a 'wasted resource' and the proposal would make an efficient use of the site and contribute to the housing requirements of the area. The weight afforded to this matter was however reduced because of the extensive works proposed. The Inspector was not convinced that the buildings could not be converted without works that represent inappropriate development.
- 4.4.5 In conclusion, the Inspector found the proposal to be contrary to the NPPF and LDF-CS Policy PMD6 and accordingly dismissed the appeal.

Link to full appeal decision: [Appeal Decision Notice](#)

- 4.5 **Application No:** 15/00693/FUL
- Location: School House

Stanford Le Hope Primary School
 Copland Road
 Stanford Le Hope
 Essex
 SS17 0DF

Proposal: New boundary works to change caretaker's house to form a new private residential house. Creation of new driveway to park 2 cars.

Decision: **Appeal Allowed**

Summary of decision:

- 4.5.1 The Inspector considered the main issue to be the effect of the proposal on highway safety.
- 4.5.2 The Inspector took the view that the proposal would be likely to result in an increased number of vehicle movements close to the school access. This view was tempered by the fact that vehicles currently enter the school site to park in designated spaces for the caretaker's house and the overall movements around the school access would not materially change. The Inspector was satisfied that there would be sufficient space within the grounds of the caretaker's house to allow vehicles to park and turn and be able to exit in forward gear.
- 4.5.3 The Inspector was not persuaded that the proposal would harm highway safety by increasing the potential for conflict between vehicles and pedestrians, and found no conflict with LDF-CS Policy PMD2.

Link to full appeal decision: [Appeal Decision Notice](#)

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 application and enforcement appeals.

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	5	0	0	0	9	0	0	0	0	0	0	0	
No Allowed	2	1	0	0	5	0	0	0	0	0	0	0	
% Allowed													40%

7.0 Consultation (including Overview and Scrutiny, if applicable)

7.1 N/A

8.0 Impact On Corporate Policies, Priorities, Performance And Community Impact

8.1 This report is for information only.

9.0 Implications

9.1 Financial

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

There are no direct financial implications to this report.

9.2 Legal

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

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

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

9.3 Diversity and Equality

Implications verified by: **Rebeka 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:

Leigh Nicholson
Development Management Manager

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Reference: 15/01483/FUL	Site: Land east of St. Andrew’s Road, north of Gaylor Road and west of Dock Road, Tilbury.
Ward: Tilbury St. Chads	Proposal: Full planning application for development of southern part of London Distribution Park (approved under outline planning permission 14/00487/CV) for new sortation and fulfilment centre comprising warehouse and distribution building (B8) with ancillary offices and yard areas, security and amenity buildings, staff car parking, circulation routes and landscaping, with access from existing roundabout on A1089 and formation of new access from Dock Road.

Plan Number(s):		
<u>Reference</u>	<u>Name</u>	<u>Received</u>
ANT-30813-PL-100 C	Site Location	16.12.15
ANT-30813-PL-101 D	Site Layout	11.03.16
ANT-30813-PL-102 B	Warehouse Level 1	16.12.15
ANT-30813-PL-103 B	Warehouse Level 2	16.12.15
ANT-30813-PL-104 B	Warehouse Level 3	16.12.15
ANT-30813-PL-105 B	Warehouse Level 4	16.12.15
ANT-30813-PL-106 B	Warehouse Level 5	16.12.15
ANT-30813-PL-107 B	Warehouse Level 6	16.12.15
ANT-30813-PL-109 B	Office Level 1 Pod Levels 1, 2 & 3	16.12.15
ANT-30813-PL-110 B	Office Level 3	16.12.15
ANT-30813-PL-111 B	Indicative Sections	16.12.15
ANT-30813-PL-112 C	Elevations	11.03.16
ANT-30813-PL-113 C	Elevations Office and Office Pod	11.03.16
ANT-30813-PL-114 B	Decked Carpark Floor Plans Levels 1 & 2 (Sheet 1 of 2)	16.12.16
ANT-30813-PL-115 B	Decked Carpark Floor Plans Levels 3 & 4 (Sheet 2 of 2)	16.12.16
ANT-30813-PL-116 B	Decked Car Parking Elevations	16.12.16
ANT-30813-PL-117 B	Truck Drivers Toilet Plan and Elevations	16.12.16
ANT-30813-PL-118 B	Exit Gatehouse Plans and Elevations	16.12.16
ANT-30813-PL-119 D	Illustrative Coloured Site Layout	11.03.16
ANT-30813-PL-120 C	Illustrative Coloured Elevation	11.03.16
ANT-30813-PL-121 B	Entrance Gatehouse Plan and Elevations	16.12.16
ITB10336-GA-004 A	Proposed Roundabout South West Corner of Site Along A126 Dock Road	16.12.16
2381-SK-2 B	Landscape Proposals	11.03.16
2381-SK-3	Tree Planting in Hard Surfaces	11.03.16
2381-SK-4	Typical Tree Pit Details	11.03.16

The application is also accompanied by:

- Design and Access Statement;
- Energy Statement;
- Environmental Statement Addendum with Technical Appendices comprising the following chapter headings –;
 - Introduction
 - Description of site and surroundings
 - Description of the proposals
 - Planning policy context
 - Alternatives
 - Landscape and visual impact
 - Ecology
 - Cultural heritage and archaeology
 - Transportation
 - Socio-economic considerations
 - Hydrogeology and ground conditions
 - Water resources
 - Noise and vibration
 - Air quality (with additional technical note)
 - Natural resources and waste
 - Inter-relationships between topics
 - Inter-relationships with other developments
- Environmental Statement Non-Technical Summary;
- Lighting Strategy;
- Planning Statement;
- Transport Statement (with Additional Network Assessments / Addendum); and
- Travel Plan.

Applicant:

London Distribution Park LLP

Validated:

17 December 2015

Date of expiry:

30 June 2016

(Article 34 extension of time agreed)

Recommendation: Grant planning permission subject to the completion of a s106 legal agreement and planning conditions

1.0 BACKGROUND

1.1 A report for this planning application appeared on the agenda for the Planning Committee meeting on 7th April 2016. However, prior to the meeting Officers received a formal request from the applicant for consideration of the application to be deferred. The reason given by the applicant was to allow for further discussions

regarding the recommended planning conditions, particularly condition nos. 16 (freight quality management plan), 17 (operational performance plan), 22 (construction working hours), 30 (mezzanine floors), 31 (low emissions strategy), 35 (secondary access) and 37 (staff change-over periods). Since the deferral of the application from the April Committee, meetings have been held between Officers and the applicant and between the applicant and Highways England (HE).

1.2 A copy of the report which appeared on the agenda for the Planning Committee meeting of 7th April 2016 is attached at Appendix 1. The application remains recommended for approval as detailed in the appended report, subject to the revised planning conditions and s.106 obligations set out within this update report.

1.3 **UPDATED PLANNING CONDITONS**

1.4 Condition 16 – Freight Quality Management Plan (FQMP):

As worded within the report to the 7th April 2016 Planning Committee, this condition required the development to be operated in accordance with a FQMP submitted and approved pursuant to the previous outline planning permission (as amended). The approved FQMP was a generic document reflecting the fact that, at the time of its submission, there was no known occupier of the site. As a known occupier of the development is now available, the applicant has submitted a ‘framework’ FQMP which is specific to the intended occupier. The wording of the planning condition can therefore be amended to reflect the fact that that a bespoke framework FQMP has now been submitted for the intended occupier. Therefore, it is recommended that condition no. 16 on the attached report should now read:

“Prior to first occupation or operation of the development, a Freight Quality Management Plan (FQMP) shall be submitted to and approved in writing by the local planning authority. The submitted FQMP shall be based on the principles of the ‘Freight Quality Management Plan Framework’ (ref. PH/RH/ITB10336-008 TN) dated 22nd April 2016. The development, following first occupation or operation, shall be operated in accordance with the approved FQMP, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the strategic road network can continue to operate as part of the national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980, and to satisfy the reasonable requirements of safety of traffic on the strategic road network in accordance with Policies PMD9 and PMD11 of the Thurrock Core Strategy and Policies for the Management of Development DPD (2011).”

1.5 Condition 17 – Operational Performance Plan (OPP):

This planning condition was required by the HE when they responded to the original outline planning application for development on the site in 2010 (planning

application ref. 10/50157/TTGOUT). Details to comply with the requirements of the planning condition were submitted to the Council and subsequently approved via application ref. 15/00385/CONDC. For the purposes of consistency, the condition was re-attached in the appended report. However, in the consultation response from HE to the current application a requirement for an OPP is not sought. Proposed condition no. 37 (staff change-over periods) supersedes the necessity of an OPP and the applicant considers that, in these circumstances, condition no. 17 is no longer required. HE has now confirmed that an OPP is unnecessary as the performance of the strategic road network will be managed via planning conditions and s.106 obligations. It is recommended therefore that condition no. 17 on the attached report is deleted.

1.6 Condition 22 – Construction working hours:

As worded within the report to the 7th April 2016 Planning Committee, this condition only permits construction works within specified days / hours unless in association with an emergency and with the prior written approval of the local planning authority. The reasons for this condition are robust, however there could be occasions when non-noisy construction activities (such as internal fit-out) may be required outside of the specified days / hours. An amendment to the wording of the condition is considered reasonable to allow for 'out of hours' construction activities when associated with an emergency and / or with prior written consent. Therefore, it is recommended that condition no. 22 on the attached report should now read:

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

*Monday to Friday 0800-1800 hours
Saturday 0800-1300 hours*

Unless in association with an emergency and / or with the prior written approval of the local planning authority. If impact driven piling is required, the method of piling should be previously agreed in writing by the local planning authority and piling operations shall only take place between 0900-1800 hours on weekdays.

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

1.7 Condition 30 – Mezzanine floors:

For the avoidance of doubt an amendment is suggested to the wording of this condition to make clear that the need for future planning permission for mezzanine floors excludes any such floors shown on the approved plans. Therefore, it is

recommended that condition no. 30 on the attached report should now read:

“Notwithstanding the provisions of Part 7, Class H of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification)) no enlargement by way of extension of floorspace, including the installation of a mezzanine floor in addition to those shown on the approved drawings, shall be formed in the building(s) hereby permitted without express planning permission first being obtained. For the purposes of this condition mezzanine floors shall be treated as new floorspace unless they are solely to provide for safe access to stacked or stored goods.

REASON: In order to accord with the terms of the submitted planning application and in the interests of highways safety and amenity.”

1.8 Condition 31 – Low Emission Strategy:

The applicant's suggestion for a Low Emissions Strategy was included as mitigation in the submitted air quality assessment, due to the prediction of significant impacts on annual mean NO₂ concentrations at dwellings adjacent to the A13 in North Stifford. However, new air quality monitoring data from the Council indicated that air quality in this area is not as poor as previously thought and an updated air quality assessment submitted by the applicant predicted a negligible impact in NO₂ concentrations. In light of the measures within the proposed Travel Plan to promote sustainable transport modes and the submission of a framework Freight Quality Management Plan (FQMP - referred to by condition no. 16 above), the applicant considers that a low emissions strategy is no longer necessary. The framework FQMP now cites the contribution to local air quality management as a benefit flowing from the objectives of the FQMP in optimising non-road based freight and encouraging optimum use of HGV capacity. It is considered that these FQMP objectives, alongside Travel Plan measures, would duplicate the objectives of a Low Emissions Strategy. Consequently a specific planning condition requiring such a strategy is unnecessary and it is recommended that condition no. 31 on the attached report is deleted.

1.9 Condition 35 – Secondary access:

As worded within the report to the 7th April 2016 Planning Committee this condition restricts use of the secondary access onto Dock Road as a through route by HGV's and OGV's from the 'wider development'. The 'main site' subject to the outline planning permission includes the Travis Perkins plot and casual user lorry park plot, which are now operational. These plots are located outside of the application site and, as worded, the condition could enable the Council to enforce against the applicant if the access is used by users of these other plots. The condition would therefore be likely to fail to pass the planning test of enforceability. Therefore, it is recommended that condition no. 35 on the attached report should now read:

“The access from Dock Road (A126) hereby approved shall not be used as a general HGV and OGV through-route from the planning application site and shall only open for that class of vehicle if the primary access to the ‘Asda’ roundabout junction onto the Strategic Road Network is severely adversely affected by a road incident or similar occurrence.

REASON: To prevent inappropriate HGV and OGV vehicle movement onto Dock Road (A126) in the interests of highways safety and efficiency in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).”

1.10 Condition 37 – Staff change-over periods:

This planning condition appeared on the appended report at the recommendation of HE. The reason for the planning condition is to ensure that the staff shift change-over period does not occur during peak hours. As worded within the appended report, the condition defines a wide time-window (between 07.30 hours and 18.00 hours) when no change-over can occur. Following further discussions between the applicant and HE, and the submission of further traffic modelling from the applicant, HE has recommended revisions to the wording of the original condition. These revisions would refine the time-window within which the shift change-over can occur, unless the number of vehicle movements (excluding HGVs) is below specified triggers. Therefore, it is recommended that condition no. 37 on the attached report should now read:

“No warehouse staff shift pattern shall commence or finish between 08.01- 09.29 hours and 16.01-17.59 hours on weekdays (excluding Bank Holidays), unless the number of vehicles (excluding HGV’s) entering and exiting the application site does not exceed:

- *90 vehicles in any continuous 60-minute period between 08.01 and 09.29 hours; and*
- *129 vehicles in any continuous 60-minute period between 16.01 and 17.59 hours.*

Unless otherwise agreed in writing with the local planning authority in consultation with Highways England.

REASON: To ensure traffic flows during weekday peak periods do not exceed those already assessed and consented by planning permission reference 10/50157/TTGOUT and thus to ensure the A1089 trunk road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of safety and traffic on the strategic road network.”

1.11 **UPDATED S.106 OBLIGATIONS**

The recommended heads of terms for a s.106 legal agreement are set out at Recommendation A of the appended report. Part (vii) of Recommendation A refers to Travel Plan measures and includes, at the second bullet point, an obligation on the owner to provide dedicated bus services for employees. Following receipt of an updated response from HE it is recommended that the following additional wording is added to the second bullet point:

“The initial routes of the bus services are to be agreed with Highways England and the local planning authority and then reviewed via the Tilbury Travel Plan Steering Group. Should additional services or increased frequencies be required to meet the targets identified in the Travel Plan then these would be agreed by the Tilbury Travel Plan Steering Group and funded by the occupier.”

- 1.12 At the last bullet point of Recommendation A (vii) there is an obligation on the owner to provide a Travel Plan Bond of £108,000. This Bond is to be used to investigate and implement additional travel planning measures in circumstances where car parking numbers in the decked car park exceed 1,140 (in addition to the 196 surface level car parking spaces). HE has provided further comments regarding the wording of this obligation and it is recommended that the final bullet point of Recommendation A (vii) of the appended report is revised to read:

“prior to first occupation or operational use to provide a Travel Plan Bond of £216,000 held in an Escrow account paid through the s.106 agreement. In order for the development to meet the travel plan targets, the multi storey car park facility should not record parking levels in excess of 1,080 vehicles (in addition to the 196 surface car parking spaces). Should monitoring in the form of Automatic Number Plate Recognition record vehicles in excess of 1,080 in an inter shift period (08:01 – 09:29 hours and 16.01 – 17.59 hours) in the multi storey car park, then additional measures targeted at those driving to the site are to be investigated and implemented. Any measures are to be agreed by the Tilbury Travel Plan Steering Group.”

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Reference: 15/01483/FUL	Site: Land east of St. Andrew's Road, north of Gaylor Road and west of Dock Road, Tilbury.
Ward: Tilbury St. Chads	Proposal: Full planning application for development of southern part of London Distribution Park (approved under outline planning permission 14/00487/CV) for new sortation and fulfilment centre comprising warehouse and distribution building (B8) with ancillary offices and yard areas, security and amenity buildings, staff car parking, circulation routes and landscaping, with access from existing roundabout on A1089 and formation of new access from Dock Road.

Plan Number(s):		
<u>Reference</u>	<u>Name</u>	<u>Received</u>
ANT-30813-PL-100 C	Site Location	16.12.15
ANT-30813-PL-101 D	Site Layout	11.03.16
ANT-30813-PL-102 B	Warehouse Level 1	16.12.15
ANT-30813-PL-103 B	Warehouse Level 2	16.12.15
ANT-30813-PL-104 B	Warehouse Level 3	16.12.15
ANT-30813-PL-105 B	Warehouse Level 4	16.12.15
ANT-30813-PL-106 B	Warehouse Level 5	16.12.15
ANT-30813-PL-107 B	Warehouse Level 6	16.12.15
ANT-30813-PL-109 B	Office Level 1 Pod Levels 1, 2 & 3	16.12.15
ANT-30813-PL-110 B	Office Level 3	16.12.15
ANT-30813-PL-111 B	Indicative Sections	16.12.15
ANT-30813-PL-112 C	Elevations	11.03.16
ANT-30813-PL-113 C	Elevations Office and Office Pod	11.03.16
ANT-30813-PL-114 B	Decked Carpark Floor Plans Levels 1 & 2 (Sheet 1 of 2)	16.12.16
ANT-30813-PL-115 B	Decked Carpark Floor Plans Levels 3 & 4 (Sheet 2 of 2)	16.12.16
ANT-30813-PL-116 B	Decked Car Parking Elevations	16.12.16
ANT-30813-PL-117 B	Truck Drivers Toilet Plan and Elevations	16.12.16
ANT-30813-PL-118 B	Exit Gatehouse Plans and Elevations	16.12.16
ANT-30813-PL-119 D	Illustrative Coloured Site Layout	11.03.16
ANT-30813-PL-120 C	Illustrative Coloured Elevation	11.03.16
ANT-30813-PL-121 B	Entrance Gatehouse Plan and Elevations	16.12.16
ITB10336-GA-004 A	Proposed Roundabout South West Corner of Site Along A126 Dock Road	16.12.16
2381-SK-2 B	Landscape Proposals	11.03.16
2381-SK-3	Tree Planting in Hard Surfaces	11.03.16
2381-SK-4	Typical Tree Pit Details	11.03.16

The application is also accompanied by:

- Design and Access Statement;
- Energy Statement;
- Environmental Statement Addendum with Technical Appendices comprising the following chapter headings –;
 - Introduction
 - Description of site and surroundings
 - Description of the proposals
 - Planning policy context
 - Alternatives
 - Landscape and visual impact
 - Ecology
 - Cultural heritage and archaeology
 - Transportation
 - Socio-economic considerations
 - Hydrogeology and ground conditions
 - Water resources
 - Noise and vibration
 - Air quality (with additional technical note)
 - Natural resources and waste
 - Inter-relationships between topics
 - Inter-relationships with other developments
- Environmental Statement Non-Technical Summary;
- Lighting Strategy;
- Planning Statement;
- Transport Statement (with Additional Network Assessments / Addendum); and
- Travel Plan.

Applicant:

London Distribution Park LLP

Validated:

17 December 2015

Date of expiry:

7 April 2016

Recommendation: Grant planning permission subject to the completion of a s106 legal agreement and planning conditions

1.0 DESCRIPTION OF PROPOSAL

- 1.1 In summary, the application seeks full planning permission for a Class B8 warehousing building with ancillary offices, staff amenity facilities, gatehouses, HGV parking and loading / unloading areas, staff car parking and the formation of a new roundabout junction onto Dock Road. The key characteristics of the proposals are set out in the table below:

Site Area	18.6 hectares
Floorspace	Class B8 (storage & distribution) – 193,622 sq.m. Class B1(a) (offices) – 11,150 sq.m. Security gatehouses / truck driver facilities – 48 sq.m. TOTAL – 204,820 sq.m.
Parking	HGV Parking: 94 no. HGV parking spaces 73 no. additional HGV parking spaces 15 no. HGV waiting spaces TOTAL: 182 HGV parking / waiting spaces
	Car Parking: 196 no. surface level spaces (including 46 no. spaces for disabled users) 1,702 no. spaces within decked parking area TOTAL: 1,898 car parking spaces
	Motorcycle Parking: 52 no. spaces
	Cycle Parking: 100 no. spaces
Building Height	'Main' warehouse: 21.85m AOD 2 x circulation cores to northern elevation: 23.3m AOD Offices: 13.6m AOD Plant on office roof: 15.7m AOD Decked car park: 10.6m AOD
Employment	2 x shifts per day with a maximum of 1,670 employees per shift Office / management / security: approximately 170 jobs TOTAL: 3,510 jobs
Operating Hours	24 hours a day / 7 days a week

1.2 Background:

The planning history set out in the table below refers to the extant outline planning permission for commercial development, comprising predominantly Class B8 (storage and distribution) use, on this site. The outline permission (as subsequently amended) establishes a number of parameters to inform the development of the site, notably limitations restricting total floorspace and maximum building heights. As the current proposals are beyond the ambit of the parameters established by the outline planning permission, the submission comprises a detailed planning application separate from the outline consent.

1.3 Proposed Buildings / Uses

Permission is sought for a total floorspace of 204,820 sq.m., principally accommodated within a single warehouse / office building, with smaller freestanding gatehouses and HGV driver's facilities. The proposed warehouse / office building would be a broadly rectangular-shaped structure measuring 371m (east-west) and 184m (maximum) (north-south).

- 1.4 The main warehousing / fulfilment / sortation process area (Use Class B8) would occupy the majority of proposed floorspace within a rectangular-shaped 'box' measuring 371m x 137m. Floorspace within the main Class B8 'box' would be arranged over five main floors as detailed in the table below:

<u>Level</u>	<u>Use</u>	<u>Floorspace</u>
1 (ground floor)	Process area / mechanical sorters / very narrow aisle (VNA) racking area / metal shop / wood shop / general work area / parts storage / IT cage and battery charging area.	50,413 sq.m.
2	Process platform (mezzanine floor)	2,263 sq.m.
3	Warehouse / process mezzanine	47,366 sq.m.
4	Warehouse	46,745 sq.m.
5	Warehouse	46,745 sq.m.
6	Stairwells	90 sq.m.
	TOTAL Use Class B8	193,622 sq.m.

- 1.5 The submitted floorplans suggest that the sorting and processing of goods would take place at levels 1, 2 and 3 of the building, with storage of goods occurring at levels 3, 4, 5 and 6. The eastern part of the warehouse would be occupied by a racking system, with associated lifts for the movement of goods.
- 1.6 Attached to the southern side of the warehouse would be a proposed two-storey 'office' structure. At ground floor level (Level 1) this element of the building would comprise:

- entrance hall
- security area;
- locker rooms;
- changing rooms;
- toilets;
- training rooms
- offices;
- conference rooms;
- interview rooms;
- smokers areas; and
- breakout area.

This accommodation at Level 1 would total 4,730 sq.m. floorspace.

- 1.7 A small amount of office accommodation (229 sq.m.) would be provided at Level 2. More substantial accommodation is proposed at Level 3 comprising:

- entrance hall
- security area;
- locker rooms;
- changing rooms;
- toilets;
- breakout areas;
- rest areas; and
- staff canteen (food preparation and server areas).

Accommodation at Level 3 would total 5,180 sq.m., providing a total of office and ancillary floorspace on Levels 1, 2 and 3 of 10,139 sq.m.

- 1.8 Approximately half-way along the northern elevation of the warehouse would be a proposed office 'pod' projecting from the façade of the warehouse building. This pod would provide three levels of accommodation totalling 1,011 sq.m. of floorspace. Separate from the warehouse / office building the proposals include two small gatehouses located at the entrance and exit points for HGV's to the service area on the northern side of the warehouse / office building. A small building housing a HGV driver's toilet would be sited close to the HGV entrance gatehouse.
- 1.9 The total gross internal area of the all buildings proposed is set out in the table below:

Warehouse	Level 1	50,413 sq.m.
	Level 2	2,263 sq.m.

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	Level 3	47,366 sq.m.
	Level 4	46,745 sq.m.
	Level 5	46,745 sq.m.
	Level 6	90 sq.m.
	TOTAL	193,622 sq.m.
Offices	Level 1	4,730 sq.m.
	Level 2	229 sq.m.
	Level 3	5,180 sq.m.
	Office Pod Level 1	349 sq.m.
	Office Pod Level 2	434 sq.m.
	Office Pod Level 3	228 sq.m.
	TOTAL	11,150 sq.m.
Gatehouses etc.	Entry / Exist Gatehouses	27 sq.m.
	HGV Driver's WC	21 sq.m.
	TOTAL	48 sq.m.
	GRAND TOTAL	204,820 sq.m.

1.10 The proposed site layout drawing indicates a number of ancillary structures associated with the proposed sortation and fulfilment centre. To the east of the decked car park an electricity 'HV Substation' is indicated, measuring approximately 47m x 21m in plan. To the north-east of the proposed warehouse / office building two fire-water sprinkler tanks, each with a diameter of some 8m, together with an associated pump house are indicated. Finally, at the north-eastern corner of the application site a driver's amenity building and gatehouse are indicated at the entrance to the 'additional HGV parking' area. No drawings showing the elevational treatment of these buildings and structures have been submitted.

1.11 Operator / Occupier

The applicant in this case is London Distribution Park (LDP) LLP, which is a partnership between Roxhill (an industrial and distribution developer) and the Port of Tilbury London. However, the detailed planning application which has been submitted has been designed to meet the requirements of a specific operator / occupier. The ES accompanying the application, in describing the proposals, notes that the development "*comprises a warehouse and distribution building in use class B8, containing a complex sortation and fulfilment operation (sometimes known as a Fulfilment Centre), for the transshipment of goods for a retail company.*" Members of the Committee will be aware that 'traditional' planning applications for speculative Class B8 development generally involve buildings comprising an ancillary office element, with a single storey warehouse space enabling an individual occupier to install a racking system as required. In the current case, the proposed arrangement of several floors of warehousing and process operations within the

buildings reflects the specific operational needs of the intended occupier. Similarly, the quantum of floorspace proposed and building / ceiling heights have been designed with a specific occupier in mind.

1.11 Layout of the Site

As noted in the 'Site Description' section of this report below, the 'main' LDP site is located east of the A1089(T) / Dock Road and north of Gaylor Road / Leicester Road. The north-western part of the 'main' site has recently been developed, via the outline planning permission (as amended) with a Class B8 use warehouse and haulier parking area. The current application site comprises the remaining land within the 'main' site, together with an area of highway land at Dock Road.

- 1.12 The proposed warehouse / office building would be positioned to the south-east of the Asda roundabout junction and oriented in an east-west alignment. All of the proposed dock levellers would be positioned on the northern elevation of the building, with the service yard and associated HGV parking bays to the northern side of the warehouse. The HGV gatehouse and HGV waiting area would be sited immediately to the east of the warehouse. An additional HGV parking area would be positioned in the north-eastern corner of the 'main site'.

- 1.13 A surface car parking area, including space for disabled users, is proposed adjacent to the offices on the southern façade of the building and close to the main entrance to the warehouse / office. Parking for motorcycles and cycles would also be in this location, along with bus stops. The layout of the site has been arranged to separate HGV traffic from car / bus / motorcycle / cycle traffic.

1.14 Access

As noted in the 'Site Description' section below, the outline planning permission for Class B1 / B2 / B8 development included provision of a new arm to access the 'main' site from the Asda roundabout. This arm has been constructed and is used to access the Travis Perkins warehouse and the haulier park which are both operational. This existing access from the Asda roundabout junction would be used by HGV's only to access and egress the service area (on the northern side of the warehouse), the HGV waiting area (on the eastern side of the warehouse) and the additional HGV parking area (in the north-eastern corner of the 'main' site).

- 1.15 Access and egress to / from the site for cars, buses, motorcycles and cycles is proposed via a new roundabout junction on Dock Road. The outline planning permission proposed an access, in the form of a priority 'T' junction, to serve the 'island' site (located between Dock Road and A1089(T)). This access has been formed, although the 'island' site remains undeveloped and no built development is currently proposed on land within the 'island' site. The submitted proposals would replace this existing 'T' junction with a new 4-arm roundabout junction to serve both the 'island' site and the 'main' site from Dock Road. Localised widening of Dock

Road is also proposed to accommodate the new junction and to provide a left-in only access into the site from Dock Road (southbound).

1.16 Vehicle Parking

Parking areas for HGV's would be located to the north of the warehouse and within an 'additional HGV parking' area at the north-eastern corner of the site. A total of 167 parking spaces for HGV's are provided within these two areas. Waiting spaces for a further 15 HGV's are proposed to the east of the warehouse, to enable HGV's to queue before entering the service area for loading and unloading. As noted above, the site layout drawing suggest that all of these HGV parking and waiting areas would be accessed via the Asda roundabout junction.

1.17 Design / Appearance

All elevations of the proposed warehouse building would comprise precast concrete panels to the ground floor. Above ground floor level, the external walls would comprise flat composite cladding panels in three colours (silver metallic, grey aluminium and dark metallic grey). Blocks of these varying shades would be randomly distributed across the elevations. Four continuous bands of windows would run across the elevations to provide natural lighting to levels within the warehouse. A vertical strip of blue coloured cladding would be used to articulate the elevations. Vertical stair and lift circulation cores on the northern and southern elevations would be clad in a single tone of grey cladding. External staircases to all elevations would be enclosed in a galvanised steel mesh. The top section of all warehouse elevations would include a narrow strip of melon yellow coloured cladding. External elevations of the proposed decked car park would comprise precast concrete panels at the base with randomly distributed grey cladding (in three shades) above. Proposed office elevations would incorporate full height glazing and three shades of grey coloured cladding (similar to the warehouse and decked car park).

1.18 Car Parking

Car parking would generally be located on the southern side of the warehouse / office building. To the south-west of the building and adjacent to the offices would be a surface car park comprising 196 no. car parking spaces, including 46 no. spaces for disabled users. A bus stop and associated layby for buses would be positioned adjacent to the surface car park. Buses would use separate points of access from cars onto the internal access road linking to Dock Road. Adjacent to the south-east of the warehouse / office building would be a multi-storey decked car park providing 1,702 car parking spaces across seven levels (level 1 upper & lower, level 2 upper & lower, level 3 upper & lower and level 4). The decked car park would be served by a separate entrance exit onto the internal estate road.

1.19 Employment / Operating Hours

The intended occupier of the proposed sortation and fulfilment centre would operate the use on a 24 hours a day, 7 days a week basis. The majority of employees engaged within the warehousing activities would operate within two staggered shift patterns across a 24 hour working day. There would be a maximum of 1,670 warehouse employees per shift, with a smaller number of other staff working more conventional office hours. Details of the shift pattern for warehouse employees are provided in the table below:

	Morning Shift		Evening Shift	
	Stagger 1 07.30- 18.00hrs	Stagger 2 08.00- 18.30hrs	Stagger 1 18.45- 05.15hrs	Stagger 2 19.15- 05.45hrs
Warehouse employees	570	1,100	570	1,100

- 1.20 From the above table it will be noted that warehouse staff will generally work a 10.5 hour working day, although the submitted Transport Assessment states that during peak seasonal periods the working day could be extended to 11.5 hours. It will also be noted that 1,670 warehouse employees will be on-site across the majority of the morning and evening shifts (i.e. between 08.00-18.00hrs and between 19.15-05.15hrs). In addition to warehouse employees, the intended operator would employ approximately 170 office, management and security staff. Office based employees would generally work 'normal' office hours, with the working hours of security staff to be determined. The accompanying ES provides the following break-down of occupation categories from the intended occupier:

Occupation Category	% of Employees
Managers	6.8%
Professionals	4.5%
Technical	0.7%
Administration	0.6%
Skilled Trade	0.1%
Caretakers	0.9%
Drivers	0.1%
Elementary occupations	86.3%
	100%

1.21 Relationship to Port of Tilbury

The outline planning application (10/50157/TTGOUT) for development on the 'main' site was submitted by the Port of Tilbury London Ltd. and was described by the applicant as an extension of the Port onto Green Belt land adjacent to the Port complex. A 'Port Operational Statement' submitted with the outline planning application in 2010 considered that the Port was operating at full capacity and that

further land was needed if the Port was to fulfil its potential. In justifying the removal of the 'main' site from the Green Belt the applicant then considered that, inter-alia:

- the Port makes a crucial contribution to the regional and local economy;
- the planning and economic context establishes a need for considerable employment growth;
- the Port can play a significant part in contributing towards job growth;
- forecast increases in Port throughput will allow employment growth of up to some 1,500 jobs;
- the Port is operating at capacity, increases in throughput will not be achieved unless more land is available and there is potential for a decline in employment due to increasing productivity;
- the site meets the locational criteria to allow for expansion.

1.22 In support of the current application the Port has provided a statement which notes:

- the proposals represent a significant opportunity for new jobs in the Borough;
- the potential occupier has the potential to take advantage of the multi-modal facilities provide by the Port;
- as an importer of goods, the potential occupier can potentially utilise the container terminal, the roll-on roll-off facility and the railway sidings located at the Port;
- consequently there is potential for the Port to meet the supply chain requirements of the intended occupier.

1.23 With regard to the potential links between the proposed sortation and fulfilment centre and the Port, the submitted Transport Assessment states that:

"... the close proximity of the existing Port would mean that some goods arriving at the Port would be destined for the Fulfilment Centre. These goods are currently transported to existing distribution centres. Therefore, some of these vehicles are already present on the road network adjoining the site. However, to ensure a robust assessment, no reduction in movements between the Port and the proposed development site has been allowed for, to reflect the movements originating in the Port which would transfer to the proposed development site".

2.0 SITE DESCRIPTION

2.1 The outline planning approval for Class B1, B2 and B8 development on land formerly comprising part of Tilbury Marshes (10/50157/TTGOUT) comprised a 'main' and an 'island' site. The 'main site' comprised an area of approximately 26.1

hectares located to the east of the A1089(T) Dock Approach Road / Dock Road and north of Gaylor Road / Leicester. The 'main site' until recently comprised a rectangular area of generally level and low-lying rough grassland and scrub vegetation which was formerly used for the grazing of horses and as a karting track, with single storey ancillary buildings. The site used to be located within the Tilbury flood storage area (Flood Zone 3b). However, following the grant of outline planning permission ground levels were raised and a new flood defence bund created along the northern and eastern site boundaries. The effect of these works was to remove the site from the functional floodplain and transfer the flood risk status of the site to Zone 3a.

- 2.2 Following the outline planning permission, an ecological clearance and translocation programme was completed and new structural landscaping introduced to the boundaries of the site. A new vehicular access to the 'main site' has been created via a new arm onto the 'Asda' roundabout on the A1089(T). In the north-western corner of the 'main site' a new warehouse building has been recently occupied by Travis Perkins. To the east of this building a hardsurfaced area of haulier parking, including an area for casual-use by lorry drivers, has been recently constructed.
- 2.3 The site for the current application largely comprises the remainder of the 'main site' but excluding the plot occupied by Travis Perkins and the casual-use lorry park. However, the site boundary has been drawn to include land within the highway at Dock Road and part of the 'Island Site' in order to accommodate a new roundabout junction. As noted below, the site has been subject to ecological clearance and engineering operations to create a developable platform.
- 2.4 Adjacent to the north of the 'main site' site is a continuation of the flat, low lying land forming Tilbury Marshes. Higher land forming the river terrace is located at Marshfoot Road, some 800m to the north of the 'main site'. Open land forming part of Tilbury Marshes also adjoins the site to the east. This land is used for horse grazing, playing fields and allotments. To the south of the site are two and three-storey dwellings at Gaylor Road and Leicester Road, with the main built-up area of Tilbury located further to the south. The A1089 (T), Dock Road and the 'Asda' roundabout junction form the western boundary of the site. A new arm constructed on the 'Asda' roundabout forms the point of access for the main site. Land at Little Thurrock Marshes adjoins the 'main site' to the north-west, with residential properties at the Thurrock Park estate beyond.

3.0 RELEVANT HISTORY

<u>Reference</u>	<u>Description</u>	<u>Decision</u>
10/50157/TTGOUT	Development of land comprising formation of new accesses to the A1089(T) and Dock Road, creation of internal estate roads,	Approved

Planning Committee 7 April 2016	Application Reference: 15/01483/FUL
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	erection of buildings for storage and distribution (B8), general industry (B2) and offices (B1), provision of lorry parking, associated earthworks, car parking, public amenity areas, open space and landscaping.	
13/00405/CV	Application under Section 73 for a Minor Material Amendment in respect of conditions 6 and 16 of planning permission reference 10/50157/TTGOUT.	Approved
13/00433/REM	Reserved matters application pursuant to outline permission 10/50157/TTGOUT for formation of flood bund, preliminary earthworks and landscaping	Approved
14/00486/FUL	Development of land within area of outline planning permission 13/00405/CV comprising creation of internal estate road, erection of a building for storage and distribution (B8) with ancillary offices; areas of external storage; HGV parking and yard areas, and staff car parking.	Approved
14/00487/CV	Application for the variation of conditions 5 (building heights) and 6 (arrangement of land uses) following grant of planning permission reference 13/00405/CV (Development of land comprising the formation of new accesses to the A1089(T) and Dock Road, creation of internal estate roads. Erection of buildings for storage and distribution (B8), general industry (B2) and offices (B1), provision of lorry parking, associated earthworks, car parking, public amenity areas and landscaping).	Approved
14/01177/REM	Application for approval of reserved matters following outline approval. Provision of haulier parking, including casual haulier parking area, amenity block and gatehouse.	Approved

- 3.1 Outline planning permission, with all matters reserved apart from access, was originally granted by the former Thurrock Development Corporation in March 2012 (ref. 10/50157/TTGOUT). This permission followed referral of the application to the Secretary of State and was subject to a s.106 legal agreement and planning conditions. This outline permission reserved all matters for future approval apart from access and a single point of access for the main site (east of the A1089) was detailed via a new arm on the Asda roundabout. Planning conditions also set development parameters for the site, including the arrangement of land uses, maximum building heights and maximum floorspace. A number of applications

have been submitted to discharge the details reserved by planning conditions attached to the outline permission. In 2013 an application (ref. 13/00405/CV) was submitted and approved for a minor material amendment, under s.73 of the Town and Country Planning Act 1990, for the re-alignment of the main site access road with a consequential minor alteration to the configuration of approved uses. A reserved matters application (ref. 13/00433/REM) has been approved for the details of the flood bund, preliminary earthworks and landscaping around the perimeter of the main site.

- 3.2 In September 2014 full planning permission was granted for the construction of a Class B8 warehouse and ancillary development on the north-western part of the site (ref. 14/00486/FUL. Construction works are now complete and the building is now occupied by Travis Perkins and used as a regional distribution hub. Also in September 2014 the Council approved a s.73 application for variation of planning conditions relating to approved building heights and the arrangement of approved land uses (ref. 14/00487/CV). The effect of this permission was to increase maximum building heights on part of the site from 15m to 18m and to introduce built floorspace on part of the site previously allocated to haulier parking (although not resulting in any increase in approved floorspace).
- 3.3 Most recently in October 2014 reserved matters were approved for a haulier parking area, including a lorry parking area for casual users, located on the northern part of the site (ref. 14/01177/REM).

4.0 CONSULTATIONS AND REPRESENTATIONS

- 4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council's web-site at:
www.thurrock.gov.uk/planning/15/01483/FUL.

4.2 PUBLICITY:

The application has been publicised by the display of site notices, a newspaper advertisement and consultation with neighbouring properties. The proposals have been advertised as a major development accompanied by an Environmental Statement.

- 4.3 Neighbour consultation letters have been sent to 425 surrounding properties. Two letters of objection has been received raising the following concerns:

- noise and disturbance from construction activities;
- disturbance from operation of the existing Travis Perkins warehouse;
- disturbance from lighting at the site;
- potential for damage to property during construction;
- property devaluation;

- potential flood risk;
- loss of views;
- development is too close to housing; and
- traffic congestion.

4.4 The following consultation replies have been received:

4.5 ANGLIAN WATER:

Assets – request that the decision notice includes an informative drawing attention to assets close to or crossing the site.

Wastewater Treatment – Tilbury Water Recycling Centre has capacity for wastewater from the proposed development.

Foul Sewerage Network – a planning condition is requested to require a foul water drainage strategy.

Surface Water Disposal – a planning condition is requested to require a surface water management strategy.

4.6 CABE / DESIGN COUNCIL:

The proposals were subject to a post-submission design review conducted in February 2016. The formal response following this review raises the following key points –

- some aspects of the design work well, but more should be done to provide a high quality environment for workers;
- site layout, building mass and height seem appropriate in the context of Tilbury Port and the local area;
- the pedestrian experience associated with the car park and southern landscape area needs to be developed;
- breaking-up the strong vertical facades to mitigate the building's impact works well, although a simpler design of the main warehouse is encouraged with a more creative office element;
- a more human scale, a sense of identity and marking of the entrance to the office element of the building are encouraged;
- finishing materials and colours which minimise visual impact are encouraged;
- pedestrian routes and connections to the south should be strengthened;
- views out of the building from the office / amenity areas should be considered;

- the surface car park / pedestrian access area should create a better sense of arrival with additional soft landscaping;
- the introduction of charging points for electric vehicles within the car parking area is encouraged;
- the proposed energy strategy seems appropriate.

4.7 ENVIRONMENT AGENCY:

No objection.

The Agency notes that, via the previous provision of a flood embankment, the site is now within Flood Zone 3a and not 3b. Request that any planning permission is subject to a condition requiring compliance with measures with the Flood Risk Assessment.

4.8 ESSEX COUNTY COUNCIL – ARCHAEOLOGY:

No archaeological deposits will be further impacted by the proposed development and no archaeological conditions are recommended.

4.9 ESSEX FIRE & RESCUE:

No reply received.

4.10 ESSEX POLICE – ARCHITECTURAL LIAISON:

No reply received.

4.11 ESSEX & SUFFOLK WATER:

No objection.

Advise of the presence of water mains which may be affected by the proposals. The cost of any diversions will be recovered from the developer. Request an informative is attached to any decision notice regarding water supply.

4.12 HIGHWAYS ENGLAND:

Recommend that s.106 obligations and conditions should be attached to any grant of planning permission.

The applicant's transport Assessment suggests that the Asda roundabout junction will operate over-capacity during peak periods with the development. It is therefore necessary for this impact to be mitigated. A travel plan is required to incorporate mitigation measures including:

- provision of a travel plan co-ordinator
- provision of a free bus service for staff providing a minimum of 4 services per shift over 2 routes. Vehicles to have a minimum 49 seat capacity;
- establishment of a travel plan steering group;
- financial contribution of £105,000 towards pedestrian / cycle improvements locally;
- provision of a travel plan bond of £108,000 to be used for additional travel plan measures if specified parking levels are triggered.

Planning conditions are requested to address the issues of a construction management plan, staff change-over periods and improvements to the A1089 / A13 merge.

4.13 NATURAL ENGLAND:

Statutory nature conservation sites – no objection.

Protected Species – refer to standing advice previously issued by Natural England for the assistance of local planning authorities.

Invertebrates and habitat – refer to standard advice produced for use by local planning authorities in Essex.

Priority habitat – refer to guidance within the NPPF.

Green Infrastructure – encourage the incorporation of green infrastructure into the development.

Local Sites – if the development affects local sites there should be sufficient information to understand impacts.

Biodiversity enhancements – the local planning authority should consider measures to enhance the biodiversity of the site.

Landscape enhancements – the development may provide opportunities to enhance landscape character.

4.14 PORT OF TILBURY:

Fully supports the planning application. Draws attention to the job creation and economic investment the proposals could deliver. The port notes that the location of the site close to Tilbury Docks could take advantage of the multi-modal supply chains.

4.15 EMERGENCY PLANNING:

Request that a flood warning and evacuation plan is produced.

4.16 ENVIRONMENTAL HEALTH:

Contaminated land – no objection, subject to condition.

Construction – mitigation measures are required to control the impacts of construction on sensitive receptors. A planning condition attached to any grant of planning permission requiring a construction environmental management plan (CEMP) is requested.

Air Quality – an air quality technical note was submitted by the applicant following initial concerns regarding modelling. Receptors were re-modelled and are generally in-line with expectations, producing negligible results for all receptors. However, receptors at the Pilgrims Lane traveller site may be slightly under predicted due to topography. Nevertheless the overall impact will be no more than “slight adverse” for these receptors. A Low Emissions Strategy for the development is promoted by the ES and this should be required by planning condition.

Noise – during operation vibration will not be an issue and does not need to be considered further. Vibration during construction should be addressed via a CEMP planning condition. Operational noise impacts have been properly considered and, subject to proposed mitigation measures, operational noise impacts would be minimised as far as is reasonable. The provision of acoustic barriers, cladding of the proposed multi-storey car park and noise from mechanical plant should be addressed by planning conditions.

4.17 FLOOD RISK MANAGER:

No objection – subject any planning permission being subject to a condition addressing surface water drainage.

4.18 HEALTH & WELL-BEING ADVISORY GROUP:

No response received.

4.19 HIGHWAYS:

No objections, subject to s.106 obligations and planning conditions.

Summary – the proposals have the potential to result in the intensification of vehicle movements on Thurrock’s roads, as well as on the A1089(T), which is a Highways England asset, and the Asda roundabout junction. Following initial comments, a

Transport Assessment (TA) Addendum has been submitted which goes some way to reduce the impact of the proposals. However, changes to the applicant's draft s.106 heads of terms are required to ensure that mitigation is appropriate and the development does not significantly impact on the highway.

TA & Travel Plan – the applicant's addendum includes the following headlines:

- the proposed Travel Plan seeks to increase the modal shift to sustainable transport choices from 10% to 21%;
- dedicated bus facilities and services will provide 4 routes to locations in the Borough per shift;
- contributions towards walking and cycling facilities in the area;
- interest free train season ticket loans (Green Travel Loans);
- provision of car share preferred spaces within car parking provision;
- contributions towards operational costs of the Tilbury / Gravesend ferry service;
- commitment to establish and operate a Tilbury Travel Plan Steering Group.

The proposed modal share of 21% is an improvement on previous assumptions. However, supporting information does not clarify the funding or longevity of proposed bus services. It is considered that bus services should be fully funded by the applicant for the lifetime of the development. Details of bus routing can form part of the Travel Plan. Any s.106 legal agreement should include obligations relating to the Tilbury Travel Plan Steering Group, preferential car share parking, Green Travel Loans and electric vehicle charging points.

With commitment to these measures, the proposals are considered acceptable in terms of Policy PMD10.

Road Network Hierarchy – the A1089(T) and the Asda roundabout junction are Highways England assets. However, Dock Road is a principal 'Thurrock' route. Policy PMD9 allows for new accesses on such routes where sites are allocated, as is the case. A planning condition is required to preclude HGV's from using the proposed Dock Road access. The proposed Travel Plan measures have the potential to reduce impact on this junction to an acceptable level.

Parking Standards – the proposed car parking provision of approximately 1,900 spaces is significantly higher than the Council's draft standards, which would require a maximum of 1,365 spaces. Proposed mitigation will result in a reduction in car trips, potentially negating the need for the level of parking proposed. However as the potential occupier has a high employee requirement a higher maximum parking provision could be agreed.

4.20 LANDSCAPE & ECOLOGY:

No objections – subject to condition.

A revised Landscape and Visual Impact Assessment (LVIA) has been submitted which confirms that although the proposed building is taller than the consented scheme, the overall impacts will not be significantly greater. The conclusions of the LVIA are considered appropriate. Although there is little scope for additional landscaping on site, it is considered possible to carry out additional planting south of the office block to help to reinforce the boundary planting and also to help enhance the environment for workers and visitors. Details of on-site landscape measures can be dealt with by condition.

The site has been cleared and the land raised during the past two years. It is agreed therefore that the development would not have any significant ecological effects and that the previously approved mitigation measures are sufficient.

4.21 REGENERATION:

No objections – the potential creation of new jobs is welcomed. Early conversations between the occupier, the Council and training providers are encouraged to discuss the nature of the roles to be created so that appropriate pathways/qualifications are put in place to ensure availability of suitably skilled/qualified local candidates when recruitment begins. Any planning permission should be subject to obligations / conditions requiring local recruitment, procurement and opportunities for apprenticeships.

4.22 TRAVEL PLAN CO-ORDINATOR:

No objection.

4.23 WASTE STRATEGY:

No response received.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework

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

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

1. Building a strong, competitive economy
4. Promoting sustainable transport
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment.

5.2 Planning Practice Guidance

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

- Air quality
- Climate change
- Design
- Determining a planning application
- Environmental Impact Assessment
- Flood Risk and Coastal Change
- Light pollution
- Natural Environment
- Noise
- Planning obligations
- Renewable and low carbon energy
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions

5.3 Local Planning Policy

Thurrock Local Development Framework (2011)

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The Adopted Interim Proposals Map shows the site as “Employment Broad Location – Urban Extension” where policies CSSP2 (Sustainable Employment Growth) and CSSP4 (Green Belt) apply. Policy CSSP2 states that the Council will promote and support economic development in the Key Strategic Economic Hubs that seeks to expand upon their existing core sectors and/or provide opportunities in the growth sectors. There is sufficient previously developed land in the Key Strategic Economic Hubs to accommodate the proposed jobs numbers with the exception of the Green Belt release north of Tilbury to provide expansion land for port related development. Policy CSSP4 states that the Council will support the principle of release of Green

Belt land (26Ha.) to the North of Tilbury for port-related employment use and a Strategic Lorry Park to facilitate expansion of Tilbury Port. The Council will require management arrangements to be put in place for the remainder of the Tilbury Marshes site that has important biodiversity interest and required mitigation measures to be implemented to replace lost habitat and flood storage areas. The final site boundaries will be included in the Adopted Sites Specific Allocations and Policies DPD and identified on the Proposals Map. The following Core Strategy policies also apply to the proposals:

SPATIAL POLICIES

- CSSP3: Sustainable Infrastructure
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock¹

THEMATIC POLICIES

- CSTP6: Strategic Employment Provision
- CSTP14: Transport in the Thurrock Urban Area: Purfleet to Tilbury³
- CSTP16: National and Regional Transport Networks³
- CSTP17: Strategic Freight Movement and Access to Ports
- CSTP18: Green Infrastructure
- CSTP19: Biodiversity
- CSTP22: Thurrock Design
- CSTP25: Addressing Climate Change²
- CSTP26: Renewable or Low-Carbon Energy Generation²
- CSTP27: Management and Reduction of Flood Risk²

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD3: Tall Buildings³
- PMD7: Biodiversity, Geological Conservation and Development²
- PMD8: Parking Standards³
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans²
- PMD11: Freight Movement
- PMD12: Sustainable Buildings²
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment²
- PMD16: Developer Contributions²

[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].

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

5.5 Draft Site Specific Allocations and Policies DPD

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 is allocated as ‘Land for Primary Industrial and Commercial Employment’ within both of these draft documents. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

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

The above report was considered at the February 2014 meeting of the Cabinet. The report 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. The Council is currently undertaking consultation on the Local Plan Issues and Options (Stage 1).

6.0 **ASSESSMENT**

6.1 Procedure:

The development proposal is considered to be a development requiring Environmental Impact Assessment (EIA), therefore the application has been accompanied by an Environmental Statement (ES). The ES considers the environmental effects of the proposed development during construction and operation and includes measures to prevent, reduce or offset any significant

adverse effects on the environment. The ES is accompanied by technical appendices. The contents of the ES comprise:

1. Introduction
2. Description of site and surroundings
3. Description of the proposals
4. Planning policy context
5. Alternatives
6. Landscape and visual impact
7. Ecology
8. Cultural heritage and archaeology
9. Transportation
10. Socio-economic considerations
11. Hydrogeology and ground conditions
12. Water resources
13. Noise and vibration
14. Air quality
15. Natural resources and waste
16. Inter-relationships between topics
17. Inter-relationships with other developments.

As the original outline planning application (ref. 10/50157/TTGOUT) was accompanied by an ES (which was updated for the submission of 13/00405/CV and 14/00486/CV) the ES accompanying the current application is essentially a further addendum to the original ES (accompanying 10/50157/TTGOUT).

- 6.2 The Council has a statutory duty to consider environmental matters and an EIA is an important procedure for ensuring that the likely effects of new development are fully understood and fully taken into account before development proceeds. EIA is, therefore, an integral component of the planning process for significant developments. EIA leads to improved decision making by providing the development management process with better information. EIA not only helps to determine whether development should be permitted but also facilitates the drafting of planning conditions and legal agreements in order to control development, avoid or mitigate adverse effects and enhance beneficial effects. Therefore, it is vital that the environmental issues raised by the application are assessed in a robust and transparent manner.
- 6.3 In order to fulfil the requirements of the EIA Regulations it is necessary to ensure (a) that the Council has taken into account the environmental information submitted, and (b) that any planning permission granted is consistent with the development which has been assessed. To achieve this second objective the Council has the ability to impose conditions and secure mitigation measures by Section 106 obligations.

- 6.4 If approved, the proposals would involve the construction of a significant amount of floorspace within a single building envelope. Due to the nature of the intended occupier, the proposals have the potential to deliver a significant number of new jobs over and above the employment generation which might normally be expected for a conventional warehouse operator. Nevertheless, the benefits of jobs creation will need to be balanced against the intensity use of the site and in particular the potential impacts of the proposals on the surrounding highway network. However, it is also relevant that the principal of employment generating development has already been established on the site via the grant of outline planning permission (as amended). The differences between the approved development parameters or baseline and the potential impacts of the development now proposed are also relevant.
- 6.5 The issues to be considered in this case are largely as set out in the submitted ES and comprise:
- I. plan designation and principle of development
 - II. landscape and visual impact
 - III. ecology
 - IV. cultural heritage and archaeology
 - V. transportation
 - VI. socio-economic considerations
 - VII. hydrogeology and ground conditions
 - VIII. water resources
 - IX. noise and vibration
 - X. air quality
 - XI. natural resources and waste
 - XII. impact on amenity
 - XIII. design issues
 - XIV. sustainability

these issues are considered below within the context of the approved development parameters.

6.6 I. PLAN DESIGNATION & PRINCIPLE OF DEVELOPMENT

The relevant development plan policies for this site are listed in the section of the report above. The adopted interim proposals map accompanying the LDF designates the application site as “Employment Broad Location – Urban Extension” where policies CSSP2 (Sustainable Employment Growth) and CSSP4 (Green Belt) apply. Policy CSSP2 states that the Council will promote and support economic development in the Key Strategic Economic Hubs that seeks to expand upon their existing core sectors and/or provide opportunities in the growth sectors. There is sufficient previously developed land in the Key Strategic Economic Hubs to accommodate the proposed jobs numbers with the exception of the Green Belt release north of Tilbury to provide expansion land for port related development.

Policy CSSP4 states that The Council will support the principle of release of Green Belt land (26 Ha.) to the north of Tilbury for port-related employment use and a Strategic Lorry Park to facilitate expansion of Tilbury Port. The Council will require management arrangements to be put in place for the remainder of the Tilbury Marshes site that has important biodiversity interest and required mitigation measures to be implemented to replace lost habitat and flood storage areas. The final site boundaries will be included in the Adopted Sites Specific Allocations and Policies DPD and identified on the Proposals Map.

- 6.7 Both consultations for the LDF Site Specific Allocations and Policies DPD, undertaken in 2012 and 2013, identified the application site as land for new industrial and commercial development. However, the Council ‘parked’ progression of this DPD in favour of the preparation of a new Local Plan. Planning permission has been granted for development on the site and commercial development, in the form of the Travis Perkins warehouse and lorry park has been constructed on-site. Consequently, the site does not function as part of the Green Belt despite the formal development plan allocation.
- 6.8 The principal aims of Policies CSSP2 and CSSP4 are to support employment growth in the Borough’s growth hubs, including the expanded Port of Tilbury. The current proposals fulfil the intentions of these policies by creating some 3,510 full time jobs on the ‘main’ site. In comparison with the Class B8 floorspace permitted on the ‘main’ site by the outline planning permission (75,278 sq.m.), the current proposals would result in significantly more jobs, thereby more effectively fulfilling the intention of Core Strategy policies. Based on an Employment Density Guide (2015) produced by the Home and Communities Agency, the approved Class B8 development on the ‘main’ site could be expected to generate between approximately 790 and 1,075 full-time equivalent jobs. As noted above, the intended occupier of the proposed warehouse would employ some 3,510 full-time equivalent jobs.
- 6.9 Under this heading it is concluded that the proposals are compliant with the employment generation objectives of Core Strategy policies and are also compliant with the economic role of sustainable development, as set out in the NPPF, in helping to build a strong, competitive economy.

6.10 II. LANDSCAPE & VISUAL IMPACT

The site was classified as located generally within the Tilbury Marshes landscape character area, as defined by the Thurrock Landscape Capacity Study 2005. The defining characteristics of this character area were defined by the Study as:

- low lying, level landscape;
- horizontal landform;
- large scale landscape;

- network of linear ditches;
- southern skyline of dock cranes, chimneys, pylons and power lines; and
- close proximity of residential areas.

Nevertheless, the site is also adjacent to the Tilbury and Docks Urban landscape character area, located immediate to the south.

- 6.11 In considering the landscape and visual impacts of the outline planning application, it was accepted that there would be a partial loss of the open landscape of this part of the Marshes with development on the 'main' site. In addition, as the site has been designated as suitable for commercial development through the Core Strategy allocation a degree of impact on landscape character has already been accepted. The ES accompanying the outline planning application considered that development of the 'main' site would result in an adverse landscape impact in the short to medium term. Therefore, mitigation was promoted by the outline application in the form of landscaping / open space to the 'main' site boundaries. The outline application ES considered that, with the establishment of landscaping mitigation, the long-term residual impact on landscape character was neutral / slightly beneficial.
- 6.12 Following the grant of outline planning permission in 2012, an application for the approval of reserved matters proposing formation of a flood bund, earthworks and landscaping to the 'main' site (13/00433/REM) was approved by the Council in August 2013. In summary, this reserved matters approval involves the creation of a soft landscaped buffer to all boundaries of the 'main' site with areas of habitat creation and a new linear park. The approved works have now been completed on-site. When considered in the context of the extant planning permission for commercial development on-site, the impact of the current proposals on the landscape is unchanged, that is, a neutral or slightly beneficial impact in the long term.
- 6.13 With reference to potential visual impact, the original ES accompanying the outline planning application considered the impact of development upon a range of visual receptors (residential areas, public rights of way, recreational areas and road / rail users) within a modelled zone of theoretical visibility. Residential areas and individual occupiers were assigned a high sensitivity to visual impact, with the other receptors listed above assigned medium or low sensitivities. The visual impact of development proposed by the outline planning application was modelled using computer generated images based upon representative viewpoints. These viewpoints were concentrated on long-distance views across the site from elevated vantage points at Chadwell St. Mary and West Tilbury, as well as short-distance views from the adjoining built-up areas of Tilbury to the south, east and west of the site.

- 6.14 Residential receptors to the south and east in Tilbury and to the north-west at Little Thurrock were assessed as having a high sensitivity to change. The predicted effects of development proposed by the outline planning application immediately post-construction and 10 years post-construction were modelled as “adverse” for receptors in Little Thurrock. To mitigate this impact, the outline application proposed indicative landscape proposals including perimeter planting to the western boundary of the ‘main’ site. As noted above, perimeter landscaping has now been planting around the ‘main’ site which will have the effect of filtering views towards the lorry parking and commercial units once established.
- 6.15 The ES accompanying the outline planning application also assessed the potential visual impact on residential receptors located at Gaylor Road, Leicester Road, Dunlop Road and Russell Road to the south of the ‘main’ site. The ES assessed the visual impact upon these receptors to be adverse immediately post-construction, though there was predicted to be a beneficial impact 10 years post-construction. This assessment was based upon a series of parameter plans submitted with the outline application, including drawings ‘fixing’ the arrangement of land uses and maximum building heights. The height parameters established by the outline planning permission, the amendments to those parameters approved by subsequent s.73 application (14/00487/CV) and the height parameters currently proposed are set out in the table below:

Application ref.	Minimum building height (‘Main’ site)	Maximum building height (‘Main’ site)
10/50157/TTGOUT	12.8m (13.9m AOD)	15.22m (16.32m AOD)
14/00487/CV	15m (16.1m AOD)	18m (19.1m AOD)
Current proposal		21.85m AOD (2 no. circulation cores located on the northern elevation @ 23.3m AOD)

- 6.16 The current approved maximum building height on the ‘main’ site is 19.1m AOD and the proposals would increase this maximum height by 2.75m to 21.85m AOD. For the purposes of assessment, the 2 no. small circulation cores located on the northern elevation of the proposed building with a maximum height of 23.3m AOD can be discounted.
- 6.17 The updated LVIA submitted with the current application assesses the visual impact of this increased height as seen from a number of viewpoints. These viewpoints are consistent with those assessed in 2010 as part of the outline planning application proposals and again in 2014 as part of the s.73 application. As seen from elevated, long distance vantage points to the north and north-east of the site the proposed increase in maximum building height would only result in a slight change in the significance of impact. Views towards the site from public footpaths on the river terrace to the north are approximately 1.2km away and given this

distance it is considered that the proposed increase in maximum building height would be almost imperceptible.

- 6.18 The closest visual residential receptors to the site are located to the south at Gaylor Road and Leicester Road. As noted above, a landscaped buffer has already been created to all boundaries of the 'main site, including a linear park / ecological mitigation area, approximately 38m in width along the site's southern boundary. As currently proposed, the decked car park building would be positioned approximately 53-54m from the site's southern boundary, 66-67m from the front walls of houses in Gaylor Road and 68-69m from the rear walls of houses in Leicester Road. The decked car park would also be a minimum of some 54-55m from the private rear garden areas of houses in Leicester Road. Compared to the development parameters established by the outline planning permission (14/00487/CV), the proposed decked car park would be, at a height of 10.6m AOD, lower than the approved development parameter and located further away from residential properties. For the purposes of comparison, on the south-eastern part of the 'main' site where the decked car park would be located, the extant development parameters permit a building height of 16.1m AOD located 39-40m from the site boundary.
- 6.19 With reference to the proposed offices located abutting the south-western corner of the warehouse building, the offices would be located 94m from the site boundary, 107m from the flank wall of no. 17 Gaylor Road and 119m from the rear wall of nos 38-44 Russell Road. As above, the approved development parameters (14/00487/CV) permit taller buildings in closer proximity to the site's southern boundary and residential receptors beyond. In relation to these adjoining residential receptors the approved parameters permit a building height of 16.1m AOD located some 39m from the site boundary.
- 6.20 Finally, the main warehouse building would be located some 130m from the site boundary and approximately 140m from the front walls of houses in Gaylor Road. That part of the warehouse closest to these residential receptors would be 21.85m AOD in height. The current approval permits a building up to 19.1m AOD in height at a distance of some 92m from the southern boundary. Therefore, the proposed main warehouse building is taller than the permitted parameter, but is a greater distance from the boundary and associated residential receptors.
- 6.21 In respect of the proposed decked car park, the offices and the main warehouse building a comparison between extant approved development parameters and the current proposals is presented in the table below:

Proposed decked car park			
	Height	Distance to southern boundary	Distance to nearest neighbour (house / flat building)

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14/00487/CV	16.1m AOD	39-40m	52-53m
Current proposal	10.6m AOD	53-54m	66-67m
<u>Proposed two-storey offices</u>			
	Height	Distance to southern boundary	Distance to nearest neighbour (house / flat building)
14/00487/CV	16.1m AOD	39-40m	52-53m
Current proposal	13.6m AOD	94m	107m
<u>Proposed main warehouse building</u>			
	Height	Distance to southern boundary	Distance to nearest neighbour (house / flat building)
14/00487/CV	19.1m AOD	92m	105m
Current proposal	21.85m AOD	130m	140m

- 6.22 In assessing the predicted effects on visual receptors, the updated LVIA concludes that whilst the main warehouse building is taller than the approved development parameters, this impact is offset by greater stand-offs from the site boundaries, and thereby residential receptors. This conclusion of the LVIA is considered by the Council's landscape and visual advisor to be appropriate. The submitted LVIA also considers that any visual impact of taller structures are partly offset by a reduced building footprint. On this point Members of the Committee should be aware that the consented floorspace of Class B8 use development on the 'main' site is 75,278sq.m. whereas the proposed total of all floorspace is 204,820sq.m. With regard to footprint, assuming that the already consented Class B8 floorspace was developed in a single building with 10% office accommodation, a built footprint of some 71,500 sq.m. might be expected. If the footprint of the proposed decked car park is added to the proposed building, the current proposals involve a built footprint of approximately 70,000 sq.m., only slightly smaller than the extant consent. As a consequence the applicant's proposition that increased building height is partly offset by reduced footprint is marginal. Nevertheless, the increased stand-off to site boundaries is considered to be material.
- 6.23 In order to reduce the impact of the proposals on visual receptors, the proposals rely on the mitigation measures, in the form of the landscape buffer, which have been implemented via 13/00433/CV. As the planting in this buffer matures it will provide some screening of the lower parts of the buildings and associated parking and service areas. However, it emphasised that due to the height and mass of the main buildings (warehouse / offices / decked car park) it is not possible for the planting to completely screen the development. Indeed, given the marshland character of the landscape, it is not desirable to plant a continuous band of trees or shrubs to "shield" the site from views. The proposed warehouse / office building would be a significant built structure and, if approved and built, would be one of the largest structure in the Borough with regard to footprint and floorspace. In order to articulate and "break up" the large expanse of walls the proposed elevations include

bands of windows to each floor, the use of vertical contrast cladding to provide vertical emphasis into an essentially horizontal building and, most crucially, the random arrangement of shades of grey cladding for the main warehouse walls. This random arrangement of a palette of different coloured cladding has been successfully used on a much smaller scale at the RSPB visitor centre building at Purfleet. A similar random arrangement of cladding is proposed for the decked car park. This approach to enlivening the elevations of a large structure is considered appropriate.

6.24 In conclusion under this heading, the additional landscape and visual impact of the current proposals, assessed against the baseline of the existing consented development parameters is considered to be of only slight significance. Although the proposed structure is taller than the parameters established by the outline planning permission, it would be located further away from the closest residential receptors located to the south. Consequently there are no objections to the proposals on the grounds of landscape or visual impact.

6.25 III. ECOLOGY

The ES accompanying the 2010 outline planning application (10/50157/TTGOUT) included a detailed ecological survey of the site and adjacent areas. The survey confirmed the presence of protected species, namely water voles within the Chadwell Sewer (immediately to the best of the 'main' site) and common lizard, slow worm and minor badger setts on the 'main' site. Important, though not protected, invertebrate species were also encountered on some of the former habitats on-site. The outline planning permission was granted subject to ecological mitigation and compensation requirements. These included the translocation of reptiles (lizards and slow worms) from the site, localised mitigation works for badgers, water voles and invertebrates and the creation of off-site habitat for invertebrates. These various mitigation and compensation works have been completed and the 'main' site has been cleared and subject to land-raising. Consequently, the current habitat of the 'main' site comprises bare ground with some spoil heaps which are of little or no ecological value. However, the ditches and associated vegetation at the boundaries of the site are assessed as of value for water voles and some invertebrates.

6.26 The proposals would have no significant direct impact upon the landscape buffer which has been formed around the perimeter of the 'main' site, although a section of this buffer would be removed in order to accommodate the car park / bus access route. The ES identifies the possibility of nesting birds using residual on-site habitats following clearance and land-raising. However, the most significant potential ecological impact of the proposals is associated with the proposed crossing of the Chadwell Sewer watercourse and ditch required to form the car park / bus access. These access works would require the construction of culverts which could potentially impact on water voles, invertebrates, breeding birds or potentially reptiles which may have colonised the ditch habitat.

6.27 The ES identifies potential mitigation measures to avoid impact, including the clearance of vegetation outside of the bird nesting season and the survey / monitoring of any water vole burrows prior to the commencement of construction.

6.28 The Council's ecological advisor notes that the 'main' site has been cleared of ecological interest and that the proposals would not have any significant ecological effects. The previously approved mitigation measures are therefore sufficient.

6.29 IV. CULTURAL HERITAGE & ARCHAEOLOGY

The outline planning permission (10/50157/TTGOUT) was subject to a condition requiring a programme of archaeological investigation for the site, to be undertaken in accordance with an agreed written scheme. The written scheme of investigation was subsequently submitted to the Council and approved via application ref. 12/01002/CONDC. A programme of intrusive archaeological investigations on the site followed, principally recording the succession of peat levels below the site, these levels reflecting the environment of the River Thames estuary over time and in particular the changes in sea levels. Prehistoric human activity in the form of woodland clearance was also recorded.

6.30 As archaeological investigation of the site has been completed this issue need not be considered further. The consultation response received from Essex County Council (Archaeology) does not recommend any further archaeological planning conditions.

6.31 V. TRANSPORTATION

The application is accompanied by a Transport Assessment (TA), and draft Travel Plan (TP) and transportation forms a chapter heading within the submitted ES. By way of background context, the outline planning consent has an associated impact on the highway network which has been accepted, subject to mitigation. Nevertheless, the current proposals involve the creation of significant additional floorspace compared to the outline planning permission and would employ considerably more staff compared to the 'baseline' of the outline planning permission.

6.32 Although the development would generate large numbers of HGV movements, given the 24 hour operation of the proposed fulfilment centre HGV movements are likely to be distributed across a 24-hour period. HGV access into the site would only be taken from the Asda roundabout, which has been recently reconfigured to create the access road arm. The site layout includes 15 no. HGV waiting spaces located at the HGV entry gatehouse, 94 no. HGV parking spaces located on the northern side of the service yard and an additional HGV parking area for a further 73 vehicles. These facilities, in addition to the 'casual user' haulier park located next to the Travis Perkins plot combine to create sufficient parking, waiting and

welfare facilities for HGVs. These measures should ensure that HGV movements do not affect peak hour flows on the road network. At the time of the outline planning permission Highways England requested planning conditions to require a freight quality management plan and an operational performance plan. Similar requirements would need to apply to the current proposals.

- 6.33 A key difference between the outline planning permission and the current proposals is the significant increase in the number of staff employed by the potential operator of the fulfilment centre. Based upon the HCA Employment Density Guide (2015) the existing approved Class B8 development on the 'main' site (up to 75,278 sq.m.) could potentially generate between 790 and 1,075 new FTE jobs. However, the intended operator of the fulfilment centre proposes approximately 3,510 FTE jobs over a 24-hour period on a two shift pattern. Compared to the outline planning permission the proposals have the potential to generate far higher employee vehicle movements, especially at shift changeover periods.
- 6.34 The TA therefore undertakes an assessment of trip generation for fulfilment centre staff based on the proposed staggered morning and evening shifts set out below:

	Morning Shift		Evening Shift	
	Stagger 1 07.30- 18.00hrs	Stagger 2 08.00- 18.30hrs	Stagger 1 18.45- 05.15hrs	Stagger 2 19.15- 05.45hrs
Employees	570	1,100	570	1,100

- 6.35 The TA acknowledges that the staff shift changeover will result in an "intense" period of traffic generation where 1,670 staff will exit the site with a further 1,670 staff entering the site during a 75 minute period. On the basis of Thurrock Census data from 2011 it could be expected that car-borne journeys would comprise 83% of all journeys to work. The applicant's analysis suggests that the proposals would generate 2,758 two-way (car and HGV) movements during both the morning and evening shift changeover periods. Compared to the permitted traffic flows associated with the outline planning permission this figure represents an increase of 2,328 two-way movements in the morning changeover and 2,338 two-way movements in the evening changeover. Outside of the shift changeover periods the development would generate significantly less traffic.
- 6.36 The TA further assesses these predicted traffic flows on the operation of the Asda roundabout junction and the proposed Dock Road access. The TA predicts that no significant delay would result on Dock Road as a result of the introduction of the new roundabout junction. With regard to the Asda roundabout junction, modelling in the TA suggests that the junction is currently operating within capacity for the proposed morning and evening shift changeover periods. For a design year of 2017 without the proposed development, the Asda roundabout is also modelled to operate within or at capacity during the changeover periods. However, modelling

for a 2017 design year with the proposed development and with originally proposed TP measures resulted in high ratio of flow to capacity (RFC) figures and resultant queuing on arms of the Asda roundabout during changeovers. This modelling work assumed a 10% reduction in the number of car-borne journeys to be secured through TP measures.

6.37 In response to this modelled impact on the Asda roundabout junction the applicant was requested to adopt more aspirational targets for mode shift (in favour of sustainable transport means) in order to further reduce vehicle flows and therefore potential impact on junctions

6.38 Travel Plan (TP) measures:

Due to the numbers of staff employed by the potential occupier of the building and the period of intense activity associated with the morning and evening staff changeover periods, the implementation, management and monitoring of robust TP measures are particularly important in reducing single-occupancy car journeys and thereby mitigating impact on the surrounding highway network. Robust TP measures are also relevant given the large number of staff car parking spaces proposed.

6.39 Since the submission of the original TP, updated TP targets have been promoted by the applicant, aspiring to a mode shift of 21%. In setting higher targets for use of sustainable transport modes, it should be noted that the site is close to two bus services operating Mondays Saturdays and one service operating on a Sunday. The site is also a short walking distance from Tilbury Town railways station, which is connected to the Gravesend ferry by a bus service. The following measures are promoted in the TP (as amended):

- new dedicated bus services to the site (four services operating along two routes), each route operated twice to serve the staggers for each shift;
- interest-free season ticket loans for rail users;
- allocation of preferential car parking spaces to car sharers; and
- establishment of a Tilbury Travel Plan Steering Group.

6.40 In addition to these TP measures, the applicant has offered a number of financial contributions (to be secured through s.106 legal agreement) which would promote the accessibility of the site to sustainable transport modes as below:

- financial contribution of £50,000 per annum for a period of 7 years (total £350,000) towards the running of the Tilbury-Gravesend ferry;
- financial contribution of £75,000 towards the provision of improved cycle links to the site;

- financial contribution of £50,000 towards the provision of improved pedestrian / cycle crossing facilities across Thurrock Park Way; and
- to provide a new pedestrian / cycle way linking Dock Road to the Asda site via the 'Island' site and under St. Andrew's Road (A1089(T), including a temporary route pending the construction of development on the 'Island' site.

6.41 Officers consider that these potential s.106 obligations satisfy the relevant policy requirements of being necessary to make the development acceptable in planning terms, being directly related to the development and fairly and being reasonably related in scale and kind to the development. Although not directly relevant to the current proposals, Members are reminded that obligations within the s.106 legal agreement for the outline planning permission have already secured a financial contribution of £300,000 to be spent towards the improvement of pedestrian and cycle facilities between the London Distribution Park site and the railway station and the enhancement of the station itself, including bus waiting facilities.

6.42 In conclusion under this heading, the proposed morning and evening staff shift changeover periods have the potential to generate a significant number of vehicle movements which could impact upon the operation of the Asda roundabout road. Mitigation measures are therefore required. The applicant has presented more aspirational modal shift targets within updated TP measures and has offered a package of financial contributions towards physical measures to enhance the accessibility of the site to sustainable transport modes. Subject to this range of measures, to be secured in a s.106 legal agreement no objections are raised on the grounds of impact on the highways network.

6.43 VI. SOCIO-ECONOMIC CONSIDERATIONS

The ES includes an analysis of the socio-economic impacts of the development and is complemented by an accompanying Economic Impact Assessment. The applicant's assessments provide a useful baseline of the current socio-economic situation in Thurrock and within a wider study area of surrounding Boroughs (Barking & Dagenham, Havering, Brentwood, Basildon and Castle Point). Official labour market statistics are also available for Ward-level based on 2011 census profiles. A selection of socio-economic indicators comparing Thurrock to the East of England region and the national picture are set out in the tables below:

<u>Socio-Economic Indicator</u>	<u>Thurrock</u>	<u>East of England</u>	<u>Great Britain</u>
% population aged 16-64 (2014)	64.2%	62.0%	63.5%
Economically active (2014/15)	77.7%	80.2%	77.7%
Economically inactive (2014/15)	22.3%	19.8%	22.3%
Jobseeker's Allowance claimants (Jan. 2016)	1.5%	1.1%	1.5%

Employment by occupation (2014/15)			
	Thurrock	East of England	Great Britain
Managers, directors & senior officials	9.9%	10.6%	10.3%
Professional occupations	13.7%	19.4%	19.7%
Associate professional & technical	11.3%	14.8%	14.1%
Administrative & secretarial	13.1%	10.9%	10.7%
Skilled trades	10.2%	11.2%	10.6%
Caring, leisure & service	9.5%	8.9%	9.3%
Sales & customer service	9.4%	7.2%	7.7%
Process plant & machine operatives	7.7%	6.3%	6.3%
Elementary occupations	15.0%	10.4%	10.8%

Employee jobs (2014)			
	Thurrock	East of England	Great Britain
Agriculture & mining	0.1%	0.3%	0.4%
Energy & water	1.3%	0.9%	1.1%
Manufacturing	5.0%	8.5%	8.5%
Construction	5.2%	5.4%	4.5%
Services	88.4%	84.8%	85.6%
Wholesale & retail	29.2%	17.7%	15.9%
Transport & storage	13.2%	4.4%	4.5%
Accommodation & food services	7.2%	6.9%	7.1%
Information & communication	1.5%	4.1%	4.1%
Financial & business services	14.6%	22.8%	22.2%
Public administration, education & health	20.0%	24.8%	27.4%
Other services	2.8%	4.1%	4.4%

Qualifications (2014)			
	Thurrock	East of England	Great Britain
NVQ4 and above	26.0%	33.1%	36.0%
NVQ3 and above	44.2%	54.1%	56.7%
NVQ2 and above	62.3%	72.1%	73.3%
NVQ1 and above	79.2%	86.0%	85.0%
Other qualifications	8.6%	5.9%	6.2%
No qualifications	12.2%	8.1%	8.8%

6.44 The following headlines can be drawn from this socio-economic data:

- Thurrock's economically active population is lower than the region figure, but is consistent with the national average;

- those members of the working age population seeking Jobseeker's allowance is proportionally higher in Thurrock than the region, but similar to the national figure;
- the proportion of Thurrock employees engaged in managerial, professional and associate professional occupations is materially lower than the regional and national average;
- the proportion of Thurrock employees engaged in elementary occupations is materially higher than the regional and national average;
- the proportion of employees jobs in Thurrock engaged in the wholesale, retail, transport and storage sectors is materially larger than the regional and national proportion; and
- Thurrock has a lower proportion of residents with higher qualifications (HND, degree or equivalent) and a higher proportion of residents with no qualifications compared to the regional and national average.

6.45 A number of socio-economic indicators are also available at ward level and data for the two closest wards to the application site (Tilbury Riverside & Thurrock Park and Tilbury St. Chad's) compared to the picture for Thurrock as a whole is presented in the table below:

Population aged 16-64	<u>Tilbury Riverside & Thurrock Park</u>	<u>Tilbury St. Chad's</u>	<u>Thurrock</u>
Economically active (2011)	75.5%	73.3%	80.1%
Economically inactive (2011)	24.5%	26.7	19.9%

Jobseeker's Allowance claimants (Jan. 2016)	3.0%	2.7%	1.5%
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Employment by occupation (2011)			
	<u>Tilbury Riverside & Thurrock Park</u>	<u>Tilbury St. Chad's</u>	<u>Thurrock</u>
Managers, directors & senior officials	7.2%	7.6%	9.4%
Professional occupations	7.8%	7.8%%	11.3%
Associate professional & technical	6.6%	7.3%	10.9%
Administrative & secretarial	13.3%	12.3%	14.8%
Skilled trades	11.8%	11.1%	12.5%
Personal services	10.2%	9.4%	8.3%
Sales & customer service	11.8%	11.8%	10.0%
Process plant & machine operatives	13.5%	13.9%	10.3%
Elementary occupations	17.7%	18.9%	12.6%

Qualifications (2011)			
	<u>Tilbury Riverside & Thurrock Park</u>	<u>Tilbury St. Chad's</u>	<u>Thurrock</u>
NVQ4 and above	14.6%	13.3%	19.3%
NVQ3 and above	9.4%	10.3%	12.5%
NVQ2 and above	17.5%	18.3%	20.0%
NVQ1 and above	22.6%	19.6%	20.6%
Other qualifications	9.9%	8.8%	9.3%
No qualifications	26.0%	29.6%	18.3%

6.46 Socio-economic data from the two wards closest to the application site confirms:

- the proportion of the working age population claiming Jobseeker's Allowance is higher than the Thurrock average;
- the proportion of employees engaged in professional occupations is below the Thurrock average;
- the proportion of employees engaged in elementary occupations is above the Thurrock average; and
- the proportion of the working age population with no qualifications is above the Thurrock average.

6.47 The ES predicts that, if approved, the construction phase of the development would directly support 193 jobs over the period of construction (2016-17). In addition to the temporary jobs created during construction, the ES suggests that other benefits to the economy would comprise local sourcing of materials, use of local support facilities and increased local spending. The applicant considers that a further 28 indirect full-time equivalent jobs could be supported over the temporary construction phase.

6.48 During operation of the development (if approved) the proposed occupier of the building would potentially employ a significant number of workers on a full-time basis. During the normal operation of the proposed fulfilment centre some 3,510 workers, principally engaged in elementary occupations, would be employed. The ES also suggests during the busiest period of the year (in the run-up to Christmas) approximately 800 further employees, engaged in elementary occupations, would be employed by the intended occupier. The ES predicts that during normal operation of the fulfilment centre a further £58 million would be added to the economy from direct employment at the site. It could be expected that further new jobs would be indirectly created and supported through the operation of the proposed fulfilment centre.

6.49 The operation of the proposed fulfilment centre would therefore potentially create a significant number of new jobs to the benefit of the local and wider economy. The

elementary occupations sought by the intended occupier of the building would be likely to suit jobseekers within the Tilbury area surrounding the site, the surrounding Thurrock area and wider study area assessed by the ES. The positive contribution which the proposals could make towards the economy and job creation are therefore supported.

6.50 In order to capitalise on the socio-economic benefits which the development could bring, the ES suggests the potential use of local labour, local procurement of services etc. It is recommended that an obligation within a s.106 legal agreement is necessary to require the promotion of apprenticeships, local employment and procurement during the construction and operational phases of the development. Such an obligation is considered to pass the relevant NPPF tests of being necessary, related to the development, fair and related in scale and kind to the proposals.

6.51 VII. HYDROGEOLOGY & GROUND CONDITIONS

Historically the application site formed part of the Little Thurrock / Tilbury Marshes and a succession of historic Ordnance Survey maps show the site as undeveloped, open land until the late 1930's. From this date until 1961 historic mapping shows that four small buildings were located on the southern part of the site, on the alignment of what is now Melbourne Road. By 1961 these structures have been removed and an oval-shaped running track was evident on the northern part of the 'main site', linked to Dunlop Road by a path. Mapping from 1974 showed the location of the former karting stadium on the southern part of the 'main' site with the running track no longer present. By this date, the A1089 (T) dock access road had been completed, isolating the 'island' site from the 'main' site. In terms of the former use of the 'main' site, aside from the former karting operation, the land was principally used for horse grazing. However, the site suffered from fly-tipping.

6.52 As a result of these factors, the ES accompanying the outline planning application considered the potential impact of contaminants on construction workers, future employees on the site, surrounding residents, groundwater, surface water and vegetation. The ES concluded that there was limited and localised potential for soil and groundwater contamination, but that, given the geological and hydrogeological conditions on-site, the contamination risks to groundwater and surface water were assessed as low. The outline planning permission was subject to a standard planning condition requiring a remediation strategy in the eventuality of unforeseen contamination being encountered on-site.

6.53 The current planning application does not affect the conclusions of the original ES and the planning condition to address any unforeseen contamination can be re-applied if planning permission is granted. In these circumstances the issue of impact on hydrogeology and ground conditions need not be considered further.

6.54 VIII. WATER RESOURCES

By way of background, at the time of submission of the outline planning application in 2010 the 'main' site formed part of the Tilbury flood storage area (FSA), designated as part of the functional flood plain (Flood Zone 3b). The FSA being designed and maintained to provide floodwater storage capacity. Although the Environment Agency initially objected to the outline planning application, following negotiations the Agency agreed to the principle of partially re-aligning the flood embankment, which defines the FSA, in order to remove the site from the FSA. The resultant reduction in the capacity of the FSA was considered acceptable as the residual capacity of the FSA was sufficient for a 1 in 1,000 year flood event. The site was therefore re-designated from functional flood plain to the high risk flood zone (Zone 3b to 3a).

- 6.55 The removal of the Agency's initial objection to the outline planning application was subject to the construction of a new flood embankment to a height of 1.1m AOD along the northern and eastern boundaries of the 'main' site. The works to create this embankment were the subject of an agreement (made under the Anglian Water Act 1977) between the landowner and the Agency. This agreement was completed, allowing the Agency to remove their objection to the outline planning application on the grounds of flood risk.
- 6.56 The grant of outline planning permission (10/50157/TTGOUT) in March 2012 and subsequent approval under s.73 were subject to planning conditions requiring the provision of the re-aligned flood embankment and that development be carried in accordance with mitigation measures within the flood risk assessment. A subsequent application for the approval of reserved matters (13/00433/REM) and an application for the approval of details required by planning condition (13/00435/CONDC) were both approved and provided details of the embankment. The approved works to realignment the flood embankment have been completed. Consequently, the Environment Agency has confirmed no objection to the current application, subject to a condition requiring that development accords with mitigation measures within the flood risk assessment.
- 6.57 With reference to the proposed surface water drainage strategy, the proposals use a SUDS strategy to restrict flow rates off the site to greenfield run-off rates up to a 1 in 100 year rainfall event. The strategy promotes the use of attenuation ponds and ditches to the boundaries of the main site, before water is discharged to the Chadwell Main Sewer. However, given the size of the site, additional attenuation in the form of below ground storage may be required. The Council's Flood Risk Manager has no objection to the current application, subject to a planning condition requiring the submission, approval and implementation of details of the surface water drainage scheme.
- 6.58 In conclusion under this heading, the principal flood risk issues of realigning the flood defence, providing mitigation for flood risk and a drainage strategy were considered and agreed at the outline planning stage. The current proposals are

consistent with the established strategy and, subject to conditions, no objections are raised.

6.59 IX. NOISE & VIBRATION

The ES accompanying the outline planning application included an assessment of the potential impacts of noise and vibration and the ES addendum submitted with the current application updates the original work and considers the following matters:

- construction noise and vibration;
- road traffic noise;
- operational noise (i.e. HGV loading / unloading);
- noise from the decked car park; and
- noise from mechanical services.

6.60 The ES includes baseline noise surveys undertaken in 2013 and updated for a number of receptors in 2015. The surveys record noise levels at sensitive residential receptor locations to the south of the 'main' site (Gaylor Road / Leicester Road) and to the north-west of the 'main' site (Salix Road / Speedwell Court).

6.61 The ES considers that construction activities (earthworks, piling etc. over a period of 81 weeks) have the potential to cause temporary disturbance to receptors located south of the site. Two scenarios are modelled by the ES: firstly where construction activities are at their closest point to the southern boundary; and secondly where construction activities are located at the centre of the 'main' site. The predicted significance of construction noise impacts are considered in the table below:

Receptor	Position	16B Melbourne Road	30-36 Russell Road	3 Gaylor Road	11 Leicester Road	43 Leicester Road	'Three Acres'
Earthworks	Closest	Minor	Moderate	Moderate	Moderate	Moderate	Moderate
	Centre	Negligible	Minor	Minor	Negligible	Negligible	Negligible
Concreting	Closest	Moderate	Moderate	Moderate	Moderate	Moderate	Moderate
	Centre	Negligible	Minor	Minor	Minor	Minor	Negligible
Piling	Closest	Moderate	Moderate	Major	Major	Moderate	Major
	Centre	Moderate	Moderate	Moderate	Moderate	Minor	Moderate
Main Build	Closest	Moderate	Moderate	Moderate	Moderate	Moderate	Major
	Centre	Moderate	Moderate	Moderate	Moderate	Minor	Minor

6.62 Construction noise predictions suggest that there will be moderate adverse impacts at most receptors during the main build when works are in closest proximity to the southern site boundary. During the piling phase, major adverse impacts are predicted for receptors located at no. 3 Gaylor Road, 11 Leicester Road and 'Three

Acres' when the plant is operating close to the receptor and moderate adverse impacts at all other receptors. These predictions are based on the piling equipment with the highest source noise levels. The predicted construction noise impacts will therefore require mitigation. When site construction activity is concentrated in the centre of the site the impacts are generally moderate during the piling and main build phases and minor or negligible during earthworks and concreting. The construction phase is predicted to last for 81 weeks, within which earthworks will occur for 10 weeks, piling for 14 weeks, concreting for 60 weeks and the main build for 71 weeks.

- 6.63 During operation of the proposed development the ES considers the potential impact of vehicular noise from cars and HGV's and noise from plant associated with the building(s) (ventilation equipment etc.).
- 6.64 Road Traffic Noise – the ES models road traffic noise using a 2015 baseline compared to a baseline in 2017 both with and without the proposed development. As with potential construction noise, the ES models sensitive residential receptors located to the south and north-west of the site. For the majority of receptors modelling predicts that daytime road traffic noise experienced by residents will decrease in the 'with development' scenario. This decrease would be caused by the screening effect of the proposed buildings. During night-time hours, the ES predicts a small increase in road traffic noise levels experienced at a limited number of residential receptors (adjoining the A1089(T)), however the increase would be negligible.
- 6.65 The proposed layout of the development includes a new access road for buses and employees cars located parallel and close to the southern boundary of the site. Therefore, the ES considers the noise impact of vehicles using this new road on residential receptors south of the site (Melbourne Road / Russell Road / Gaylor Road / Dunlop Road). The impact is modelled for the peak shift changeover times of 0500-0600 hours and 1800-1900 hours. For the majority of receptors the impact is predicted to range between 'minor adverse' to 'major adverse'. Accordingly measures are required to mitigate these potential adverse impacts.
- 6.66 Operational Noise – operations within the site, principally associated with the movement, loading and unloading of HGV's are assessed in the ES. Noise levels associated with the operation of the proposed fulfilment centre are modelled for day-time and night-time hours. During daytime hours (07.00-23.00 hours) the unmitigated impacts of operational noise are predicted as negligible for residential receptors to the north-west and some residential receptors located to the south. However, unmitigated operational noise impacts are assessed as minor or moderate adverse for receptors south-east of the site. During night-time hours, unmitigated operational noise impacts are modelled to be moderate or major negative for the majority of residential receptors.

- 6.67 Decked Car Park – the application proposes a multi-storey (decked) car park for staff to be located some 53-54m from the site's southern boundary and 66-67m from the nearest adjoining houses / flats. The ES therefore models the potential noise impacts from the use of this car park, assessing noise levels on the southern and eastern facades of the car park for the 05.00-06.00 hours peak and the 18.00-19.00 hours peak. For both peaks, the noise impacts on the eastern façade of the car park are assessed as 'minor'. However, on the southern façade, unmitigated noise impact at the 18.00-19.00 peak is modelled as 'major' and 'moderate' in the 05.00-06.00 peak. Consequently, mitigation of noise associated with the operation of the decked car park is required.
- 6.68 Building Services Noise – at this stage the type and location of plant on the building is not known and it is not possible to assess the potential impact of noise from this source. Nevertheless, generic mitigation measures are available, such as the use of silencers, barriers and enclosures.
- 6.69 Mitigation Measures – in order to mitigate the impacts of noise during the construction phase of development a planning condition is suggested to secure the submission, approval and implementation of a Construction Environment Management Plan (CEMP) to specifically include noise mitigation measures.
- 6.70 The proposed measures to mitigate the impact of noise during operation of the development comprise the installation of acoustic fencing (between 2.0 and 2.7m high) along site boundaries and the use of acoustic panel cladding on the decked car park. With mitigation, the predicted impact of road traffic noise on receptors is, at worst, negligible and beneficial for most receptors. With reference to operational noise during daytime hours, the proposed mitigation measures would reduce impact to 'negligible' for all receptors apart from one receptor where impact would be 'minor adverse'. During night-time hours the residual impact on receptors, with mitigation, is assessed as either 'minor adverse' or 'moderate adverse'. Nevertheless, the ES notes that predicted post-mitigation operational noise impacts are based on a worst-case scenario and it is anticipated that actual impacts would be lower. The residual noise impact from activity associated with the decked car park is also assessed as either 'minor adverse' or 'moderate adverse'. However, as above, this is based on a worst-case scenario and it is anticipated that actual impacts would be lower.
- 6.71 Comments received from the Council's Environmental Health Officer (EHO) confirm that a condition could be used, if planning permission is granted, to control construction noise through a CEMP. With reference to operational noise, the EHO notes that with the proposed mitigation measures the operational noise impacts are minimised as far as is reasonable. The provision of noise barriers can be secured by the use of planning condition. Similarly, planning conditions can be used to require use of acoustic cladding on the decked car park and mitigation for mechanical services on the building.

6.72 In light of the above, and subject to planning conditions, there are no objections to the proposals under this heading.

6.73 X. AIR QUALITY

The ES considers potential impacts on air quality during both the construction and operation of the proposed development. During construction, sensitive receptors are identified as located close to the boundaries of the application site, whereas during operation receptors are identified in a wider geographical area associated with Air Quality Management Areas (AQMAs), in particular adjacent to the A13 / A1306 (Warren Terrace) designated for nitrogen oxide (NO₂) and particulate matter (PM10).

6.74 During construction of the development (if approved) activities have the potential to generate dust over an approximate 19 month long (81 week) construction period. As there are no structures currently on-site, the impacts on air quality arising from demolition have been discounted from consideration by the ES. Earthworks on the main site, associated with the formation of the re-aligned flood defence and land-raising, have already been undertaken. Further earthworks would be required as part of the construction phase, though for a relatively short period of some 10 weeks. During the 'main' construction activities impacts on air quality could arise from storage and handling of materials. Finally, the impacts of construction traffic on air quality are considered by the ES. The potential magnitude of these construction activities on air quality are assessed as either "medium" (earthworks and construction) or "small" (construction traffic).

6.75 The closest sensitive (residential) receptors to the site are located to the south at Gaylor Road, Russell Road, Dunlop Road and Leicester Road. As the prevailing direction of wind is from the south-west (with a secondary wind direction from the east), the ES predicts that residential receptors will have a low sensitivity to dust generated during construction. However, mitigation measures to be incorporated into a CEMP are promoted by the ES.

6.76 The Council's EHO considers that methods for the control of dust during construction should be agreed prior to work commencing, via a CEMP. This matter can be secured through the use of a planning condition.

6.77 With regard to operational impacts of the proposed development on air quality, the ES considers the effect on vehicle emissions on a total of 8 receptor locations (located close to the south and north-western site boundaries and within the A13 / A1306 (Warren Terrace) AQMA). The ES models a "negligible" impact on these receptors for the "with development" scenario in respect of PM10. However, the applicant's air quality assessment as originally submitted, modelled either a "slight adverse" or "substantial adverse" impact in respect of NO₂ for 3 receptor locations at the Warren Terrace AQMA.

6.78 In response to the applicant's initial modelling, the Council's EHO expressed concerns regarding the methodology of the air quality modelling and the results which showed a significant increase in annual mean NO₂ concentrations for the 3 receptors. The Council's EHO advised that the modelling was re-run with amendments to the model inputs, as it was possible that the impacts were overemphasised.

6.79 The applicant subsequently submitted a revised air quality impact assessment for the relevant AQMA, which concludes a "negligible" impact on receptors. Updated consultation comments from the Council's EHO confirm that the air quality modelling results are now in line with expectations producing negligible results for all receptors. The ES promotes a low emissions strategy as mitigation for operational impacts on air quality and the Council's EHO recommends that a planning condition is used to secure such a strategy.

6.80 XI. NATURAL RESOURCES & WASTE

The ES accompanying the outline planning permission noted that the original proposals involved the formation of development platforms on the site. The creation of these platforms required both the excavation and importation of material to the site to create the required ground levels. As these agreed works have been completed, there will be no further export of material from the site.

6.81 XII. AMENITY ISSUES

Issues of noise, air quality and landscape and visual impact are considered as specific chapters within this report. However, it is also necessary to consider whether the proposals raise amenity implications for those residential occupiers living close to the site. In this respect Core Strategy policy PMD1 (as amended) includes a list of amenity 'topics' which may be relevant to the consideration of a planning application including, inter-alia:

- light pollution;
- invasion of privacy; and
- loss of light.

6.82 With regard to the assessment of potential light pollution from the development, the application is accompanied by an External Lighting Assessment Report. This report is based upon an indicative external lighting scheme for the site using LED luminaires either fixed to columns (5m, 10m or 12m high) or directly to the proposed building(s). The lighting scheme has been designed to accord with BS 5489-1:2013 (Code for practice for the design of road lighting) with specific luminance levels achieved for the internal site roads, parking areas and loading / unloading areas. Of more relevance to planning, the lighting scheme also takes into account the "Guidance Notes for the Reduction of Obtrusive Light (2011)

produced by the Institution of Lighting Professionals. This guidance recommends that local planning authorities specify environmental zones for exterior lighting control within development plans. In this case, the submitted Report allocates the site as within zone E2, defined as an area of 'low district brightness', where a maximum 'sky glow' (upward light spill) of 2.5% is recommended. It is considered that the allocation of the site as within zone E2 is reasonable. All of the luminaires proposed have an upward light spill of 0%, exceeding the recommended figure. Proposed luminaires are also design to ensure that that the main beam angle of all lights directed towards any potential observer is not more than 70°. This will ensure that glare is reduced in accordance with Guidance Note recommendations. A plan plotting the predicted ground level luminance levels suggests that light spill from the proposals would not encroach beyond site boundaries.

- 6.83 With regard to issues of privacy, the closest built structure to dwellings south of the site would be the proposed decked car park, located 53-54m from the site boundary and 66-67m from the closest house or flat. As the southern façade of the decked car park is essentially solid, in order to mitigate vehicle noise, the opportunities for overlooking of adjoining gardens from users of the car park are negligible.
- 6.84 Upper storey windows within the office element of the building would be located 94m from the site's southern boundary and 107m from the nearest house / flat. These windows principally serve the staff canteen / break / rest room areas. Although the windows are 'full-height' they are located a significant distance from adjoining properties so as not to result in opportunities for unacceptable overlooking. The windows are proposed as tinted to reduce potential glare.
- 6.85 Consequently it is considered that the proposals would not cause unacceptable loss of through loss of privacy or a perception of overlooking.
- 6.86 The industry-standard reference for the achievement of good daylighting is the Building Research Establishment (BRE) paper 'Site Layout Planning for Daylight'. The BRE paper suggests that in order to safeguard daylight to existing buildings new development should not subtend a 25° angle to the horizontal drawn from the middle of the lowest affected window(s). As applied from the closest dwellings located to the south of the site, the proposed development comfortably passes the BRE 'test' for daylighting. As the development is located to the north of these nearest residential neighbours, there are no implications with regard to overshadowing or loss of sunlight.

6.87 XIII. DESIGN ISSUES

The proposals are for a large building containing a significant floorspace total arranged over several floors. With a gross internal floorspace of 204,820 sq.m. the proposed building would probably be the largest building, with reference to floorspace, in the Borough. In order to accommodate the proposed operations within the fulfilment centre, the building is also relatively tall at 21.85m AOD. The

floorspace and building height combine to create a large building volume and the treatment of the bulk and volume of the buildings in design terms is an important planning consideration.

- 6.88 As noted at paragraph 4.6 above the submitted proposals have been scrutinised via a Design Council / CABE Design Review. A full summary of the Design Review comments are listed above. However, in brief the Review considered that the original proposals could be further developed to enhance the pedestrian and worker experience through revisions to the building main entrance / surface parking area, office elevations and pedestrian links to the south.
- 6.89 In terms of the site layout, the proposals arrange HGV movements and associated parking and service areas on the northern and eastern side of the site. Whereas the building 'front', building entrance and main pedestrian activity would be associated with the southern façade of the building. As originally submitted, the definition of the main entrance was considered imprecise and the pedestrian 'experience' close to the building entrance was dominated by surface car parking. In addition, the potential pedestrian / cycle link through the landscape buffer south of the site to connect to Dunlop Road and the town centre beyond was unclear.
- 6.90 A series of revised plans have now been submitted to address these issues as detailed below:
- main entrance of the building detailed in a contrast cladding colour to highlight the 'front-door' of the building;
 - introduction of tree planting within the surface car parking area, either side of the car park access road and outside of the main entrance (to create an entrance piazza); and
 - introduction of a link path connecting the proposed entrance piazza to the southern landscape buffer and Dunlop road beyond.
- 6.91 It is considered that these amendments address a number of the points raised by the Design Review with regard to site layout issues.
- 6.92 With reference to building elevations, the Design Review encouraged a simpler design approach for the warehouse element, with a more creative and bolder approach to the office element. In pre-application discussions with the applicant, a variety of solutions to the external appearance of the building were discussed and the submitted application closely corresponds to the preferred option expressed by Officers. Members will be well aware that the consideration of external appearance is to a large degree subjective. As the warehouse building would be a structure of substantial dimensions (371m (l) x 137m (w) x 22m (h)) and relatively simple in shape, the approach to the external appearance is key. As with any modern warehousing building, the structure will be formed from insulated metal-faced cladding panels within a steel frame. Initial options for the treatment of cladding

included a simple horizontal layering of grey-coloured panels. However, it was considered that such an approach reinforced the horizontal emphasis of the structure.

6.93 The approach to appearance within the submitted proposals is to use a limited palette of grey coloured cladding (3 colours) with panels arranged randomly in order to disguise the mass of the building. The horizontal emphasis of the building (especially on its long northern and southern elevations) is further articulated by the use of contrast colour vertical panels and the full-height circulation cores and external stairs, which are treated in one colour. It is considered that these features successfully articulate the mass of the warehouse building. The office element of the proposals would be treated differently, with extensive use of full height glazing. As noted above, revised plans now provide a clearer main entrance on the southern elevation. Similar to the main warehouse building, the proposed decked car park would also use a random pattern of cladding in 3 grey colours, although the grid within which the cladding is arranged is on a smaller scale than the main building. Although the constituent parts of the buildings (warehouse / offices / decked car park) are recognisable as discrete elements, as a whole the proposals present a unified design approach.

6.94 The design of the development is supported and would represent a marked improvement on recent examples of conventional Class B8 development elsewhere in the Borough.

6.95 XIV. SUSTAINABILITY

Core Strategy policies PMD12 and PMD13 (as amended) require compliance with BREEAM standards and provision of on-site renewable energy respectively. With regard to BREEAM, policy PMD12 requires “where appropriate” the achievement of BREEAM “excellent” standard from 2016. In this case the original outline planning permission for the site (as amended) was subject to a planning condition requiring BREEAM “very good” and the Travis Perkins warehouse has been built to this standard. As it is the case that the site could be developed pursuant to the outline permission, it would be unreasonable to insist upon the higher BREEAM rating of “excellent”.

6.96 The planning application is accompanied by an “Energy Statement” which confirms that the final building design will meet BREEAM “very good” as a minimum and that the building will achieve an Energy Performance Rating of “A”. The Statement also assesses the feasibility of deploying decentralised, renewable and low-carbon energy generation technologies on the site and concludes that roof-mounted photovoltaic (PV) panels and solar thermal hot water are viable. The applicant suggest that these technologies could exceed the 15% target set out in policy PMD13.

- 6.97 Planning conditions can be used to secure the relevant BREEAM standard and provision of renewable electricity technologies.
- 6.98 The proposals include the provision of a green roof located on top of the office building. The area of the green roof would be significant and would probably be the large single green roof in the Borough. These features can bring benefits for energy efficiency, surface water run-off and biodiversity. Accordingly, the proposed green roof is welcomed.

7.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION

The current proposal for a fulfilment centre follows, and is consistent with, the principal of Class B8 use for the site established through the outline planning permission (as amended). Consequently, there are no objections to the principal of the land use. The proposed occupier of the fulfilment would create a significant of new FTE jobs over and above those associated with a conventional Class B8 development. Subject to appropriate planning conditions there are no objections to the proposals on the grounds of flood risk, ecology, ground conditions, noise, air quality, impact on amenity, design or impact on landscape and visual receptors. There would be significant traffic movements associated with proposed staff shift changeover patterns. However, subject to appropriate mitigation it is considered that residual impacts on the highway network would not be severe.

- 7.1 In coming to its view on the proposed development the content of the ES submitted with the application has been taken into account as well as representations that have been submitted by third parties. The ES considers the potential impacts of the proposal on a range of receptors and sets out mitigation measures. Subject to appropriate mitigation which can be secured through planning conditions, the ES concludes that any impact arising from the construction and operation of the development would be within acceptable limits. Having taken into account representations received, it is considered that the proposed development is acceptable, subject to compliance with a number of planning conditions that are imposed upon the permission. Therefore, it is recommended that planning permission is granted, subject to the recommendation set out below.

8.0 RECOMMENDATION

Grant planning permission subject to:

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

- i Tilbury / Gravesend passenger ferry contribution:

To pay to the Council a computed sum equivalent to £50,000 per

annum for 7 years (total £350,000) towards the running of the Ferry between Tilbury riverside and Gravesend

ii. Cycle link contribution:

To pay to the Council a sum of £75,000 towards the provision of improved cycle links to the application site; in particular but not limited to, improvements to Thurrock Park Way and the proposed link to Manor Road.

iii. Pedestrian / cycle crossing contribution:

To pay to the Council a sum of £50,000 towards the provision of improved crossing facilities on Thurrock Park Way (linking the site to the Asda supermarket) including (but not limited to) the provision of a Toucan Crossing (cyclists and pedestrians) across Thurrock Parkway.

iv. Tilbury hub / pop-up job centre contribution:

To pay the Council a sum of £10,000 to allow the use of space in Tilbury Town Centre at Tilbury Hub or elsewhere to allow for the provision of advertisement of employment opportunities at the development.

v. Pedestrian and cycle link:

To provide a new pedestrian cycleway linking Dock Road and the Asda site, via the Island Site and under St Andrews Road, including a temporary route pending the construction of development on the Island Site, save that the Council, in consultation with the local community considers the route to be unsafe pending the construction of development on the Island site.

vi. A1089(T) pedestrian / cycle facilities contribution:

A financial contribution of £105,000, payable prior to first occupation or operational use of the development, towards the improvement of pedestrian / cycle facilities alongside the A1089(T) north of the Asda roundabout junction.

vii. Travel Plan:

To submit a Travel Plan (in broad accordance with the Travel Plan (dated 11.12.15) as subsequently supplemented by the Technical Note ref. PH/RH/ITL10336-005 TN) to the appropriate Highway Authorities for written approval and to implement and monitor the agreed Travel

Plan measures. The submitted Travel Plan shall specifically address, but not necessarily be limited to, the following issues:

- provision of interest-free rail season ticket loans;
- provision of dedicated and free for staff bus services for employees to be operated over the lifetime of the development. A minimum of 4 services per shift over 2 shifts shall be provided with vehicles of a minimum capacity of 49 seats;
- establishment and operation of a Tilbury Travel Plan Steering Group;
- details of preferential car-share parking areas;
- provision of electric vehicle charging points;
- the provision of a travel plan co-ordinator; and
- prior to first occupation or operational use to provide a Travel Plan Bond of £108,000 held in an Escrow account paid through the s.106 agreement. The Bond to be used to investigate and implement additional travel planning measures in circumstances where car parking numbers in the decked car park exceed 1,140 (in addition to the 196 surface level car parking spaces).

viii. Apprenticeships. local employment and procurement

Prior to commencement of development to submit to the Council for approval an Employment and Skills Plan (ESP) and not to Implement the Development or permit Implementation of the Development until the ESP has been approved by the Council. The ESP shall, inter-alia:

- include arrangements setting out how the owner / developer / occupier and their contractors will work directly with Thurrock's Economic Development and Skills Partnership (EDSP) and local employment / training agencies as part of an employment and training consortium;
- specify the provision for training opportunities and other initiatives in respect of the vocational and employability skills required by the owner / developer / occupier and their contractors for any new jobs and business opportunities created by the Development;
- following approval of the ESP, the owner / developer / occupier will implement and where necessary procure implementation and promote the objectives of the approved ESP and ensure that so far as is reasonably practicable the objectives are met;

- the ESP will commit to maximising employment of Thurrock residents on-site by setting targets during the construction and operational phases;
- the ESP shall contain commitments to create Apprenticeships during construction and operation of the development;
- the ESP will include measures to maximise supply chain opportunities for business in Thurrock and surrounding area; and
- the ESP will include commitments to monitoring and the provision of monitoring information.

ix. Monitoring contribution:

On first occupation of the development, payment of £10,000 to the Council to cover the local planning authority's reasonable costs in monitoring compliance with the s.106 planning obligations.

B: The following planning conditions:

Time Limit:

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

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

Phasing:

2. Prior to the commencement of development, a phasing strategy for the delivery of the development hereby approved, including the trigger points for approval of details reserved by condition, shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt, the strategy shall include, but not be limited to:
 - commencement of development on site
 - key milestones in the development of the site;
 - timescales for installation of utilities;
 - phases of development of the building(s);
 - timings for installation of hard and soft landscaping;
 - associated timings for discharge of conditions.

The development shall thereafter be carried out in accordance with the approved phasing strategy.

REASON: In order to establish a phasing programme for the delivery of

the development in the interests of clarity.

Accordance with plans:

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

<u>Drawing Reference</u>	<u>Title</u>
ANT-30813-PL-100 C	Site Location
ANT-30813-PL-101 D	Site Layout
ANT-30813-PL-102 B	Warehouse Level 1
ANT-30813-PL-103 B	Warehouse Level 2
ANT-30813-PL-104 B	Warehouse Level 3
ANT-30813-PL-105 B	Warehouse Level 4
ANT-30813-PL-106 B	Warehouse Level 5
ANT-30813-PL-107 B	Warehouse Level 6
ANT-30813-PL-109 B	Office Level 1 Pod Levels 1, 2 & 3
ANT-30813-PL-110 B	Office Level 3
ANT-30813-PL-111 B	Indicative Sections
ANT-30813-PL-112 C	Elevations
ANT-30813-PL-113 C	Elevations Office and Office Pod
ANT-30813-PL-114 B	Decked Carpark Floor Plans Levels 1 & 2 (Sheet 1 of 2)
ANT-30813-PL-115 B	Decked Carpark Floor Plans Levels 3 & 4 (Sheet 2 of 2)
ANT-30813-PL-116 B	Decked Car Parking Elevations
ANT-30813-PL-117 B	Truck Drivers Toilet Plan and Elevations
ANT-30813-PL-118 B	Exit Gatehouse Plans and Elevations
ANT-30813-PL-119 D	Illustrative Coloured Site Layout
ANT-30813-PL-120 C	Illustrative Coloured Elevation
ANT-30813-PL-121 B	Entrance Gatehouse Plan and Elevations
ITB10336-GA-004 A	Proposed Roundabout South West Corner of Site Along A126 Dock Road
2381-SK-2 B	Landscape Proposals
2381-SK-3	Tree Planting in Hard Surfaces
2381-SK-4	Typical Tree Pit Details

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

Surface water drainage:

4. In accordance with the phasing strategy approved pursuant to condition no. 2, a detailed surface water drainage scheme for the site, including pollution prevention measures shall be 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;
 - 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 that adequate measures for the management of surface water are incorporated into the development in accordance with policy PMD15 of the Thurrock Core Strategy and Policies for the Management of Development DPD (2011).

CEMP:

5. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The approved CEMP shall be adhered to throughout the construction period and shall provide detailed information under the headings of:
- public liaison;
 - responses to complaints;
 - monitoring and environmental management of the works;
 - siting of construction compounds;
 - security lighting during construction;
 - dust and mud control measures during construction;
 - noise mitigation measures.

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

Contamination:

6. If, during development, contamination not previously identified is found to

be present at the site then no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until the developer has submitted to and obtained written approval from the local planning authority for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: To protect the water environment in accordance with policy PMD1 of the Thurrock Core Strategy and Policies for the Management of Development DPD (2011).

Water resource efficiency:

7. In accordance with the phasing strategy approved under condition 2, a scheme for the provision and implementation of water resource efficiency measures, based upon the principles and strategy established by documentation supporting the application for the partial discharge of condition reference 13/00136/CONDC shall be submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved scheme before occupancy of that phase or stage of development.

REASON: To ensure the sustainability of the potable water supply to the development and wider area through efficient use of water resources in accordance with policy PMD12 of the Thurrock Core Strategy and Policies for the Management of Development DPD (2011).

Energy & resource efficiency:

8. In accordance with the phasing strategy approved under condition 2, a scheme for the provision and implementation of energy and resource efficiency measures during the construction and operational phases of development, based upon the principles and strategy established by documentation supporting the application for the partial discharge of condition reference 13/00136/CONDC, shall be submitted to and approved in writing by the local planning authority. The measures shall include proposals for decentralised and/or renewable or low carbon energy generation technologies on-site to secure at least 15% of the energy needs of the development. The approved measures shall be installed and operational on the first occupation of the development and shall be retained thereafter.

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

Flood warning & evacuation:

9. Prior to occupation a Flood Warning and Evacuation Plan (FWEP) shall be submitted to and approved in writing by the local planning authority. The FWEP shall provide information and advice to users who may have to be evacuated from the site if evacuation is feasible prior to inundation. The FWEP should include actions for all users of the development to take during specific flood scenarios affecting the site including the danger of entering flood water. It should contain details as to how users of the site can avoid exposure to hazardous flooding in and around the development. Adequate provision should be made for a safe evacuation of the site and remain for a period of days in a safe refuge during flood conditions. Adequate provision should include Safe Access/Egress for emergency services. The approved FWEP shall be implemented upon the first occupation of the development and retained thereafter.

REASON: In order to ensure that adequate flood warning and evacuation measures are available for all users of the development in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Flood risk:

10. Unless otherwise agreed in writing by the local planning authority, the development permitted by this planning permission shall only be carried out in accordance with the principles established by the approved Flood Risk Assessment (FRA) reference 026632 Project Next and dated August 2010 and the following mitigation measures detailed within the FRA:

- the surface water run-off generated by the 1 in 1 year to the 1 in 100 year critical storm shall be limited to 1.34 l/sec/ha to 5 l/sec/ha, respectively;
- demonstration that access will be provided for the improvement / protection and maintenance of existing flood defence bunds will be provided;
- identification and provision of safe route(s) into and out of the site to an appropriate safe haven as highlighted in Figure 2-3 of Flood Evacuation Plan dated August 2010 Rev 01;
- finished floor levels for the office and warehouse shall be set no lower than 0.35m Above Ordnance Datum (AOD);
- finished floor levels for the refuge levels of the offices and warehouses shall be set no lower than 3.35m AOD.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure the structural

integrity of existing and proposed flood defences thereby reducing the risk of flooding, to ensure safe access and egress from and to the site, to reduce the impact of flooding on the proposed development and future occupants and to reduce the risk of flooding to the proposed development and future occupants development in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Boundary treatments:

11. In accordance with the phasing strategy approved under condition 2, details of the locations, heights, designs and materials of all boundary treatments, including acoustic fencing, to be erected on site shall be submitted to and approved in writing by the local planning authority. The boundary treatments shall be completed in accordance with the approved details prior to the first occupation of the buildings and maintained thereafter.

REASON: In the interests of visual amenity, privacy and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings in accordance with policies CSTP22 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

External materials:

12. In accordance with the phasing strategy approved under condition 2, details of all external materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt, the Trimoterm FTV 60 acoustic panels or equivalent specification system shall be used to clad the decked car park hereby approved. The development shall be carried out in accordance with the approved details.

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

External lighting:

13. In accordance with the phasing strategy approved under condition 2, 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 approved 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 surroundings as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

BREEAM:

14. The development hereby permitted shall be built to a minimum standard of 'very good' under the Building Research Establishment Environmental Assessment Method (BREEAM). Prior to the first use of any building 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: In order to reduce carbon dioxide emissions in the interests of sustainable development, as required by policy PMD12 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Parking management:

15. In accordance with the phasing strategy approved under condition 2, a parking management plan shall be submitted to and approved in writing by the local planning authority. The development, following first occupation, shall thereafter operate in accordance with the approved plan.

REASON: In the interests of highway safety and amenity and to ensure that adequate car parking provision is available in accordance with Policy PMD8 of the Thurrock Core Strategy and Policies for the Management of Development DPD (2011).

Freight quality management plan:

16. The development shall operate in accordance with the Freight Quality Management Plan (FQMP) approved pursuant to the application for approval of details reserved by condition ref. 15/00385/CONDC, unless otherwise agreed in by the local planning authority.

REASON: To ensure that the strategic road network can continue to operate as part of the national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980, and to satisfy

the reasonable requirements of safety of traffic on the strategic road network in accordance with Policies PMD9 and PMD11 of the Thurrock Core Strategy and Policies for the Management of Development DPD (2011).

Operational performance plan:

17. The development shall operate in accordance with the Operational Performance Plan (OPP), approved pursuant to the application for approval of details reserved by condition ref. 15/00385/CONDC, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the strategic road network can continue to operate as part of the national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980, and to satisfy the reasonable requirements of safety of traffic on the strategic road network in accordance with Policies PMD9 and PMD11 of the Thurrock Core Strategy and Policies for the Management of Development DPD (2011).

Cycle parking:

18. In accordance with the phasing strategy approved under condition 2, details of the number, location and design of secure cycle parking facilities shall be submitted to and approved in writing by the local planning authority. The approved facilities shall be installed prior to the first use of the development and permanently retained thereafter.

REASON: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with Policies PMD2 and PMD8 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

Structural landscaping / ecological mitigation:

19. Prior to the first use of the development hereby permitted, the structural landscaping, as approved pursuant to the application for the approval of reserved matters ref. 13/00433/REM, together with the associated on-site ecological mitigation contained within the approved Ecological Mitigation and Compensation Strategy, shall be implemented.

REASON: In order to enhance the landscape and biodiversity interest of the site in accordance with Policies PMD2 and PMD7 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

Landscaping:

20. In accordance with the phasing strategy approved under condition 2, a scheme of hard and soft landscaping for the development plot (excluding the structural landscaping approved pursuant to the application for the approval of reserved matters ref. 13/00433/REM) shall be submitted to and approved in writing by the local planning authority. This scheme shall include details of the 'green roof' on the office building and measures for the long-term maintenance of this roof. The development shall be carried out in accordance with the approved scheme.

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).

Landscaping replacement:

21. Any trees of plants which, within 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: 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).

Hours of construction:

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

Monday to Friday	0800-1800 hours
Saturday	0800-1300 hours

Unless in association with an emergency and with the prior written approval of the local planning authority. If impact driven piling is required, the method of piling should be previously agreed in writing by the local planning authority and piling operations shall only take place

between 0900-1800 hours on weekdays.

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

Outside working:

23. No manufacturing, fabrication, or other industrial process shall take place outside the buildings on the site, unless otherwise 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 in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Outside storage:

24. There shall be no external storage of goods, machinery, plant or materials on the site, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of visual amenity and to ensure that the proposed development is integrated within its surroundings in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Secured by design:

25. In accordance with the phasing strategy approved under condition 2, a scheme detailing how the practices and principles of the 'Secured by Design' initiative are to be incorporated into the development shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be completed in accordance with the approved scheme.

REASON: In the interests of creating safe and secure environments in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Noise mitigation:

26. The development shall be carried out in accordance with the noise mitigation recommendations contained within Chapter 13 of the

Environmental Statement Addendum dated December 2015, including the acoustic fencing shown in Appendix 13.8. The measures shall be implemented and thereafter maintained prior to the first occupation of the development.

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

Odour extraction / control:

27. Prior to the operation of any cooking equipment to be installed related to the staff canteen in the building hereby approved, details of the siting, design and technical specification of the associated fume extraction and odour control equipment shall be submitted to and approved in writing by the local planning authority. Installation of the equipment shall be undertaken in accordance with the agreed details prior to the opening of the staff canteen. The extraction and ventilation system shall be retained in the agreed form and maintained in working order thereafter and shall be operated at all times when cooking is being carried out in the building.

REASON: In the interests of amenity in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Ancillary buildings / structures:

28. Prior to their installation, details of the appearance (including elevational treatment and materials) of (i) HV Substation, (ii) Sprinkler Tanks, (iii) Drivers WC and (iv) Gatehouse and welfare buildings (associated with additional HGV Parking) shown on approved drawing ANT-30813-PL-119C shall be submitted to and approved in writing by the local planning authority. These buildings and structures shall be constructed / installed in accordance with the approved details.

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

29. Renewable energy:

In accordance with the phasing strategy approved under condition 2, a scheme detailing measures to demonstrate that the development will achieve the generation of at least 15% of its energy needs through the use of decentralised, renewable or low carbon technologies (as indicated in the "Energy Statement and Building Regulations Part L2A 2013

Compliance Report 'As Designed') shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented and operational upon the first use or occupation of the buildings hereby permitted and shall thereafter be retained in the agreed form unless otherwise agreed in writing by the local planning authority.

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

30. Mezzanine floors:

Notwithstanding the provisions of Part 7, Class H of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification)) no enlargement by way of extension of floorspace, including the installation of a mezzanine floor, shall be formed in the building(s) hereby permitted without express planning permission first being obtained. For the purposes of this condition mezzanine floors shall be treated as new floorspace unless they are solely to provide for safe access to stacked or stored goods.

REASON: In order to accord with the terms of the submitted planning application and in the interests of highways safety and amenity.

31. Low emissions strategy:

In accordance with the phasing strategy approved under condition 2, a scheme detailing a Low Emissions Strategy to be applied during the operation of the development, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be operated in accordance with the approved scheme.

REASON: In the interests of amenity as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

32. Access details:

Notwithstanding the details shown drawing no. ITB10336-GA-004 Rev. A, in accordance with the phasing strategy approved under condition 2 details shall be submitted showing the layout, dimensions and construction specification of the proposed access to Dock Road (A126). The approved details shall be implemented on site before occupation of the development hereby permitted.

REASON: In the interests of highway safety and efficiency in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

33. Visibility splays:

Sight visibility splays measuring 2.4 metres x 90 metres shall be provided at the proposed Dock Road (A126) roundabout junction prior to the first operational use of the development and thereafter maintained at all times so that no obstruction is present within such area above the level of the adjoining highway carriageway.

REASON: In the interests of highway safety and efficiency in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

34. Car parking reservation:

None of the buildings hereby permitted shall be occupied / operated until the service road(s), footway(s), loading, parking and turning areas shown on the approved plans have been constructed. Thereafter, the service road(s), footway(s), loading, parking and turning areas shall be retained and made available to users of the development.

REASON: In the interests of road safety and amenity in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

35. Dock Road (A126) access:

The access from Dock Road (A126) hereby approved shall not be used as a general HGV and OGV through-route from the wider development site and shall only be opened for that class of vehicle if the primary access to the 'Asda' roundabout junction onto the Strategic Road Network is severely adversely affected by a road incident or similar occurrence.

REASON: To prevent inappropriate HGV and OGV vehicle movement onto Dock Road (A126) in the interests of highways safety and efficiency in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

36. Construction management plan:

Prior to the commencement of development a Construction Management Plan, which shall include details of numbers and routing of construction

vehicles, shall be submitted to and approved in writing by the local planning authority (in consultation with Highways England). Thereafter the construction of the development shall be carried out in accordance with the approved Construction Management Plan, unless otherwise agreed in writing by the local planning authority (in consultation with Highways England).

REASON: To ensure that construction of the development does not result in avoidable congestion on the A1089 trunk road and to ensure that the trunk road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of safety and traffic on the strategic road network.

37. Staff change-over periods:

The warehouse staff shift change-over period shall not be undertaken during the time period of 07.30 to 18.00 hours, unless otherwise agreed in writing by the local planning authority (in consultation with Highways England).

REASON: To minimise the impact of traffic generated by the development and to ensure that the A1089 trunk road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980.

38. A1089 / A13 merge:

Prior to the first operational use or occupation of the development a scheme of improvements to the A1089 merge onto the A13 westbound shall be submitted to and approved in writing by the local planning authority (in consultation with Highways England). The approved scheme of improvements shall be undertaken prior to the first operational use or occupation of the development.

REASON: To ensure the trunk road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of safety and traffic on the strategic road network.

Informatives:

1. Essex & Suffolk Water are the enforcement agents for The Water Supply (Water Fittings) Regulations 1999 within our area of supply, on behalf of the Department for the Environment, Food & Rural Affairs. Essex & Suffolk Water should be notified under Regulation 5 of the Water Supply (Water

Fittings) Regulations 1999.

2. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking / washing / repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.
3. 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.
4. Any works which are required within the limits of the highway reserve require the permission of the Highway Authority and must be carried out under the supervision of that Authority's staff. The applicant is therefore advised to contact the Highway Authority at the address below before undertaking such works:

Chief Highways Engineer,
Highways Department,
Thurrock Council,
Civic Offices,
New Road,
Grays,
RM17 6SL.

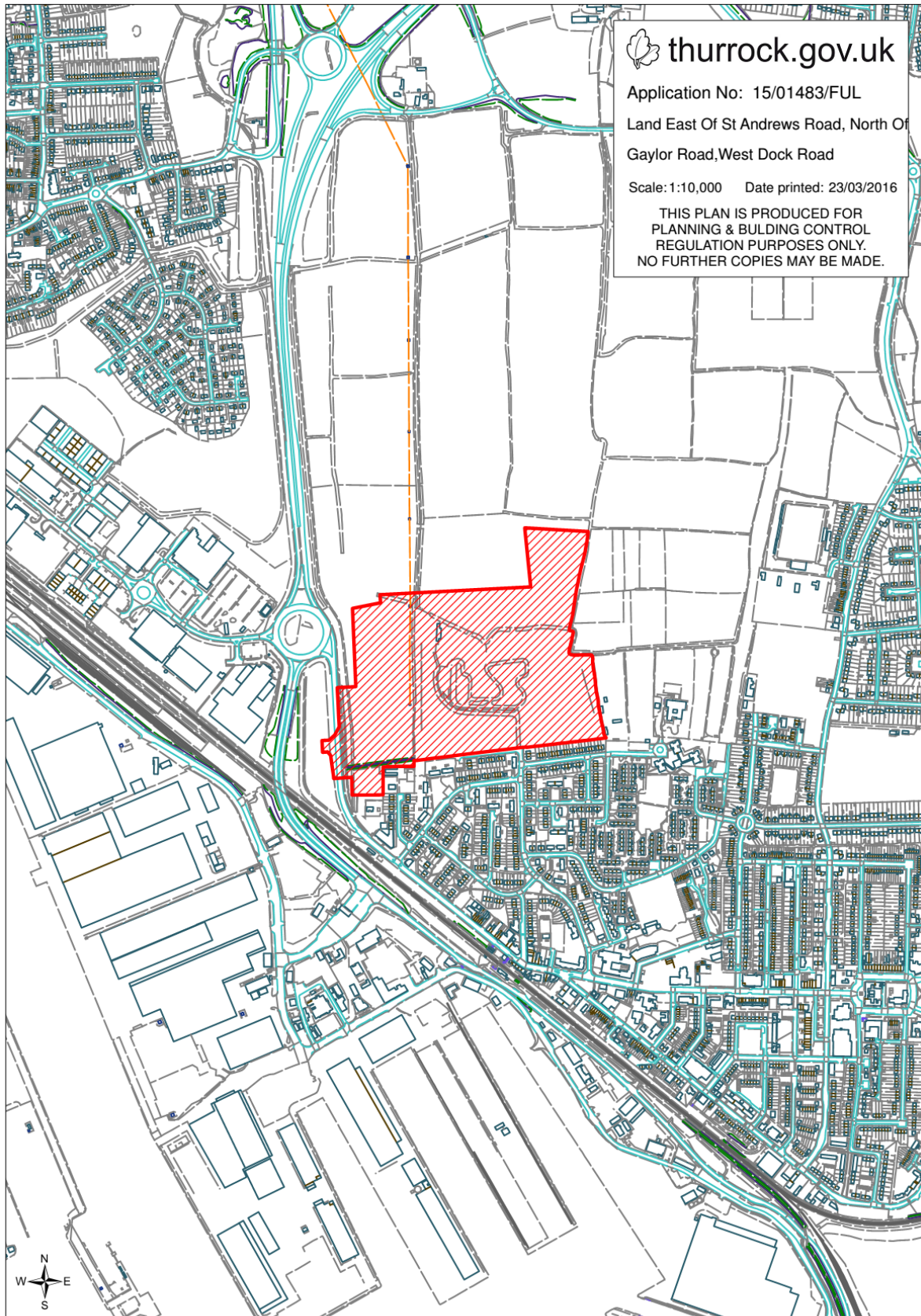
Documents:

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

www.thurrock.gov.uk/planning/15/01483/FUL

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

Planning Committee 7 April 2016	Application Reference: 15/01483/FUL
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Planning Committee 7 April 2016	Application Reference: 15/01483/FUL
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Reference: 16/00361/FUL	Site: 6 Tennyson Avenue Grays Essex RM17 5RG
Ward: Grays Thurrock	Proposal: Conversion of existing 5 bedroom house to 3 one bedroom apartments

Plan Number(s):		
Reference	Name	Received
1197 01 P1	Existing Elevations, Floor Plans & Location Plan	14 March 2016
1197 02 P2	Proposed Elevations, Floor Plans & Location Plan	14 March 2016

The application is also accompanied by: Design and Access Statement	
Applicant: Mr & Mrs Sherriff	Validated: 14 March 2016 Date of expiry: 27 May 2016 (time extension)
Recommendation: To refuse	

This application has been called-in to Planning Committee by Members to consider the application in relation to local planning policy.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission for the redevelopment of the existing 5 bedroom house into 3 x 1 bedroom apartments with shared landscaped and parking spaces.

- 1.2 The only changes proposed are the removal of the rear garage door and the replacement of the 'up and over' front garage door with a roller shutter door and the provision of two roof lights in the front roof slope and two roof lights in the rear roof slope.

- 1.3 A shared amenity area of 72sq.m. is proposed to the rear of the building for the 3 flats. Four parking spaces would be provided to the rear of the property, accessed

through the existing garage which is shown to be made open. There would also be two parking spaces provided to the front of the property. A refuse storage area is proposed to the front of the site.

- 1.4 The building to the rear, which was previously constructed as an annexe is to remain with no changes. Amenity space for this building already exists.

2.0 SITE DESCRIPTION

- 2.1 The site is located to the eastern end of Tennyson Avenue adjacent to Piggs Corner Residential Home. The site presently comprises a 5 bedroom house which has been extended. There is also a self-contained family annex at the rear of the garden.

3.0 RELEVANT HISTORY

Reference	Description	Decision
06/00037/FUL	Two storey side and rear extension and ground floor rear extension.	Approved
11/00343/HHA	Detached two bedroom family annexe in rear garden	Approved
12/00537/NMA	Removal of window from bedroom to bathroom, and move skylight from bathroom to bedroom	Approved

4.0 CONSULTATIONS AND REPRESENTATIONS

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

www.thurrock.gov.uk/planning

PUBLICITY:

- 4.2 The application has been advertised by way of neighbour letters and a site notice. Thirteen objections have been received raising the following concerns:

- Impact on character of the area;
- Accessibility;
- Increased traffic;
- Usability of the parking spaces;
- Overlooking;
- Increased noise and disturbance;
- Annexe building – use was conditioned for family only;
- Intensification of the site;
- Precedent;
- Proximity to Piggs Corner Residential Home;

HIGHWAYS:

4.3 No objection.

ENVIRONMENTAL HEALTH:

4.4 No objection subject to conditions.

5.0 POLICY CONTEXTNational 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
6. Delivering a wide choice of high quality homes
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:

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

Local Planning PolicyThurrock 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:

- CSTP22 Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness²

Policies for the Management of Development:

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD8: Parking Standards³
- PMD12: Sustainable Housing and Locations

[Footnote: 1New 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 Focused 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 for the Borough. Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock
- 5.7 The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these

processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan.

6.0 ASSESSMENT

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

1. Plan designation and principle of development
2. Design and relationship of development with surroundings
3. Access and parking
4. Infrastructure Improvements and Affordable Housing

1. PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

6.2 The site is within a residential area in Grays and presently comprises a single dwellinghouse with an annexe. Therefore, the principle of further residential use of this site could be acceptable subject to other policy criteria being met.

2. DESIGN AND RELATIONSHIP OF DEVELOPMENT WITH SURROUNDINGS

6.3 Policy PMD1 of the Core Strategy states that development will not be permitted where it would have an unacceptable impact on the amenity of neighbouring occupiers.

6.4 Policy PMD2 of the Core Strategy 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.

6.5 Policy CSTP22 of the Core Strategy indicates that development proposals must demonstrate high quality design founded on a thorough understanding of, and positive response to, the local context.

6.6 Whilst there are limited changes the building itself which would not be harmful, the effect of the departure from the predominant family housing in the area would negatively affect the character of the area. This is due to the intensification in use of the site and the effect this increased activity would have to the surrounding area. Accordingly, the proposed development is considered to be contrary to Policies PMD2 and CSTP22 of the Core Strategy and the relevant criteria in the NPPF.

6.7 The proposed flats all exceed the minimum internal floor standards required in Annex 2 of the Local Plan.

6.8 The development would make provision for communal amenity space for the future occupiers of the flats. On the basis that 3 x 1 bedroom flats are proposed a minimum of 75sqm of usable private amenity space should be provided to meet policy. Whilst the plans indicate a marginally substandard area of 72sq.m., it is not

considered that a reason for refusal could be substantiated given the only marginal gap in provision.

- 6.9 There is a building to the rear of the site which was approved as a family annexe with a condition stating it would only be used in conjunction with the main house. This was because the creation of two separate dwellings on the site was considered to be undesirable. This building has been termed a “bungalow” within the Design and Access statement. This further compounds the concerns over the intensification in use of the site.
- 6.10 Given the proposed use is for an increase to four separate residential properties, the proposal would result in an increased use of the land which would impact the surrounding area due to the increase of one household into four within the site. There would be an increase in noise, traffic and general activity. Therefore the proposal contravenes Core Strategy Policy PMD1.
- 6.11 In addition, the introduction of a primary unit of accommodation to the end of the garden of the original dwelling is out of character with the surroundings. The proposal therefore fails to demonstrate a thorough understanding of the local context, contrary to Core Strategy policies PMD2 and CSTP22.
- 6.12 The proposal includes the introduction of a kitchen at first floor level in a room that was previously a bedroom on the side with the adjoining semi-detached property No 8 Tennyson Avenue. This would introduce increased activity in a room that was previously a bedroom. Part (v) of Annex 2 of the Local Plan states that “*where the property is situated close to the common boundary with another dwelling, there shall be no overlooking to the rear gardens of that neighbour from first floor kitchen/dining or main living areas*”. The provision of a kitchen on the side with the shared boundary would be contrary to that part of the Annex and would result in a loss of privacy and amenity to the adjoining occupiers.

3. ACCESS AND PARKING

- 6.13 The proposal would increase the use of the existing crossover. There has been no objection to the proposed extension of the crossover by the Council’s Highways Officer.
- 6.14 Policy PMD2 of the Core Strategy indicates that all development should allow safe and easy access while meeting appropriate standards. The proposal offers the required number of parking spaces in the Draft Thurrock Parking Standards 2012. There are six parking spaces proposed on the plan.
- 6.15 However, four of the parking spaces which are proposed in what is the present rear garden of the property are slightly deficient in length (4.8m compared to the 5m required). Additionally, the layout of these parking spaces would result in vehicles manoeuvring in and around the area recognised as private garden area in close proximity to the private amenity space of 8 Tennyson Avenue. As a result of the introduction of activity not normally seen in residential gardens the proposal is

considered to be detrimental to the privacy and amenity of the occupiers of No 8 Tennyson Avenue. Therefore, it is not considered these four parking spaces in the rear garden are acceptable due to the layout and effect on the amenity of the occupiers of 8 Tennyson Avenue contrary to Core Strategy Policies PMD1 and PMD2.

4. INFRASTRUCTURE IMPROVEMENTS AND AFFORDABLE HOUSING

- 6.16 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 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 an s.106 contribution in this instance.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The application site lies within a residential area with no formal allocation. Therefore the principle of residential development is considered to be acceptable.
- 7.2 Concern however exists in relation to the intensification of use of the site within this predominantly family housing area. The four proposed parking spaces within the present rear garden of the property would cause unacceptable harm to the amenities of 8 Tennyson Avenue, as the parking spaces are adjacent to the fence of their rear garden. The intensified use of the site would be contrary to Policies PMD1 and PMD2 of the Core Strategy.
- 7.3 The overall design of the proposed development would also be unacceptable, leading to a significant increase in households at the site. Whilst there are limited changes externally to the building, there would be a considerable increase in general activity. This would be to the detriment of the character and amenities of the area and failing to achieve a high standard of layout contrary to Core Strategy Policies PMD2 and CSTP22 of the Core Strategy and the relevant criteria in the NPPF.

8.0 RECOMMENDATION

- 8.1 Refuse for the following reason(s):

Reason(s):

1. Policy PMD1 of the Core Strategy states that development will not be permitted where it would have an unacceptable impact on neighbouring properties amenity.

Policy PMD2 of the Core Strategy 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.

Policy CSTP22 of the Core Strategy indicates that development proposals must demonstrate high quality design founded on a thorough understanding of, and positive response to, the local context.

Part (v) of Annexe 2 of the Thurrock Borough Local Plan 1997 states that “where the property is situated close to the common boundary with another dwelling, there shall be no overlooking to the rear gardens of that neighbour from first floor kitchen/dining or main living areas”.

Section 7 of the NPPF sets out the need for new development to deliver good design. Paragraph 57 specifies that 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. Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic consideration.

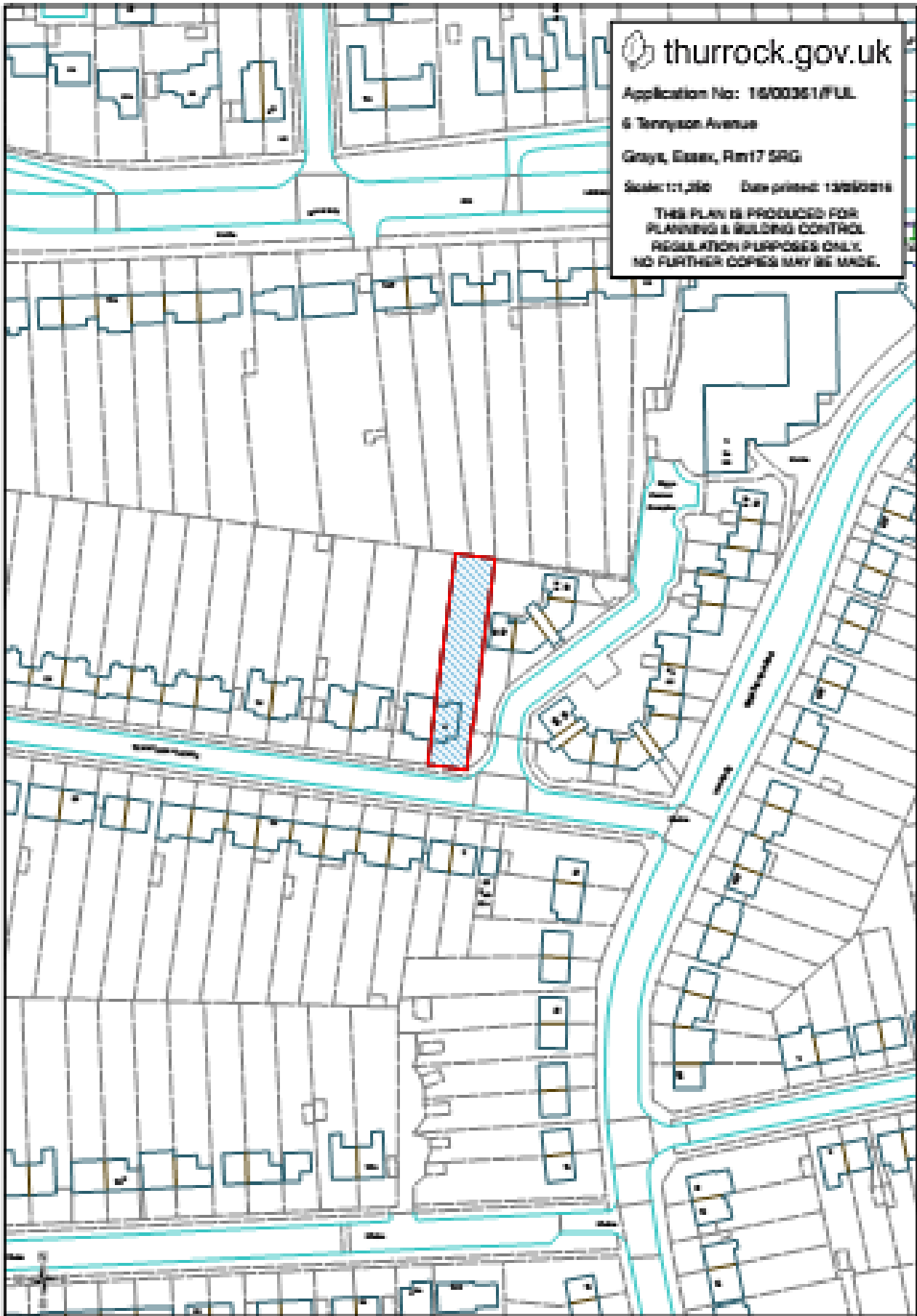
The proposal would result in four separate dwellings on the site; three in the main building and a fourth in the rear garden, using the existing structure which was previously constructed as an annexe.

- i) The result of the intensification of use would be departure from the predominant family housing in the area which would negatively affect the character of the area to the detriment of the character of the area contrary to policies PMD2 and CSTP22 of the Core Strategy and the relevant criteria in the NPPF
- ii) The use of the building to the rear of the site as a separate dwelling would introduce a primary use to the end of the garden of the original dwelling which is entirely out of character with the surrounding pattern of development resulting in an intensive use of the site, symptomatic of the overdevelopment which would be harmful to the character, appearance and amenities of the area and local context, contrary to Core Strategy policies PMD2 and CSTP22.
- iii) The proposal to use part of the area to the rear of the building for four parking spaces would result in vehicles parking and manoeuvring in an area previously used as garden, directly adjacent to the garden of No 8 Tennyson Avenue. The vehicle movements and associated activity would be detrimental to the privacy and amenities presently enjoyed by the occupiers of No 8 Tennyson Avenue contrary to Policies PMD1, PMD2 and CSTP22 of the Core Strategy.
- iv) The proposal to locate a kitchen on the first floor on the side with No 8 Tennyson Avenue would result in overlooking of the private garden area of No 8 to the detriment of the privacy and amenity of the occupiers therein, contrary to Annexe 2 of the Local Plan.

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



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Reference: 15/00268/FUL	Site: Land south of railway line and adjacent to Purfleet distribution terminal, London Road, Purfleet
Ward: West Thurrock and South Stifford	Proposal: Use of land for vehicular storage, formation of hardstanding and associated infrastructure works including erection of lighting and CCTV columns, erection of fencing, and drainage infrastructure on land at the former Paper Mills site, London Road, Purfleet.

Plan Number(s):		
Reference	Name	Received
NWPU-2014-PA-101-0	Planview Site Location Paper Mill Land	13.03.15
NWPU-2014-PA-102-0	Planview Paper Mill Land Existing Site	13.03.15
NWPU-2014-PA-103-0	Planview Paper Mill Land The Proposal	13.03.15
NWPU-2014-PA-104-0	Paper Mill Land Planview - Sections	13.03.15
NWPU-2014-PA-105-0	Paper Mill Land Sections - Details	13.03.15
NWPU-2014-PA-106-0	Paper Mill Land – Details Entrance / Exit Gate Checkpoint	13.03.15
Pcif141208-3-171156_papermillA.pdf – 08/12/14 1/3	Lighting Plan	13.03.15
Pcif141208-3-171156_papermillA.pdf – 08/12/14 2/3	Lighting Plan	13.03.15
Pcif141208-3-171156_papermillA.pdf – 08/12/14 3/3	Lighting Plan	13.03.15

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> • Planning Supporting Statement; • Design and Access Statement; • Transport Assessment (+ Appendices); • Preliminary Ecological Appraisal; • Flood Risk Assessment; • Construction Statement; • Emergency Procedures Plan; and • Environment Statement, with the following chapter headings – <p style="margin-left: 20px;">- Introduction</p>
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<ul style="list-style-type: none"> - Site description and proposed development - Environmental issues and methodology - Hydrology and flood risk - Natural heritage. 	
<p>Applicant: Purfleet Real Estate</p>	<p>Validated: 17 March 2015 Date of expiry: 1 June 2015 – Article 34 Extension of time agreed with applicant</p>
<p>Recommendation: Grant planning permission, subject to conditions.</p>	

1.0 DESCRIPTION OF PROPOSAL

1.1 In summary, the application seeks full planning permission for a vehicle storage area with associated infrastructure. The application contains a number of elements detailed in italics and described below:

1.2 *Demolition of remaining structures at the site including tank bases and the existing pumping station and outlet to the Thames*

As noted in the ‘Site Description’ below, a number of the bases of former tanks are located on the western part of the site and a pumping station building remains at the site’s south-western corner. The remainder of the site south of the railway line is covered in a concrete hardstanding. The tank bases and hardstanding would be broken-up and crushed on-site, then re-used as a foundation layer for a new hardstanding.

1.3 *Construction of hardstanding for open air vehicle storage providing a total of 1,836 car parking spaces and 7 car transporter bays*

The application site is located to the west of the 42ha Purfleet Thames Terminal (PTT) operated by C.RO Ports London Ltd (C.RO). PTT currently handles approximately 400,000 trailers, containers and tankers per year, and the import and export of approximately 200,000 vehicles annually by ferry. The development proposals are intended to provide additional storage capacity for PTT, specifically for additional vehicle storage. The application site is proposed to provide open storage space capable of accommodating up to 1,836 car spaces with 7 car transporter lanes. The vehicle storage area is proposed within c3.8ha of the site, located south of the railway lines. The vehicle storage is proposed within defined bays arranged in rows of 4 spaces, parked bumper to bumper, arranged north-south across the site.

The surface of the parking area would comprise tarmac on top of a base layer and a sub-base of crushed concrete. Finished ground levels across the site would vary

between 1.8m AOD to 2.4m AOD, representing an overall decrease in existing levels across the site.

1.4 *Installation of a pre-fabricated gatehouse building and lifting barriers*

A pre-fabricated gatehouse / office building would be sited at the north-western corner of the 'main' site close to the point where the access road crosses the railway lines. The structure would measure 11.1m (l) x 2.9m (w) x 3.5m (h). Vehicle barriers to control access and egress from the site would be sited adjacent to the gatehouse.

1.5 *Security fencing around the operational site area*

All boundaries of the operational area on the 'main' site would be secured with a concrete wall (to a height of 1.5m above ground level) topped with a steel palisade fence 2m in height. The total height of the security fencing would be 3.5m above ground level. Existing fencing adjacent to the public footpath on the southern boundary of the site would be retained. A new 1.7m high timber post and rail fence would be installed on the western boundary of the site, adjacent to the 'green zone'.

1.6 *New surface water drainage system including a new pumping pit housing two pumps and new outlet pipes for discharge to the Thames*

Ground levels across the parking area would fall such that surface water would fall into a number of gullies which in-turn would feed underground drainage pipes. These pipes would collect surface water at the south-western corner of the site within a pumping pit, from where surface water would be pumped via pipes above ground level over the tidal defence and into the River Thames. A back-up pump would be provided in case the primary pump failed.

1.7 *Lighting columns, incorporating CCTV cameras*

The 'main' site would be illuminated via lights mounted on 14 floodlight columns. Each column would support 3 LED luminaires at a height of approximately 15.2m above ground level. The floodlight columns would also provide a mounting for CCTV cameras, although details of the position or height of CCTV equipment has not been provided.

1.8 *Landscape planting and habitat creation along western boundary within the site boundary*

A 'Green Zone' of open land and planting is proposed located between the operational parking area and the site's western boundary. This Zone would measure a maximum of 10m in width, with a length along the boundary of approximately 140m. It is intended that the Zone would provide suitable habitat for invertebrates, as well as new tree and shrub planting as a visual screen.

1.9 Other elements of the proposals:

Access to the application site would be from London Road via the existing private estate road within the International Timber site and the existing level crossing. Cars imported to the PTT site by ferry would leave the terminal travelling west along London Road for a distance of approximately 550m before entering the application site. Cars would be stored on-site for up to 22 days before leaving on vehicle transporters (9-car capacity). The proposed operation on the application site would be on a 24-hour a day, 7 days a week basis. The proposed operation would generate 16 full-time equivalent jobs, employed in car operations, security etc.

1.10 Other Applications:

This application is the third of three recent planning applications submitted for development associated with the PTT:

- 14/01387/FUL: Use of part of the land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hardstanding, associated infrastructure works including erection of lighting and CCTV columns, erection of fencing, drainage infrastructure on land at the former Exxon Mobil Lubricants site, London Road, Purfleet. – This application involved a site located immediately to the east of the Purfleet Fuels Terminal site and west of the existing PTT site. Planning permission was granted in May 2015 but development has not commenced.
- 14/01392/FUL – Purfleet Farm - Use of part of land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hardstanding, associated landscape and infrastructure works including erection of a gatehouse building, lighting columns, erection of fencing, drainage infrastructure including a surface water balancing pond, infill and alteration to levels, alterations to vehicular access to London Road – This application involved the ‘Purfleet Farm’ site located south of London Road and close to the Stonehouse Corner roundabout. Planning Committee resolved to grant planning permission in April 2015 subject to planning conditions and a s106 legal agreement. At the time of drafting this report, the agreement had not been completed and no decision has been issued.

In line with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the Council issued a Screening Opinion which advised that the proposals constituted an EIA development. As noted above, the planning

application is accompanied by an ES.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises approximately 4.2 hectares of land formerly used as part of the Thames Board Mills site. The ‘main’ part of the application site, located south of the Fenchurch Street to Tilbury railway line, comprises some c.3.8 hectares of land formerly occupied by Thames Board Mill buildings. The remainder of the application site consists of a vehicular access across the railway line and the existing estate road which links to London Road. The ‘main’ site was cleared of former buildings and structures in the early 2000’s, although hardstandings and the foundations of now removed tanks remain on-site. The site has been partly colonised by scrub vegetation since removal of the buildings. A small pump house structure remains in the south-west corner of the ‘main’ site.

- 2.2 To the south of the site is the flood defence wall adjacent to the River Thames. Public footpath no. 141 runs parallel to the site’s southern boundary. On the southern side of the flood defence is an unused concrete jetty associated with the former use of the site by Thames Board Mills. To the west of the ‘main; site is the vacant ‘Cory’s Wharf’ site which is within the Council’s ownership. The northern boundary of the ‘main’ site is formed by the railway line. A remnant bridge across the railway lines linking former factory buildings remains in place. On the northern side of the railway lines in the International Timber site, owned by Saint Gobain Ltd. To the east of the site is the Purfleet Fuels Terminal site. As a large scale petrol storage site this terminal is subject to Health and Safety Executive guidance applying to hazardous installations. The majority of the ‘main’ site is within the Development Proximity Zone, which is an area extending to 150m from the boundary of the petrol storage tank bunds. The remainder of the ‘main’ site is within the ‘Inner’ HSE consultation zone, with that part of the application site forming the access road (north of the railway lines) located in the ‘middle’ and ‘outer’ zones.

- 2.3 The site consists of a flat and low-lying parcel of land generally between 1.3m and 2.6m AOD. The site and surrounding land to the east and west is within the high risk flood zone (Zone 3a).

3.0 RELEVANT HISTORY

Reference	Description	Decision
63/00066/FUL	Pipeline	Approved
96/00606/FUL	Erection of new machine house, warehouse and electricity sub-station	No decision
99/00503/FUL	Alterations and extensions to effluent treatment plant	Approved
05/00001/OUT	Re-development for a mix of uses including residential (C3), community	Approved

	uses (including some or all of uses A1/A2/A3/D1/D2) and employment uses(B1/B2/B8) with public open space, enhanced riverside walkway, bridge over railway, landscaping, associated new highway and pedestrian/cycleway access into and within site and associated works.	
11/50401/TTGOUT	Demolition of existing buildings; site preparation; redevelopment of the application site for a mix of uses including; Residential (up to 3,000 units); Retail Floorspace - Use Class A1, Financial & Professional Services Floorspace - Use Class A2, Food & Drink Facilities - Use Classes A3, A4 & A5 (6,900sqm); Employment & Business Uses - Use Classes B1, B2 & B8 (31,000sqm); Hotel - Use Class C1 (3,300sqm); Community, School & Civic Facilities - Use Class D1 and Leisure Uses - Use Class D2 (6,500sqm); Car Parking Spaces; Relocation of Existing Station Ticket Hall; Public & Private Open Space and Landscaping, Highways, Access, Engineering and Associated Works	Approved
14/00798/SCR	Environmental Impact Assessment Regulations Screening 2011 surface car storage at the former Paper Mill site adjacent to the Purfleet Thames Terminal. (Referred to as Site 3 - 3.7ha former Paper Mill Site)	EIA required

3.1 Historical Ordnance Survey mapping dating from the 1890's shows that at this time the site was partly occupied with the original Thames Paper Mills site buildings. A small terrace of residential properties was also located in the north-eastern corner of the current site. Further Mill buildings were added in later years, principally to the north of the site. By the 1920's further Thames Paper Mills buildings had been added on the site, along with tanks and railway sidings. Mapping from the 1930's show that a jetty had been added to the river frontage of the site, with further extensions to the Board Mills buildings. By the 1960's buildings and structures covered the majority of the site.

3.2 Aerial photographs of the site from 1999 show that by that date former Paper Mills buildings had been removed, although tanks and plant remained. Aerial

photographs dating from 2004 show the site cleared of all buildings and structures, although concrete slabs remain.

- 3.3 The current application site formed part of the wider planning application site of the 'Purfleet Centre' regeneration proposals, referred to under reference 11/50401/TTGOUT in the table above.

4.0 CONSULTATIONS AND REPRESENTATIONS

- 4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council's web-site at: www.thurrock.gov.uk/planning/15/00268/FUL.

4.2 PUBLICITY:

The application has been publicised by the display of site notices, a newspaper advertisement and consultation with neighbouring properties. The proposals have been advertised as a major development accompanied by an Environmental Statement.

- 4.3 Neighbour consultation letters have been sent to 121 surrounding properties. Two letters of objection has been received raising the following concerns:

- additional traffic;
- traffic congestion;
- impact on residential occupiers;
- increased noise;
- air pollution;
- disturbance and pollution during construction;
- light pollution;
- prejudicial to Purfleet Centre regeneration proposals; and
- impact of 24-hour operation.

- 4.4 The following consultation replies have been received:

4.5 BUGLIFE:

The site was ear-marked for ecological mitigation as part of the Purfleet Centre masterplan application (ref. 11/50401/TTGOUT). It is hard to imagine where such an extensive area of habitat could be created elsewhere in the local area which would sufficiently deliver for biodiversity. Currently, the habitat itself on the application site is of relatively low value for invertebrates, hence it being appropriate for the creation of new brownfield habitat in the Purfleet Centre application. In this respect Buglife would have no objection to the development in itself. However, it is

important that this application is considered within the context of the wider Purfleet regeneration plan in the Purfleet Centre application and that the previous commitment for the large mitigation area is adhered to.

4.6 HIGHWAYS ENGLAND:

No objection.

4.7 ENVIRONMENT AGENCY:

No objection, subject to planning conditions.

4.8 ESSEX COUNTY COUNCIL (ARCHAEOLOGY):

No objection.

4.9 ESSEX & SUFFOLK WATER:

No objection.

4.10 HEALTH & SAFETY EXECUTIVE / PADHI:

No objection.

4.12 NATURAL ENGLAND:

No comments.

4.13 NETWORK RAIL:

No objection. General advice given.

4.14 PORT OF LONDON AUTHORITY:

No objection.

4.15 PURFLEET CENTRE REGENERATION LTD:

Object to the application on the basis that the redevelopment proposals and could jeopardise completion of the land assembly process; and the success of the regeneration scheme.

4.16 PURFLEET VILLAGE FORUM:

Express concerns regarding light spillage, increased noise, traffic congestion; limited employment generation; potential loss of land within the Purfleet Centre regeneration proposals

4.17 EMERGENCY PLANNING OFFICER:

No objection, subject to provision of a flood warning and evacuation plan.

4.18 ENVIRONMENTAL HEALTH:

No objection, subject to conditions.

4.18 FLOOD RISK MANAGER:

No objection, subject to planning conditions.

4.20 HIGHWAYS:

No objections, subject to planning conditions.

4.21 LANDSCAPE & ECOLOGY:

No objection, subject to condition.

4.22 PUBLIC FOOTPATHS:

No objections.

4.23 REGENERATION:

Object to the application on the basis that the operation would not be compatible with the wider regeneration scheme for the area which may undermine confidence in and delivery of the wider regeneration of the locality.

4.24 TRAVEL PLAN CO-ORDINATOR:

If the proposal is considered as part of the wider Port site then a Travel Plan would be required.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase

Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

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

1. Building a strong, competitive economy
4. Promoting sustainable transport
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment.

5.2 Planning Practice Guidance

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

- Air quality
- Climate change
- Design
- Determining a planning application
- Environmental Impact Assessment
- Flood risk and coastal change
- Land affected by contamination
- Light pollution
- Natural environment
- Noise
- Open space, sport and recreation facilities, public rights of way and local green space
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions

5.3 Local Planning Policy

Thurrock Local Development Framework (2011)

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The Adopted Interim Proposals Map shows the site located within a wider area designated as ‘Land for New Development in Primary Industrial and Commercial Areas’. Policies CSSP2 and CSTP6 apply to these areas. Policy CSSP2 (Sustainable Employment Growth) states that, inter-alia, the Council will promote and support economic development in the Key Strategic Economic Hubs (including Purfleet) that seeks to expand upon their existing core sectors and / or provide opportunities in the growth sectors. The core sectors for the Purfleet Hub comprise storage, warehousing and freight transport. Policy CSTP6 (Strategic Employment Provision) states that, inter-alia, The Council will safeguard existing Primary and Secondary Industrial and Commercial land and premises in, or last used for employment purposes, where it is required to maintain a sufficient supply of employment land in the Plan period. In addition, the Primary and Secondary Industrial and Commercial areas will be reserved for employment generating uses falling within Class B1, B2, and B8 and sui generis uses.

The following Core Strategy policies also apply to the proposals:

SPATIAL POLICIES

- CSSP3: Sustainable Infrastructure
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock¹

THEMATIC POLICIES

- CSTP14: Transport in the Thurrock Urban Area: Purfleet to Tilbury³
- CSTP16: National and Regional Transport Networks³
- CSTP17: Strategic Freight Movement and Access to Ports
- CSTP18: Green Infrastructure
- CSTP19: Biodiversity
- CSTP22: Thurrock Design
- CSTP25: Addressing Climate Change²
- CSTP26: Renewable or Low-Carbon Energy Generation²
- CSTP27: Management and Reduction of Flood Risk²
- CSTP28: River Thames²

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD7: Biodiversity, Geological Conservation and Development²
- PMD8: Parking Standards³
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans²
- PMD11: Freight Movement
- PMD15: Flood Risk Assessment²
- PMD16: Developer Contributions²

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

5.4 Focused Review of the LDF Core Strategy (2014)

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

5.5 Draft Site Specific Allocations and Policies DPD

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 eastern part of the application site is allocated as a ‘Reasonable alternative site option for Primary Employment Land’ within both of these draft documents (ref. E2RAf). The western part of the application site, comprising the foundations of the former tanks, has no allocation. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

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

The above report was considered at the February 2014 meeting of the Cabinet. The report 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. The Council recently undertook consultation on the Local Plan Issues and Options (Stage 1).

6.0 ASSESSMENT

6.1 Procedure:

The development proposal is considered to be a development requiring Environmental Impact Assessment (EIA), therefore the application has been accompanied by an Environmental Statement (ES). The ES considers the environmental effects of the proposed development during construction and operation and includes measures to prevent, reduce or offset any significant adverse effects on the environment. The ES is accompanied by technical appendices. The contents of the ES comprise:

- Introduction
- Site description and proposed development
- Environmental issues and methodology
- Hydrology and flood risk
- Natural heritage.

6.2 The Council has a statutory duty to consider environmental matters and an EIA is an important procedure for ensuring that the likely effects of new development are fully understood and fully taken into account before development proceeds. EIA is, therefore, an integral component of the planning process for significant developments. EIA leads to improved decision making by providing the development management process with better information. EIA not only helps to determine whether development should be permitted but also facilitates the drafting of planning conditions and legal agreements in order to control development, avoid or mitigate adverse effects and enhance beneficial effects. Therefore, it is vital that the environmental issues raised by the application are assessed in a robust and transparent manner.

6.3 In order to fulfil the requirements of the EIA Regulations it is necessary to ensure (a) that the Council has taken into account the environmental information submitted, and (b) that any planning permission granted is consistent with the development which has been assessed. To achieve this second objective the Council has the ability to impose conditions and secure mitigation measures by Section 106 obligations.

6.4 There are essentially 8 main issues relating to the consideration and determination of this application:

- I. Development Plan allocation, principle of development and implication of adjoining land uses;
- II. Traffic impact, access, car parking and other transport issues
- III. Urban design, townscape and visual impacts;
- IV. Flood risk, drainage, water quality and water resources;
- V. Ground conditions, contamination and remediation;

- VI. Noise and air quality;
- VII. Effects on ecology and nature conservation; and
- XIII. Impact of the proposals on the Purfleet Centre redevelopment scheme.

I. DEVELOPMENT PLAN ALLOCATION, THE PRINCIPLE OF DEVELOPMENT AND THE IMPLICATION OF ADJOINING LAND USES

- 6.5 The site is located within Purfleet, one of the five 'Key Areas of Regeneration and Growth Locations' identified in the LDF Core Strategy. The "Thurrock Spatial Vision for 2026", as set out within Chapter 3 of the Core Strategy (titled 'The Future of Thurrock') states that regeneration at Purfleet *"will be founded on the development of a mix of dwellings, employment and community facilities focused around a new centre adjoining the railway station and riverside."*
- 6.6 The LDF-CS Interim Adopted Proposals Map allocates the site as 'Land for New Development in Primary Industrial and Commercial Areas' where policies CSSP2 and CSTP6 apply. Policy CSSP2 (Sustainable Employment Growth) also defines Purfleet as a 'Key Strategic Employment Hub' where the Council will *"promote and support economic development ... that seeks to expand upon their existing core sectors and/or provide opportunities in the growth sectors ... The Key Strategic Economic Hubs will deliver the ... target of 26,000 new jobs for Thurrock over the period 2001-2026 and beyond."* The "core sectors" of the Purfleet Key Strategic Employment Hub are described by Policy CSSP2 as storage, warehousing and freight transport. The proposed open car storage use is defined as a Class B8 use and falls within the established 'Core Sector' of employment uses for Purfleet and accords with the types of employment uses appropriate within such areas. The proposal would assist in delivering the jobs growth envisaged by Policy CSSP2 (Sustainable Employment Growth).
- 6.7 Core Strategy Thematic Policy CSTP6 (Strategic Employment Provision) specifically addresses the Borough's Primary and Secondary Industrial and Commercial Areas. Part 2 (I.) of this policy states that *"The Council will safeguard existing Primary and Secondary Industrial and Commercial land and premises in, or last used for employment purposes, where it is required to maintain a sufficient supply of employment land in the Plan period"*. Part 2(III.) of the Policy goes on to state that: *"the Primary and Secondary Industrial and Commercial areas will be reserved for employment generating uses falling within Class B1, B2, and B8 and sui generis uses"*. As noted above, the application site is allocated as 'Land for New Development in Primary Industrial and Commercial Areas' on the Adopted Interim Proposals Map accompanying the LDF Core Strategy. As a Class B8 use, the proposed vehicle storage use is considered to be consistent with the objective of Policy CSTP6.
- 6.8 Following adoption of the Core Strategy in 2011, the Council undertook two rounds of public consultation (2012 and 2013) on the draft Site Specific Allocations and Policies Development Plan Document (DPD). Both of these consultations identified

the eastern part of the application site, excluding the remaining tank bases, as a 'Reasonable alternative site option for Primary Employment Land'. Both consultations recognised the potential for residential-led mixed use development within the centre of Purfleet. However, the DPD's did not allocate any of the application site for mixed use development. Similarly, both draft DPD's also allocated land to the west and north-west of the site as preferred housing sites without permission, although no part of the application site was allocated for residential purposes. Further work to progress the Site Specific Allocations and Policies DPD was suspended in 2014.

- 6.9 Since the adoption of the LDF Core Strategy in 2011 and the two Site Specific Allocations and Policies DPD consultations, outline planning permission has been granted for a substantial residential-led, mixed use development, known as Purfleet Centre. The application site for this outline permission includes the current application site. The current proposals will potentially impact on the approved and emerging Purfleet Centre proposals and these implications are considered later in this report.
- 6.10 However, at a 'prima facie' level the current proposals are considered to be consistent with the requirements and objectives of adopted Core Strategy policies CSSP2 and CSTP6.
- 6.11 Paragraph 2.2 of this report notes that the application site is located partly within the Development Proximity Zone (DPZ) and the Inner, Middle and Outer consultation zones drawn around the Purfleet Fuels Terminal, where permissions allow for hazardous substances to be stored in bulk. The Health and Safety Executive, as the relevant authority for hazardous sites, has directed local planning authorities to utilise their 'PADHI' consultation system. The PADHI system has been used for those parts of the site located within the Inner, Middle and Outer consultations zones and, having regard to the nature of the development and the, the PADHI+ system generated the following response "*HSE does not advise, on safety grounds, against the granting of planning permission in this case*".
- 6.12 As part of the application site is within the DPZ (drawn to include all land within 150m of the petrol storage tank bunds) the PADHI consultation system does not apply. Instead, the HSE has published a document titled "Land Use Planning Advice Around Large Scale Petrol Storage Sites". This document assigns sensitivity levels for development proposals within the DPZ and it is only those developments which are "not normally occupied" which will attract a "*does not advise against*" response from the HSE. Not normally occupied development has been defined by the HSE as comprising parking areas (limited to 500 cars), storage facilities (including outdoor storage) and minor transport links. It is considered that the proposals would fall within the definition of (not normally occupied) storage facilities, in which case it is unlikely that the HSE would advise against the grant of planning permission. In any case the HSE has been consulted directly and has confirmed that they "*do not advise, on safety grounds, against the granting of*

planning permission in this case. This advice is based on the development involving the use of the land within the DPZ of the Esso Petroleum Company Ltd site for the large-scale temporary storage of vehicles. The gatehouse facility will be located outside the DPZ and due to the pattern of use of the site any individual will be subject to a limited exposure to risk for short periods of time.”

II. TRAFFIC IMPACT, ACCESS, CAR PARKING AND OTHER TRANSPORT ISSUES

6.13 Section 9 of the NPPF relates to promoting sustainable transport and Paragraph 32 states that plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

6.14 Impact upon the Strategic Road Network

Adopted LDF Core Strategy Policy CSTP16 (National and Regional Transport Networks) seeks to deliver improvements to national and regional transport networks to ensure growth does not result in routes being over capacity.

6.15 The Transport Assessment (TA) accompanying the application assesses the impact of the development on Junction 31 of the M25. It is relevant that the TA is a consolidated document which assesses the cumulative impact of the current application and the applications referred to at paragraph 1.10 of this report. The TA concludes that Junction 31 would continue to operate within capacity within the morning peak. Traffic associated with the evening peak has a small negative impact on the performance of the approach links. The circulatory carriageway is predicted to operate within capacity. Highways England has been consulted and raises no objection. It is therefore concluded that the proposals would have no severe impacts on the operation of the strategic road network.

6.16 Local road network and infrastructure

Adopted Core Strategy Policy PMD9 (Road Network Hierarchy) stipulates where the Council will permit new accesses or the increased use of existing accesses having regard to a road network hierarchy. Part 1 of this Policy contains criteria applying to routes at all levels. That section of London Road west of the Stonehouse Corner roundabout is a Level 2 'Urban and Rural Roads / Streets' as defined by Appendix 6 of the Core Strategy. Therefore the relevant criteria of part 1 of PMD9 are considered in further detail below.

- i. there is no possibility of safe access taken from an existing or proposed lower category road*
- ii. the design of the development minimises the number of accesses required.*

6.17 Access is proposed from the existing junction of the International Timber site with London Road. The application site has a Core Strategy designation for industrial and commercial use. Therefore, It is considered that there cannot be an in principle objection to the use of the existing access, however, it is relevant to consider the impact of any additional traffic.

- iii. The development makes a positive contribution to road safety or road safety is not prejudiced.*
- v. The development avoids causing congestion as measured by link and junction capacities.*

6.18 The TA (p75) advises that the main Terminal Access junction will operate within capacity during peak periods with the development traffic. With regards to the Stonehouse Corner roundabout, the TA concludes that the addition of proposed development traffic would have a negligible impact on the future operation of the junction when compared to the 'without development' scenario (p71). With regard to the A1306 / Meads Corner Roundabout, the TA concludes that the addition of proposed development traffic would have no material impact on the future operation of the junction when compared to the 'without development' scenario (p72). The Council's Highway Team notes that as this junction is nearing capacity on the Botany Way arm, any intensification of use on this arm should be avoided. With reference to the London Road / PTT access, the TA concludes that the addition of proposed development traffic the junction will operate within capacity during the peak periods (p75).

6.19 The TA also considers the impact on the London Road / PTT junction and the impact on the southbound approach to the level crossing. The TA concludes that queuing may be up to 171m in length (including a 25% sensitivity allowance) which is within the existing 231m stacking capacity along the access road. While the Council's Highway Team do not agree with this element of the assessment (citing the frequent incidences whereby HGV's queue out onto London Road when the railway level crossing is closed and when abnormal loads move along the internal service road and the potential for this to be exacerbated by the additional traffic impact from the development including the additional 'shunt-back' trips) they are nevertheless content that the impact on the extent of the queues from the proposals would be adequately mitigated by the additional internal HGV stacking lane proposed along part of the existing terminal entrance.

- iv. The development preserves or enhances the quality of the street scene.*

6.20 The application site is located some distance from the public highway at London Road and consequently does not impact upon the street scene.

vi. Measures are taken to mitigate all adverse air quality impacts in or adjacent to Air Quality Management Areas.

vii. The development will minimise adverse impacts on the quality of life of local residents, such as noise, air pollution, and the general street environment.

6.21 Section VI of this report considers air quality and noise. Whilst the Council's Highways Team are concerned regarding queuing traffic and the implications for the AQMA, the Council's Environmental Health Team raise no objections in relation to air quality.

viii. The development will make a positive contribution to accessibility by sustainable transport.

6.22 In addition to the above Policy PMD9 requirement, Part (v) of Core Strategy Policy CSTP14 (Transport in the Thurrock Urban Area) seek to ensure new development promotes high levels of accessibility by sustainable transport modes. London Road to the north of the application site is served by the no. 44 bus service and the site is less than 0.8km walking distance from Purfleet Train Station. It is considered therefore that the proposal accords with criteria viii of Policy PMD9 and Part (v) of Core Strategy Policy CSTP14.

6.23 Part (vi) of Core Strategy Policy CSTP14 (Transport in the Thurrock Urban Area) seek to Employ Smarter Choices measures to change travel behaviour. However, the nature of the development does not trigger the requirement for a Travel Plan.

6.24 Core Strategy Policy PMD8 (Parking Standards) states that "*Development will be required to facilitate more equitable access and sustainable transport modes through the provision of at least the minimum levels of parking, as specified in the Thurrock Parking Standards Guidance*". The development comprises parking areas which can meet the needs of staff and as such the proposal complies with draft Thurrock Parking Standards and Policy PMD8.

6.25 In light of the above analysis and the consultation comments received from the Councils Highway Team, it is considered that the proposal would not be contrary to Policy PMD9, subject to conditions requiring the provision of the internal stack road on the PTT access road and an operational HGV routing strategy.

6.26 III. URBAN DESIGN, TOWNSCAPE AND VISUAL IMPACTS

Good design is important for all types of development in all locations and is important in delivering sustainable development. The encouragement of good design is included in NPPF, including Section 7 'Requiring good design'. With regard to the adopted Development Plan, Core Strategy Policies CSTP22

(Thurrock Design) and PMD2 (Design and Layout) are also relevant. In particular, Thematic Policy CSTP22 promotes high quality design in Thurrock and opportunities to improve the quality of the environment throughout the Borough and particularly in the Regeneration Areas and Key Strategic Employment Hubs. Policy PMD2 requires all design proposals to respond to the sensitivity of the site and its surroundings, to optimise the potential of the site to accommodate development, to fully investigate the magnitude of change that would result from the proposals, and mitigate against negative impacts. Under the heading of “character” PMD2 requires development to contribute positively to the character of the area in which it is proposed, and to surrounding areas that may be affected by it. Development 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.

- 6.27 The ‘main’ part of the application site is located south of the railway lines and approximately 275m south of London Road. Until recently substantial factory buildings associated with the former Board Mills site were located north of the railway line and these buildings would have screened the application site from London Road. However, the former factory was demolished in 2012. As seen from the street-level of the pavement on the northern side of London Road, existing tree and shrub planting along the northern boundary of the International Timber site partially screens views towards the application site. As ground levels rise north of London Road, views of the site from the upper storey windows of dwellings in Consiton Avenue and adjoining roads are possible. However, these views are at a minimum distance of approximately 290m. Areas of the former factory buildings are currently being used for open storage of timber products, which is generally compatible with the lawful commercial use of the land.
- 6.28 In terms of the wider landscape and visual impact of the development, the proposed floodlighting columns (at a height of some 15.2m above ground level) and the associated night time illumination would increase the visual prominence of the site. The application site is currently unlit. However, the site is seen in the context of the other industrial structures and major infrastructure in this location. In particular, the car park at the north-east of the International Timber site is floodlit, as is the Esso Fuels Terminal site and the PTT site further east. The existing commercial areas south of London Road are illuminated during the hours of darkness and it would be reasonable to expect the application site to be illuminated for both operational and health and safety reasons. Subject to a planning condition to minimise the impact of glare and overspill lighting, no objections are raised to the proposed external lighting.
- 6.29 Comments received from the Council’s Landscape and Ecology advisor note that the scheme would not have any adverse landscape or visual impacts on the local area, despite the scale of the development. In light of these comments and the analysis above, it is considered that the proposal conforms with Core Strategy Policy CSTP22 and the relevant criteria of Policy PMD2.

IV. FLOOD RISK, DRAINAGE, WATER QUALITY AND WATER RESOURCES

- 6.30 With reference to the issue of flood risk, Part 10 of the NPPF (Meeting the challenge of climate change, flooding and coastal change) is relevant, as are the Core Strategy policies CSTP25 (Addressing climate change), CSTP27 (Management and Reduction of Floor Risk), CSTP28 (River Thames), PMD2 (Design and layout) and PMD15 (Flood Risk Assessment). The application is accompanied by a Flood Risk Assessment.
- 6.31 The site is located within the high risk flood zone (Zone 3a), comprising land assessed as having a 1 in 100 or greater annual probability of river flooding, in this instance from the River Thames. The flood zone classification refers to the probability of river flooding, ignoring the presence of existing tidal defences. In this case the site benefits from the Thames flood defences, which protect to the 1 in 1,000 year standard, the risk from flooding is therefore residual.
- 6.32 The Flood Risk Vulnerability Classification for this type of development (with reference to Planning Practice Guidance, is considered to be 'less vulnerable'. The definition of 'less vulnerable' includes "*buildings used for ... storage and distribution*". Although the application proposes open storage, the 'less vulnerable' classification is the nearest 'fit' to the Planning Practice Guide definition. The Flood Risk Vulnerability and Flood Zone Compatibility table (Table 3 of Planning Practice Guidance) states that 'less vulnerable' development is appropriate in Flood Zone 3a. However, the application is required, to pass the Sequential Test and to be accompanied by a site-specific Flood Risk Assessment.
- 6.33 The primary aim of the Sequential Test is to ensure that flood risk is taken into account at all stages in the planning process in order to avoid inappropriate development in areas at risk of flooding, and wherever possible, to direct development towards areas at least risk of flooding. Paragraph 101 of the NPPF states that "*Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test*". The Adopted Core Strategy was supported by technical evidence, including a Level 1 and 2 Strategic Flood Risk Assessment.
- 6.34 Core Strategy policies CSSP1 to CSSP5 identify the 5 Broad Areas for Regeneration within the Borough, these have all been subject to the Sequential Test. The application site lies within Purfleet, one of the 5 Regeneration Areas and a Key Strategic Employment Hub. Following the application of the Sequential Test, the adopted Core Strategy accepts that it is not possible, consistent with wider sustainability objectives, for the all new employment allocations to be located in zones with a lower probability of flooding. The adopted Core Strategy Interim Proposals Map allocates the application site as 'Land for New Development in Primary Industrial and Commercial Areas'. In light of the above, it is considered

that the Sequential Test has been applied at a strategic level and the development plan allocation supports the proposed use of the site.

- 6.35 It is not possible, consistent with wider sustainability objectives, for the totality of employment development in the Purfleet area to be located in zones with a lower probability of flooding. In this instance, there are sustainability benefits of locating the site in close proximity to the facility for which it will serve, i.e. PTT. Other sites within the regeneration area would not be reasonably available for this purpose. In light of this, the Sequential Test is considered to be passed.
- 6.36 The proposal falls within the 'Less Vulnerable' category as defined by Planning Practice Guidance whereby such uses are appropriate in Flood Zone 3a and as such the proposal does not need to pass the Exception Test.
- 6.37 In terms of 'residual risk', such risk would relate to a breach arising from the failure of the Thames flood defences (albeit the probability of inundation is low given the existence and condition of the flood defences). Nevertheless, there is a residual risk that must be managed. It is considered that it would be appropriate to secure a Flood Warning and Evacuation Plan (FWEP) to address the residual risk.
- 6.38 Regarding surface water drainage, the applicant proposes a new pump installation at the site's south-western corner to discharge surface water over the tidal wall and into the River Thames. The installation would accommodate flows up to the 1 in 100 year rainfall event (with climate change). The Council's Flood Risk Manager raises no object to the proposals, subject to a planning condition. The Environment Agency (EA) raises no objection to the application, subject to planning conditions to safeguard the integrity of the tidal defences.

V. GROUND CONDITIONS, CONTAMINATION AND REMEDIATION

- 6.40 Paragraph 109 of the NPPF states that *"the planning system should contribute to and enhance the natural and local environment by (inter-alia) preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability"*. Adopted Core Strategy Policy PMD1 (Minimising pollution and impacts on amenity) is also relevant.
- 6.41 The initial consultation response received from the EA noted that the site is located above a principal and secondary aquifer, as well as above a Water Framework Directive groundwater body and drinking water protection area. The site is therefore of a high sensitivity and could present potential pollutant linkages to controlled waters. The EA has removed their original holding objection, subject to any planning permission being subject to suitable planning conditions to address groundwater contamination.

- 6.42 The Council's Environmental Health Officer (EHO) advises that the site may contain potential contamination hot spots. The applicant had advised that ground investigation and remediation measures would be put in place prior to works commencing. Whilst no details of the investigation and remediation strategy have been submitted, it is considered that such matters can be adequately controlled by planning condition.

VI. NOISE AND AIR QUALITY

- 6.43 Adopted Core Strategy Policy PMD1 (Minimising pollution and impacts on amenity) is relevant and states that developments will not be permitted where they would cause or be likely to cause unacceptable effects on the amenities of the area and neighbouring occupiers or the amenity of future occupiers of the site. Policy PMD9 (Road Network Hierarchy) states that developments will only be permitted where measures have been taken to mitigate all adverse air quality impacts in or adjacent to AQMA's and where the development will minimise the impacts on the quality of life of local residents, such as noise, air pollution, and the general street environment.
- 6.44 There are three AQMA's located close to the application site: AQMA 7 – hotels next to the M25; AQMA 10 – London Road near to Jarrah Cottages; and AQMA 21 – hotel on Stonehouse Lane. These AQMA's are designated for the pollutants of NO₂ (Nitrogen Dioxide) and PM₁₀ (Particulate Matter).
- 6.45 As part of the EIA Screening process before submission of the planning application, the EHO advised that for the London Road AQMA (located closest to the application site) *"the level of change will be imperceptible and insignificant in terms of air quality"*. In terms of the submitted application, the EHO advises that, based on the modelling within the ES, *"there will be insignificant impact on existing air quality."* In light of the above, it is considered that the proposal would have a minimal impact on air quality and as such would not be contrary to Core Strategy Policy PMD9.
- 6.46 With regard to the potential impact of noise, the EHO consider that a restriction is required in order to limit construction activity to reasonable hours. This matter can be addressed by a planning condition attached to any grant of planning permission. During the operation of the development the applicant's modelling concludes that the existing noise environment will not be significantly affected by the proposals. The EHO agrees with this conclusion. The site is clearly located within an industrial area, with other commercial uses, major roads and railways in close proximity. Background noise levels are relatively high and strongly influenced by surrounding uses and transport infrastructure. The proposed operation is unlikely to be audible beyond the site boundaries at any time and is sited well away from the nearest residential receptors at London Road. Consequently it is considered that, subject to planning condition, the proposals would not cause unacceptable impacts on the

amenities of sensitive receptors and as such accords with the relevant criteria of Core Strategy Policy PMD1.

VII. EFFECTS ON ECOLOGY AND NATURE CONSERVATION

6.47 Both chapter 11 of the NPPF (Conserving and enhancing the natural environment' Core Strategy Policies CSTP19 (Biodiversity) and PMD7 (Biodiversity and development) are relevant to the proposals.

6.48 The application site does not form part of any site designated on either a statutory or non-statutory basis for nature conservation interest. The closest statutory designations to the site are:

- Inner Thames Marshes SSSI – 1.3km to the north-west of the site and of importance for breeding birds, overwintering wildfowl, plants and invertebrates;
- Purfleet Chalk Pits SSSI – 0.6km to the north of the site and designated for its geological importance; and
- West Thurrock Lagoon and Marshes SSSI – 1.5km to the south of the site and of importance for overwintering birds.

The consultation response received from Natural England (in expressing no comments) notes that “the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes”. There is no need to consider potential impact on statutory sites any further.

6.49 A preliminary ecological appraisal accompanies the submitted planning application and the ES includes an assessment on nature conservation interests. As noted above, the site formerly comprised part of the part of the Thames Board Mills factory site and was largely covered by buildings and hardstandings. The western part of the site was more recently used for water treatment. However, all buildings and water treatment tanks have been removed (above ground level) although hardstandings and the tank bases remain. The habitats on-site therefore comprise the solid concrete tank bases and a mixture of hardstandings and crushed concrete. This habitat supports a low diversity of planting species (which are colonising the site), principally comprising buddleja (butterfly bush). The ES classifies the on-site habitat as an impoverished version of the Open Mosaic Habitats on Previously Developed Land (OMHPDL). This habitat is of “principal importance”. However, the site would need time and lack of intervention in order to fully develop into this habitat. Existing conditions on-site do not meet the ‘specification’ for the description of OMHPDL

6.50 With reference to protected or notable fauna species, the site has low or negligible potential to support bats, badgers, great crested newts and water voles. Nevertheless, the site has limited potential to sustain breeding birds which are assessed as a receptor of low sensitivity and local value. As reptiles have been

encountered close to the site, reptiles are also assessed as a receptor of low sensitivity and of local value. Conditions present on-site are suitable for use by invertebrates and the ES acknowledges the significance of the wider Thames 'corridor' for invertebrate species. Invertebrates are therefore assessed as a receptor of low to medium sensitivity and district value.

- 6.51 The construction of the proposed development will result in the loss of breeding bird and invertebrate habitats on-site. Therefore mitigation of this impact is proposed in the form of a 'green zone' landscaped buffer adjacent to the western boundary of the site. This area will provide a small area of species rich open mosaic habitat, with a hedgerow of native shrub and tree planting.
- 6.52 The response from the Council's ecology advisor concludes that the site has limited ecological value although it might support nesting birds and provide some foraging for invertebrates. If planning permission is granted a landscape condition is sought which requires a detailed landscape scheme be submitted and approved prior to the commencement of development, this should include details of the habitat creation measures.
- 6.53 Subject to planning condition, there are no objections to the proposals on ecological or nature conservation grounds
- 6.54 XIII. IMPACT OF THE PROPOSALS ON THE PURFLEET CENTRE REDEVELOPMENT SCHEME

Outline planning permission, with all matters reserved, for the Purfleet Centre redevelopment was granted by the Council in May2013 (ref. 11/50401/TTGOUT). The full description of development for this outline planning permission was:

"Demolition of existing buildings; site preparation; redevelopment of the application site for a mix of uses including; residential (up to 3,000 units); retail floorspace - Use Class A1, financial & professional services floorspace - Use Class A2, food & drink facilities - Use Classes A3, A4 & A5 (6,900sq.m.); employment & business uses - Use Classes B1, B2 & B8 (31,000sq.m.); hotel - Use Class C1 (3,300sq.m.); community, school & civic facilities - Use Class D1 and leisure uses - Use Class D2 (6,500sq.m.); car parking spaces; relocation of existing station ticket hall; public & private open space and landscaping, highways, access, engineering and associated works."

- 6.55 The planning application was originally submitted in October 2011 to the former Thurrock Thames Gateway Development Corporation (TTGDC), who performed a function as the local planning authority for strategic planning applications until 31st March 2012. At the time when the application was submitted TTGDC was also the applicant. The Order transferring the roles and responsibilities of the TTGDC to the Council from 1st April 2012 provided the Council with, inter-alia:

- freehold ownership of all TTGDC land assets and liabilities within the application site, totalling approximately 29 hectares of brownfield land; and
- applicant status for the Purfleet Centre outline planning application.

6.56 The Council has therefore inherited the benefit of the outline planning permission and controls, as landowner, some 50% of the land subject to the Purfleet Centre planning permission. The current application site and the adjoining International Timber site to the north are at the south-eastern corner of the Purfleet Centre site, as shown on the site boundary of 11/50401/TTGOUT. However, both the current application site and the International Timber sites are not in the Council's ownership.

6.57 In March 2014, following the conclusion of a competitive procurement exercise, Cabinet approved the appointment of Purfleet Centre Regeneration Limited (PCRL) as the Council's development partner which would ultimately take on responsibility for delivering the project. PCRL's formal submission included a high level masterplan which set out a vision for Purfleet Centre. The proposal took elements of the Council's original scheme and augmented them to propose a development featuring:

- a film, television and media studio complex;
- approximately 2,300 new homes set around a new town centre;
- a new primary school;
- a redeveloped station; and
- local facilities including a supermarket, community hall, health centre, retail units and spaces for cafés/bars.

6.58 PCRL and the Council have progressed towards completing a Development Agreement between the two parties and it is understood that this Agreement is now complete. An update report for the scheme, presented to Cabinet in October 2015, noted that a funding partner (London and Quadrant Housing Trust) had been identified by PCRL and, following an extended due diligence process, terms had been agreed (subject to Board/Cabinet approvals) which will secure the funds necessary to secure the delivery of the first phase of the project. The Cabinet report also noted that, following completion of the Development Agreement a period of around 12 months will be required *"to develop the detailed masterplan, new outline application for the whole scheme and reserved matters application for the first phase of the development."* The current estimate is that a hybrid planning application, comprising outline proposals for the entire site and detailed proposals for the first stage or phase, could be submitted by the end of 2016.

6.59 It is clear that the development parameters established by the outline planning permission (11/50401/TTGOUT) have been, at least in part, superseded by the emerging masterplan. It is therefore extremely unlikely that the Purfleet Centre development will be built-out via the current outline permission.

6.60 The outline planning permission included a number of illustrative “for information only” plans. An “ illustrative masterplan” drawing allocated the current application site partly as a proposed drainage retention pond and partly as a proposed natural landscape habitat with restricted access – the restriction on access reflecting the proximity to the HSE consultation distances drawn around the Esso Purfleet Terminal site. Land to the north of the railway line (the International Timber site) was illustratively allocated for employment uses and car parking by the outline permission. Land to the west of the current ‘main’ site was illustratively allocated as a riverside park. An illustrative phasing drawing accompanying the outline planning permission also suggested development of the current application site would be the last of 4 phases of development.

6.61 By way of background, the consideration of ecological interests, and particularly invertebrates, formed an important part of the outline planning application. Survey work to accompany the 2011 application recorded important invertebrates interests present within parts of Botany Quarry and Cory’s Wharf. As important habitats for invertebrates were shown to be lost by the outline planning application proposals, new compensatory habitat was proposed. This new habitat included a new ‘Riverside Park’ which includes the eastern part of Cory’s Wharf and the current ‘main’ application site. With reference to the outline planning permission, the effect of the current proposals would be to remove part of the compensatory habitat and to remove an area for surface water attenuation. However, as noted above, it is considered extremely unlikely that Purfleet Centre will be developed pursuant to the extant outline permission.

6.62 Any new outline planning permission submitted by PCRL will need to:

- establish the area of the application site – it cannot be confirmed at this stage that the red line boundary of any new application will correspond with the boundary of the extant planning permission;
- formulate development parameters and establish what mitigation and / or compensation is required for drainage and ecology;
- revisit the ecological surveys submitted with 11/50401/TTGOUT through the Environmental Impact Assessment process.

Until the new application is submitted and assessed, it cannot be assumed that the land which forms the current application site will be required for mitigation or compensation purposes.

6.63 The ownership of the current site is also relevant. Currently, a substantial amount of the land required to deliver the Purfleet Centre redevelopment is not within the control of either the Council or PCRL, including the current application site. This land must first be acquired. As the current applicant submits, it is not the proposed car storage use that would prevent redevelopment of Purfleet Centre, rather it is the absence of control over the land.

6.64 The current applicant's position is that the proposed car storage use:

“need not prevent the implementation of the proposed mitigation for the approved Purfleet Centre project, and would indeed provide a beneficial use for the land until it is needed by the Purfleet Centre project and the necessary site acquisition has taken place ... Should the site be acquired, the development partner and/or Council can implement their scheme and replace the vehicle storage use with the planned ecological and drainage mitigation measures; or indeed with any other uses or variation of uses that are subsequently decided (subject to planning permission). It should also be noted that the proposals do not involve significant changes to the site, such as the erection of large buildings or structures, merely the reinstatement of a surface that is suitable for vehicle storage, plus ancillary fencing, gatehouse and lighting ... the small gatehouse feature will be easily removed, being a pre-fabricated structure brought onto the site in one piece. The lighting columns, pumps and outlet pipes will also be designed to be removable ... Against this background, should the site be acquired by the developer or the Council in due course, the site conditions proposed will not be significantly different to those that currently exist and that were considered in the Purfleet Centre ES. Nor would they be a significant obstacle to the creation of the mitigation features required for the Purfleet Centre project.”

6.65 Despite the concerns raised by PCRL, the local Forum and the Regeneration Department (summarised above) it is considered that a planning objection to current proposals could not be justified. Officers have queried with the applicant whether a temporary planning permission would be appropriate, however the applicant is seeking a permanent planning permission. Advice within PPG notes that *“a condition limiting use to a temporary period only where the proposed development complies with the development plan ... will rarely pass the test of necessity”*. As noted earlier in this report, the proposed use is considered to be consistent with adopted Development Plan policy.

6.66 It is also necessary to consider the issue of prematurity, i.e. whether approval of the current application would prejudice emerging planning policy. Advice on this matter is provided within PPG as follows:

“... in the context of the NPPF and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

a) *the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of*

new development that are central to an emerging Local Plan or Neighbourhood Planning; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination ...”

6.67 In light of this Guidance it is considered that a refusal of planning permission cannot be justified on the grounds of prematurity.

7.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION:

7.1 Having regard to the analysis contained in this report, the application shows adherence to a range of relevant development plan policies and is therefore recommended for approval.

7.2 In coming to its view on the proposed development the content of the ES submitted with the application has been taken into account as well as representations that have been submitted by third parties. The ES considers the potential impacts of the proposal on a range of receptors and sets out mitigation measures. Subject to appropriate mitigation which can be secured through planning conditions, the ES concludes that any impact arising from the construction and operation of the development would be within acceptable limits. Having taken into account representations received, it is considered that the proposed development is acceptable, subject to compliance with a number of planning conditions that are imposed upon the permission. Therefore, it is recommended that planning permission is granted, subject to the recommendation set out below.

8.0 RECOMMENDATION

8.1 Grant planning permission 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.

Accordance with plans

2. Unless required by virtue of a condition attached to this permission, the development hereby permitted shall be carried out in accordance with the

following approved plans:

NWPU-2014-PA-101-0	Planview Site Location Paper Mill Land	
NWPU-2014-PA-102-0	Planview Paper Mill Land Existing Site	
NWPU-2014-PA-103-0	Planview Paper Mill Land The Proposal	
NWPU-2014-PA-104-0	Paper Mill Land Planview - Sections	
NWPU-2014-PA-105-0	Paper Mill Land Sections - Details	
NWPU-2014-PA-106-0	Paper Mill Land – Details Entrance / Exit Gate Checkpoint	
Pcif141208-3-171156_papermillA.pdf – 08/12/14 1/3		Lighting Plan
Pcif141208-3-171156_papermillA.pdf – 08/12/14 2/3		Lighting Plan
Pcif141208-3-171156_papermillA.pdf – 08/12/14 3/3		Lighting Plan

REASON: To ensure that the development is implemented in accordance with the principles established by this permission.

HGV stacking lane

3. Prior to the commencement of development a scheme, as identified on drawing no. NWPU-2015-PM-101 (dated 16.04.15), to provide a HGV stacking lane for six HGV tractors and trailer units on the port access road shall be submitted to the local planning authority. Development shall not commence until such time as the details are agreed by the local planning authority together with a timescale for implementation. The approved scheme shall be implemented and remain in operation concurrently for the entire time the permitted use is in operation.

REASON: To ensure that vehicles entering the site do not queue onto the adopted highway when the level crossing is closed; in the interests of highway safety and efficiency in accordance with Policy PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Surface water management

4. 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. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - i. a timetable for its implementation, and
 - ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the drainage system throughout its lifetime.

REASON: To ensure a satisfactory method of site surface water drainage, in accordance with paragraph 103 of the NPPF and to ensure that there will be no increased risk of flooding to other land/properties in accordance with Policies CSTP25, CSTP27, PMD1, PMD2 and PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Flood warning and evacuation plan

5. Prior to the first use or operation of the development a Flood Warning and Evacuation Plan (FWEP) for the development hereby permitted shall be submitted to, and approved in writing by, the local planning authority. The measures set out in the approved FWEP (including internal refuge facilities, signage, on-site flood warning system) shall be incorporated into the development and the approved FWEP shall be operational upon first use or occupation of the development and shall be permanently maintained thereafter.

REASON: In order to ensure that adequate flood warning and evacuation measures are available for all users of the building in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Construction and environment management plan (CEMP)

6. A Construction and Environment Management Plan (CEMP) shall be submitted to and approved by the local planning authority prior to commencement of the development hereby approved. Details within the CEMP shall include:
 - I. construction vehicle routing
 - II. construction access
 - III. areas for the loading and unloading of plant and materials
 - IV. wheel washing facilities
 - V. Flood Warning and Evacuation Plan for the construction phase
 - VI. measures to be in place for control and minimisation of fugitive dust and noise during construction
 - VII. water management including waste water and surface water discharge,
 - VIII. method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals,
 - IX. waste Management Plan

All construction compounds and site offices for the development hereby permitted shall be erected on-site unless otherwise agreed in writing with the local planning authority. Development shall be undertaken in accordance with the approved CEMP.

REASON: In the interests of protecting amenity, highway safety, sustainability, minimising impact upon the environment and ecology and ensuring that the development can be carried out safely without unacceptable risks or impact to

workers, neighbours (including other commercial operations) and other off-site receptors in accordance with Policies PMD1 and PMD12 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Hours of construction

7. No construction work in connection with the development, including the breaking-out and crushing of existing foundations and hard surfaces, shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 08:00 - 18:00 hours;
Saturday 08:00 – 13:00 hours

Unless in association with an emergency or except as otherwise first agreed in writing with the local planning authority.

All site deliveries for the purposes of construction of the development hereby permitted should take place between the above hours unless in association with an emergency or except as otherwise first agreed in writing with the local planning authority. Notwithstanding the above, any impact driven piling shall be restricted to the hours of 08.00 to 17.00 Monday to Saturday only, with no impact driven piling on Sundays, bank holidays or outside of these times.

REASON: In the interests of amenity in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Operational HGV routing strategy

8. Prior to the first use or operation of the development a routing strategy for HGV's associated with the operation of the development shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be operated in accordance with the agreed strategy.

REASON: In the interests of highway safety and efficiency in accordance with Policy PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Contamination and remediation

9. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site

shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To protect and prevent the pollution of controlled waters (particularly the Secondary (undifferentiated) and Principal aquifers, the River Thames and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection: Principles and Practice (GP3 v.1.1, 2013) position statements A4 – A6, J1 – J7 and N7.

10. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (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 plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To protect and prevent the pollution of controlled waters (particularly the Secondary (undifferentiated) and Principal aquifers, the River Thames and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection: Principles and Practice (GP3 v.1.1, 2013) position statements A4 – A6, J1 – J7 and N7.

11. No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to and approved in writing by the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the local planning authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the local planning authority.

REASON: To protect and prevent the pollution of controlled waters (particularly the Secondary (undifferentiated) and Principal aquifers, the River Thames and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection: Principles and Practice (GP3 v.1.1, 2013) position statements A4 – A6, J1 – J7 and N7.

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To protect and prevent the pollution of controlled waters (particularly the Secondary (undifferentiated) and Principal aquifers, the River Thames and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment

Agency Groundwater Protection: Principles and Practice (GP3 v.1.1, 2013) position statements A4 – A6, J1 – J7 and N7.

Safeguarding and maintenance of flood defences

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) other than the surface water outlet pipe detailed on the approved drawing no fixed above ground structures shall be placed within 9 metres of the landward toe of the flood defence wall.

REASON: To ensure the defences can be maintained for continued flood risk protection.

14. Access to a 9m wide strip clear of all containers, trailers and cars, from the landward toe of the flood defence wall, as shown on drawing numbers NWPU-2014-PA-102-0, NWPU-2014-PA-103 and NWPU-2014-PA-104-0 dated 18 February 2015, will be provided to the Environment Agency within 24 hours of any such request. This includes the removal of steelwork fixing the pipe to the sea wall, where necessary for repairs or defence raising.

REASON: To ensure the defences can be maintained for continued flood risk protection.

External lighting

15. Prior to the installation of any external lighting on-site (except temporary floodlighting associated with construction), 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 approved in writing by, the local planning authority. The scheme of external lighting shall include measures to minimise the impact of light off-site and to avoid dazzle and glare which could cause hazard or distraction to operators of the adjacent railway line. The on-site floodlighting shall adhere to the details approved. 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. The floodlighting shall be retained and maintained in a manner which minimises light spill outwith the site and minimise glare from outside the site.

REASON: To minimise the impact of lighting, in the interests of visual amenity, ecology and the safe operation of the adjacent rail infrastructure as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Fencing

16. Prior to the commencement of development details of the design, colour and materials of boundary fencing to be installed on-site shall be submitted to and agreed in writing by the local planning authority. The agreed fencing shall be installed and maintained on-site thereafter.

REASON: In the interests of amenity in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

Landscaping

17. No development shall take place until there has been submitted to, and approved in writing by, the local planning authority a detailed scheme of landscaping and habitat creation for the 'Green Zone' (as indicated on drawing no. NWPU-2104-PA-103-0). The detailed scheme shall include measures for the long-term management of the landscaping and new habitat. 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 and ecological enhancement as required by policies CSTP18, PMD2 and PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

INFORMATIVES:

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 absolutely certain that nesting birds are not present. The RSPB publish a booklet "Wild Birds and the Law". English Nature also produces Guidance Notes relating to Local Planning and Wildlife Law – both of which are useful.
2. The Environment Agency advise that under the terms of the Water Resources Act 1991 and our Anglian Region Land Drainage and Sea Defence Byelaws,

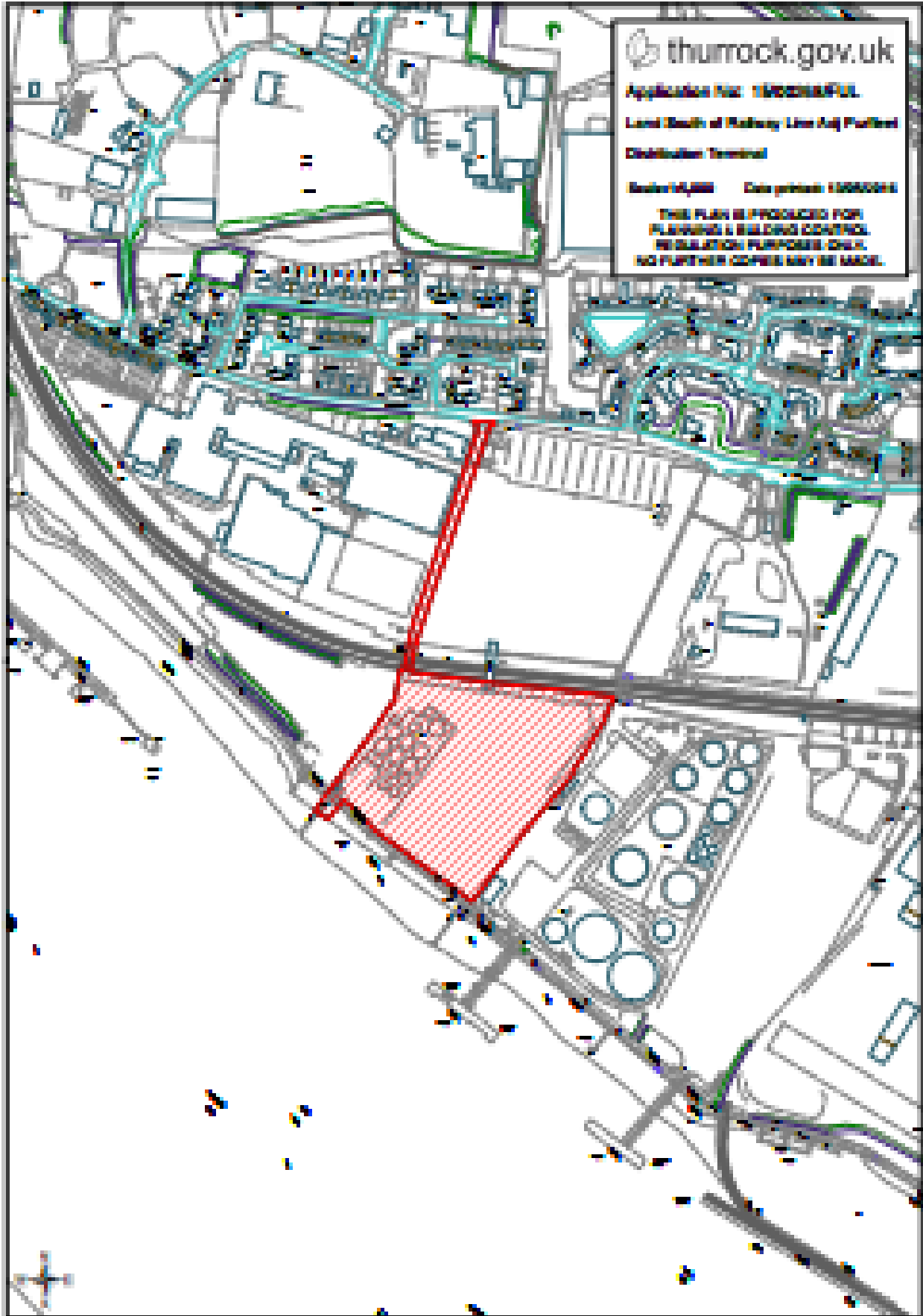
the EA's prior written consent is required for any proposed works within 9m of the landward toe of the defence.

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/15/00268/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: 16/00232/FUL	Site: Malgraves Meadow Lower Dunton Road Horndon On The Hill Essex SS17 8QD
Ward: Orsett	Proposal: Retrospective planning application for the retention of a biomass building containing biomass boiler with external flue and associated wood storage

Plan Number(s):		
Reference	Name	Received
001 Rev 01	Location Plan	18 th March 2016
0000	Proposed Floorplans and Elevations	18 th March 2016

The application is also accompanied by: – Supporting Planning Statement	
Applicant: Mr Adam Cheale	Validated: 7 March 2016 Date of expiry: 2 May 2016 (Extension of Time until 30 th May 2016)
Recommendation: Refuse	

The application has been brought to Planning Committee following a call-in by Cllrs J Kent, T Hipsey, S Liddiard, L Worrall and B Little for determination to allow the consideration of the proposal against Green Belt policies.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 The application seeks retrospective planning permission for the retention of a biomass building containing a biomass boiler with external flue and associated wood storage.
- 1.2 The timber biomass building has a monopitch roof and measures 9.8m x 4.8m with a maximum height of 3.5m reducing down to 3m. The wood store houses a biomass boiler and includes an external flue measuring an additional 2m in height.
- 1.3 The biomass building is sited approximately 80 metres away from Lower Dunton

Road and approximately 20 metres North West of the main dwelling, Malgraves Meadow. The building is located outside the residential curtilage of the dwelling. Access to the site leads off in a westerly direction towards Lower Dunton Road.

2.0 SITE DESCRIPTION

2.1 The site is bordered by open agricultural land to the immediate south, north and west with the land to the immediate east being part of the residential curtilage of Malgraves Meadow. The entire site is within in the Green Belt.

2.2 Vehicular and pedestrian access to the site is via Lower Dunton Road to the east via a metalled access road.

3.0 RELEVANT HISTORY

Reference	Description	Decision
15/00368/CWKS	Erected barn with a large chimney without planning permission.	Under investigation, planning application received (i.e. the application subject if this report)

4.0 CONSULTATIONS AND REPRESENTATIONS

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

www.thurrock.gov.uk/planning/16/00232/FUL

PUBLICITY:

4.2 Neighbours were notified directly by letter. A site notice has also been displayed. One email response has been received. The objections relate to the following:

- Appearance of the structure
- Inappropriate development within the Green Belt
- Concerns regarding the fumes and the monitoring of the fumes
- Noise and health and safety concerns

4.3 HIGHWAYS:

No objection.

4.4 ENVIRONMENTAL HEALTH:

No objection in principle, but further information required regarding the biomass boiler.

4.5 LANDSCAPE ADVISOR:

Recommends refusal on the basis of the impact of the building to the landscape character to the West of Lower Dunton Road

5.0 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
9. Protecting Green Belt land
10. Meeting the Challenge of Climate Change, Flooding and Coastal Change
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 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:

Thematic Policies:

CSTP22 (Thurrock Design)
 CSTP23 (Thurrock Character and Distinctiveness)²

Policies for the Management of Development:

PMD1 (Minimising Pollution and Impacts on Amenity)²
 PMD2 (Design and Layout)²
 PMD6 (Development in the Green Belt)
 PMD8 (Parking Standards)³
 PMD12 (Sustainable Buildings)²
 PMD13 (Decentralised, Renewable and Low Carbon Energy Generation)
 PMD16 (Developer Contributions)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 and the Inspectorate found the review sound subject to revisions.

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 which is timetabled for adoption in 2018. In light of this, there will be a fresh call for sites and the draft SSADPD will not be advanced. The draft SSADPD can therefore be afforded little weight.

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. It is anticipated that a new Local Plan for Thurrock could be adopted by early 2018.

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. Highways and access
- IV. Landscaping
- V. Residential Amenity

I. PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

- 6.2 The application site is located within the Green Belt as defined within the Thurrock Local Development Framework, Core Strategy (2011). Policy PMD6 applies and states that permission will not be given, except in very special circumstances, for the construction of new buildings, or for the change of use of land or the re-use of buildings unless it meets the requirements and objectives of National Government Guidance.

- 6.3 Paragraph 80 of the NPPF sets out five purposes which the Green Belt serves:

- i. to check the unrestricted sprawl of large built-up areas;
- ii. to prevent neighbouring towns from merging into one another;
- iii. to assist in safeguarding the countryside from encroachment;
- iv. to preserve the setting and special character of historic towns; and
- v. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The development is likely to conflict with purpose three in particular.

- 6.4 The NPPF (at paragraph 89) sets out the categories of development, which may be acceptable in the Green Belt. The construction of a building providing housing for a bio mass facility is not listed as appropriate in either the NPPF or Policy PMD6. The application proposal therefore represents inappropriate development in the Green Belt and is therefore a departure from Development Plan policy.
- 6.5 Paragraph 87 of the NPPF states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 88 goes on to state; *'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'*.
- 6.6 Notwithstanding the NPPF's presumption in favour of sustainable development (para 14), policies in the NPPF clearly indicate that development in the Green Belt should be restricted and sets out the test by which inappropriate development should be judged. The NPPF does not seek to define further what 'other considerations' might outweigh the damage to the Green Belt.
- 6.7 Case Law (R (Cherkley Campaign Limited) v Mole Valley DC [2013]) states that Local Planning Authorities must ask three separate sequential questions when applying Green Belt policy:
1. Is *"inappropriate development"* proposed?
 2. Do *"very special circumstances"* exist?
 3. Do such circumstances *"clearly outweigh"* the potential harm caused by the inappropriateness of the development and any other harm?
- 6.8 Having established that the proposal constitutes inappropriate development in the Green Belt, it is necessary to consider the matter of harm. Inappropriate development is, by definition, harmful to the Green Belt, but it is also necessary to consider whether there is any other harm to the Green Belt and the purposes of including land therein. It is considered that the scale and location of the development is overly prominent and visually incongruous within the otherwise open site.
- 6.9 Local Planning Authorities are also required to give substantial weight to any harm which might be caused to the Green Belt by the inappropriate development. It is only if a local planning authority has conscientiously considered each of these three questions and answered each "yes" and given substantial weight to any harm caused, can it be said properly to have applied Green Belt policy as laid down in the NPPF.
- 6.10 The application site forms part of an agricultural field, outside of the residential curtilage for the dwelling. The structure appears visually prominent in its current location to the detriment of the openness of the Green Belt. Furthermore, the

proposed structure does nothing to maintain or enhance the open character of the immediate area. Therefore, this bio mass building does not constitute a very special circumstance and is considered inappropriate development within the Green Belt.

- 6.11 The applicant states that the structure has been 'sensitively positioned to ensure it minimises its impact on the Green Belt and local landscape'. This statement is contested. The structure could have been located to the rear of the host dwelling, appearing more in keeping with the original built form in this very open exposed plot. Instead the structure is located approximately 20 metres away from the host dwelling. The immediate area does not benefit from any mature trees thus its position appears overly prominent and out of character within the landscape, detached and unconnected to the main dwelling house.
- 6.12 With regards to landscaping, the applicant notes that the hedgerow to the rear of the site would provide a 'good level of screening when viewed from greater distances'. This opinion is also contested. There would be some limited screening when viewed from the West, however, there would be no screening of the structure when viewed from the North, East or southerly directions. The size of the structure and associated flue, when viewed in comparison with the host dwelling, exacerbates this view point. The eaves height of 3.0 metres with an overall height of 3.5 metres results in this structure presenting a not insignificant mass and bulk when considering its 10 metres width.
- 6.13 The applicant states that the use of the structure demonstrates a 'Carbon Neutral Development'. This concept of the development is welcomed and would in some way contribute towards the structure having very special circumstances and therefore a right to exist. However, there is no evidence that the wood is harvested within the immediate farm and it appears likely due to the size of the logs being used that they brought in from an external source therefore possibly mitigating against the 'Carbon Neutral' argument.

Conclusion on very special circumstances

- 6.14 In conclusion under this heading, the bio mass building constitutes inappropriate Green Belt development. The development is therefore harmful by definition and significant weight should be attributed in this regard. The matters put forward by the applicant do not represent very special circumstances. As such, it is considered that the proposal is contrary to PMD6 of the Core Strategy and guidance contained in the NPPF and PPG.
- 6.15 In addition to the in-principle objection the building would represent an urbanising feature which would be visually damaging to the countryside and undermining to the openness of this part of the Green Belt. The proposal is therefore also contrary to Policy PMD6 of the Core Strategy and guidance contained in the NPPF on these grounds.

II. DESIGN AND APPEARANCE

- 6.16 The plans highlight the bio mass building is wooden built with a lean to roof. The structure benefits from traditional windows and a door less opening with a green metal roof. The overall design of the structure is acceptable although a darker stained wooden finish would be advisable if the application were to be recommended for approval. Overall the proposal would comply with LDF CS Policies PMD2, CSTP22 and CSTP23. However, this would not overcome the in principle objection identified above.

III. HIGHWAYS AND ACCESS

- 6.17 LDF CS Policy PMD2 indicates that all development should allow safe and easy access while meeting appropriate standards. The Council's Highway Officer has not objected to the proposal and it is considered that there would be no impact upon highway safety.

IV. LANDSCAPING

- 6.18 The site is located towards the top of a low hill. The biomass boiler is to the North of the residential property on higher ground. There does not appear to have been any attempt to site the building to minimise its visual impact. Although it is adjacent to a hedge to the west there has been no other attempt to tree to screen the building. The Council's Landscape Advisor has commented that the new building is considered to be out of character in relation to the surrounding landscape to the west of Lower Dunton Road. This area is dominated by extensive arable farmland and the golf course with few buildings being present. Those buildings that are present are arranged in tight clusters of farm buildings whereas the house and biomass building do not relate. While the existing hedge beside Lower Dunton Road helps to screen the building from the East, the Council's Landscape Advisor considers that it is not in keeping with the local landscape character and should be refused.

- 6.19 Furthermore, the openness of this location was identified previously under planning application ref. 98/00332/FUL for the creation of a new access way and where additional landscaping was considered to be necessary and controlled via planning condition. This open characteristic of this rural location has not altered and this development is out of character with this rural Green Belt location and harmful to the open appearance of this rural site. The loss of the open character has been considered earlier in this report.

V. RESIDENTIAL AMENITY

- 6.20 The bio mass building would be set suitably distant from the existing property and would not cause any negative impacts in relation to neighbour amenity.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The proposed development represents an inappropriate form of development within the Green Belt. The applicant has not advanced anything that amounts to very

special circumstances that could overcome the strong presumption against this type of proposal. The development is therefore contrary to Policy PMD6 of the Core Strategy and guidance contained in the NPPF and is therefore harmful by definition. In addition the development represents an urbanising feature in the countryside contrary to Policy PMD6 of the Core Strategy and guidance in the NPPF.

- 7.2 Refusal is therefore recommended and given the development has already been carried out, follow up enforcement action is recommended in order to remove the building from the site and reinstate the ground to its former condition.

8.0 RECOMMENDATION

- (a) To Refuse for the following reasons:

Reason(s):

- 1 The application site is located within the Green Belt as defined within the Thurrock Local Development Framework, Core Strategy (2011). Policy PMD6 applies and states that permission will not be given, except in very special circumstances, for the construction of new buildings, or for the change of use of land or the re-use of buildings unless it meets the requirements and objectives of National Government Guidance.

The NPPF (at paragraph 89) sets out the forms of development, which may be acceptable in the Green Belt. The proposed development of the site for residential purposes does not fall within any of the appropriate uses for new buildings set out by the NPPF and Policy PMD6. Consequently, the proposals represent “inappropriate development” in the Green Belt and are a departure from development plan policy. Paragraph 87 of the NPPF sets out a general presumption against inappropriate development within the Green Belt and states that such development should not be approved, except in very special circumstances. Paragraph 87 also states that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

i) The information put forward by the applicant has been considered. However, these matters, neither individually nor taken together, are considered to constitute the very special circumstances necessary to allow a departure from policy being made in this instance. The proposals are therefore contrary to Policy PMD6 of the Core Strategy and guidance in the NPPF in principle.

ii) Notwithstanding the in-principle harm identified above, by reason of the mass, bulk and serious incursion into the open land, the proposals are also harmful to the landscape, character and openness of the Green Belt at this point, contrary to Policy PMD6 of the Core Strategy and criteria within the NPPF.

(b) To take Enforcement Action to:

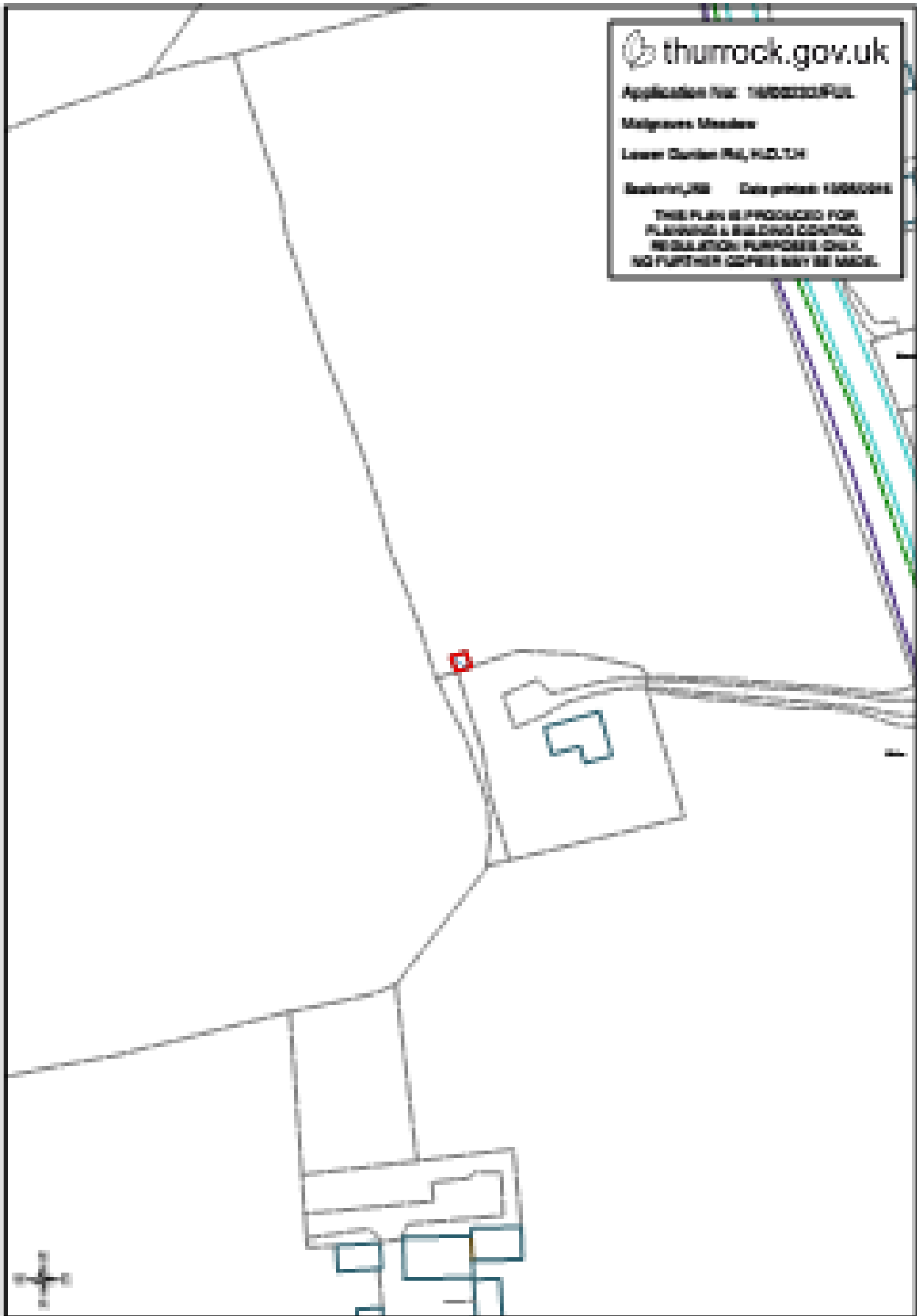
Remove the biomass building containing the biomass boiler and external flue and associated wood storage from the site in their entirety and make good the site with grass seeding and landscaping as considered necessary to reinstate the site to its previous condition prior to the erection of the development.

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/16/00232/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: 16/00165/FUL	Site: Pallet Store On Land Opposite National Grid Stoneness Road West Thurrock Essex RM20 4AL
Ward: West Thurrock And South Stifford	Proposal: Retention of use of land for pallet storage for a temporary period of 5 years.

Plan Number(s):		
Reference	Name	Received
(No Nos.)	Location Plan	10th February 2016
TPS.05102.A	Site Layout	10th February 2016
TPS.05096.B	Elevations	10th February 2016
(No Nos.)	General Documents	10th February 2016

The application is also accompanied by: <div style="text-align: center;">– Planning Statement - 10.02.2016</div>	
Applicant: Industrial Chemicals Group Ltd	Validated: 16 February 2016 Date of expiry: 1 June 2016
Recommendation: Approve, subject to conditions:	

This application has been brought to Planning Committee for consideration due to Members' previous consideration of enforcement action relating to the use of the site for pallet storage.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 Retrospective planning permission is sought for the retention of the use of the land for the open storage of pallets.

2.0 SITE DESCRIPTION

- 2.1 The site is located on the north eastern side of West Thurrock Works Industrial

Access Road and measures 0.29 hectares. The plot is made up of free standing pallet storage with a single existing modular building to the front of the site and a small worker cabin to the rear of the site.

- 2.2 The land is bordered by fencing to the immediate south, east and west of the site. The site is flat and low-lying and located within the high risk flood zone (Zone 3). The site lies outside the consultation distance for any nearby hazardous substances which would trigger a consultation with the Health and Safety Executive.
- 2.3 The site is located within a Primary Industrial and Commercial Area as defined by the LDF Adopted Interim Proposals Map. The site is not within an area of known ecological interest and there are no substantial soft landscaping features on the site.

3.0 RELEVANT HISTORY

Enforcement Reference	Description	Decision
10/00298/UNAUSE	Enforcement Notice was served on 10 th February 2012 in relation to the unauthorised use of the site for a pallet storage business	The owner was given 4 years to comply with the requirements of the Notice, expiring 10 th February 2016

4.0 CONSULTATIONS AND REPRESENTATIONS

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

www.thurrock.gov.uk/planning/16/00165/FUL

PUBLICITY:

- 4.2 This application has been advertised by way of individual neighbour notification letters and a site notice site has also been displayed. No letters of representation have been received.

HIGHWAYS:

- 4.3 No objections, subject to condition.

ENVIRONMENTAL HEALTH:

4.4 No objections.

ENIRONMENT AGENCY:

4.5 No objections, subject to condition.

5.0 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
- 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:

- Design;
- 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:

Thematic Policies:

- CSTP6: Strategic Employment Provision
- CSTP22 Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness²

- CSTP27: Management and Reduction of Flood Risk

Policies for the Management of Development:

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD8: Parking Standards³
- PMD15: Flood Risk Assessments

[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].

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 Focused 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 for the Borough.

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

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

6.0 ASSESSMENT

6.1 The issues for consideration in this case are:

1. Principle of the development;
2. Layout and design issues;
3. Highways issues;
4. Impact on amenity;
5. Flood risk and drainage.
6. Infrastructure Contributions

1. PRINCIPLE OF THE DEVELOPMENT

6.2 The site is located within a Secondary Industrial and Commercial Area, as defined by the LDF Core Strategy Adopted Interim Proposals Map, where Core Strategy policies CSSP2 and CSTP6 apply. Spatial Policy CSSP2 (Sustainable Employment Growth) describe the Lakeside Basin / West Thurrock as a Key Strategic Economic Hub where the Council will promote and support economic development. Thematic Policy CSTP6 (Strategic Employment Provision) states, inter-alia, that *“Primary and Secondary Industrial and Commercial areas will be reserved for employment generating uses falling within Class B1, B2, and B8 and sui generis uses.”* The temporary use of the site is not considered to be incompatible with the aims and requirements of these adopted Core Strategy policies.

6.3 The application form states that the operation that presently exists on site employs two full time members of staff. The applicant has requested planning permission be granted for a temporary period of 5 years, following which the applicant's development needs for the area could be reviewed.

6.4 In conclusion under this heading, the principle of the development raises no conflict with the Council's adopted Core Strategy or NPPF.

2. LAYOUT AND DESIGN ISSUES

6.5 The site comprises of one container located close to the entrance of the site, with the remainder of the site laid out for pallet storage. On the basis that this is a temporary application, the container and pallet storage would not be objectionable.

3. HIGHWAYS ISSUES

6.6 The Council's Highways Officer has commented that there may be a potential conflict of vehicle movements in the location of the existing vehicle access, should vehicles queue on the access way due to the gates being shut. The applicant has suggested that the opening of the gates during office hours would be a possible

solution, to which the Council's Highways Officer has agreed. Therefore, subject to a specific condition ensuring the gates are kept open during hours of operation, the application would comply with Core Strategy Policies PMD2 and PMD8.

4. IMPACT ON AMENITY

- 6.7 The existing commercial occupiers are located to the south and west of the site and these occupiers would be unlikely to experience any loss of amenity by reason of noise, privacy or loss of daylight / sunlight.
- 6.8 The application has no implications for air quality, and the site is sufficiently distant from existing residential properties to have no impact regarding noise and air quality matters.

5. FLOOD RISK AND DRAINAGE

- 6.9 The site is located within the high risk flood zone (Zone 3a), although the West Thurrock area benefits from flood defences and the Environment Agency has confirmed that *"the site is protected up to the 1 in 1000 year current day tidal event by the Thames tidal defences"*.
- 6.10 Paragraph 104 of the NPPF notes that for individual developments on sites allocated in development plans through the Sequential Test, applicants need not apply the Sequential Test. As the application is allocated within the adopted Core Strategy as a primary industrial and commercial area it is not necessary to consider the matter of the Sequential Test further.
- 6.11 The commercial use of the site is described as "less vulnerable" within the Flood Risk Vulnerability Classification at Table 2 of PPG. With reference to Table 3 of PPG (Flood Risk Vulnerability and Flood Zone Compatibility) less vulnerable development can be considered appropriate in Flood Zone 3a.
- 6.12 The Environment Agency has asked to ensure a Flood Warning and Evacuation Plan is in place for the site. This matter can be covered by the submission of details pursuant to a condition.

6. INFRASTRUCTURE CONTRIBUTIONS

- 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. The IRL identifies a requirement for small scale major applications in the West Thurrock and South Stifford Ward. In this instance the application does not generate any commercial floor area and accordingly it is not considered that there is a justification for a S106 contribution.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

7.1 The temporary retention of use is acceptable with reference to LDF policy. The proposals would continue to support employment uses on the site and provide additional flexibility for use on the site.

7.2 In relation to matters of detail, the layout, design, impact on the local highways network and flood risk considerations are considered to be acceptable.

8.0 RECOMMENDATION

Approve, subject to the following condition(s):

Temporary Permission

1 The development and use hereby permitted shall expire on 28th May 2021 and the pallets, container and other equipment used in association with the storage of pallets shall be removed entirely from the site by the end of this period.

REASON: In order to provide for the applicant’s redevelopment of the wider Sports Ground site for employment purposes in the future and in accordance with Policy CSTP6.

Accordance with Plans

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

Reference	Name	Received
(No Nos.)	Location Plan	10th February 2016
TPS.05102.A	Site Layout	10th February 2016
TPS.05096.B	Elevations	10th February 2016
(No Nos.)	General Documents	10th February 2016

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

Securing of Pallets

3 Within 2 months of the date of this permission details shall be submitted and agreed in writing indicating how the pallets are secured within the site. The approved measures shall be implemented within 3 months of the date of this permission and shall be maintained for the period of the temporary permission.

REASON: In order to ensure that to ensure that pallets do not become mobilised during a breach event and that they are contained within the confines of the site, but still allow the free movement of flood water and in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Sight Splays

- 4 Within one month of the date of this approval, sight splays measuring 2.4 metres x 33 metres shall be provided at the existing access and thereafter maintained at all times so that no obstruction is present within such area above the level of the adjoining highway carriageway.

REASON: In the interests of highway safety and efficiency.

Entrance Gates

- 5 The site entrance gate shall remain open at all times of operation that the site is in use and shall remain open and not be closed to allow the free-flow of traffic.

REASON: In the interests of highway safety and efficiency.

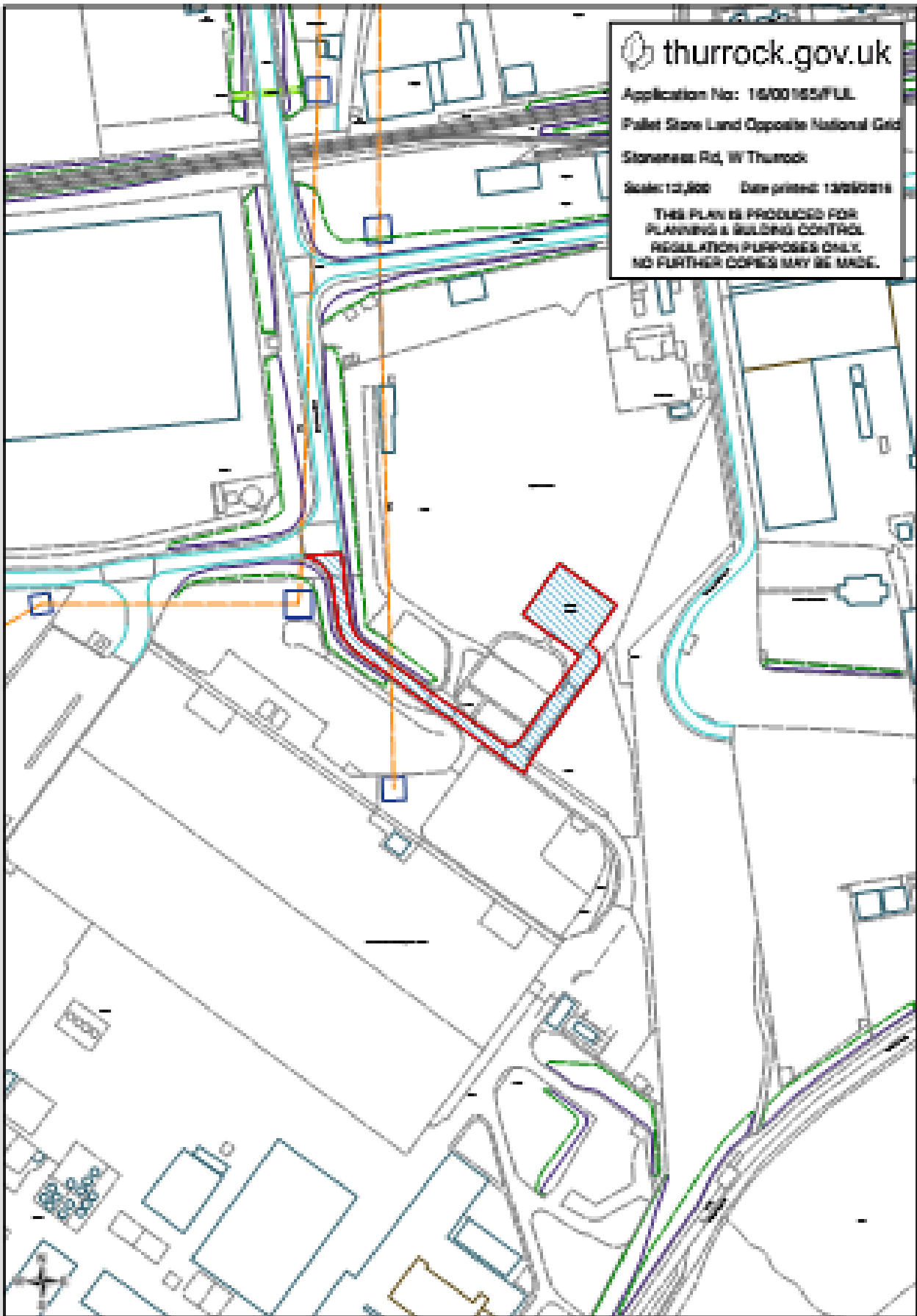
Informative:

- 1 The applicant's attention is drawn to the letter from the Environment Agency, dated 18th March 2016, in particular the advice regarding registering for the Floodline Warnings Direct service.

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



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Reference: 16/00164/FUL	Site: Thurrock Motorcycle Training Stoneness Road West Thurrock Essex RM20 3AG
Ward: West Thurrock And South Stifford	Proposal: Retention of use of land for motorcycle training for a temporary period of 5 years.

Plan Number(s):		
Reference	Name	Received
(No Nos.)	Location Plan	10th February 2016
TPS.05099.C	Site Layout	10th February 2016
TPS.05103.A	Site Layout	10th February 2016
TPS.05100.C	Elevations	10th February 2016
(No Nos.)	General Documents	10th February 2016

The application is also accompanied by: <div style="text-align: center;"> – Supporting Planning Statement - 10.02.2016 </div>	
Applicant: Industrial Chemicals Group Ltd	Validated: 16 February 2016 Date of expiry: 1 June 2016
Recommendation: Approve, subject to conditions	

This application has been brought to Planning Committee for consideration due to Members' previous consideration of enforcement action relating to the use of the site as a motorcycle training centre.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 Retrospective planning permission is sought for the retention of the use for the land as a motorcycle training centre for a temporary period of five years. The application involves the retention of two modular buildings and three containers associated with the operational use of the site.

2.0 SITE DESCRIPTION

- 2.1 The site is located on the north eastern side of West Thurrock Works Industrial Access Road and measures 0.21 hectares. The plot is occupied by two modular buildings which are used as offices, with three containers used for the storage of equipment associated with the usage on the site.
- 2.2 The land is bordered by fencing to the immediate south, east and west of the site. The site is flat, low-lying and located within the high risk flood zone (Zone 3). The site lies outside the consultation distance for any nearby hazardous substances which would trigger a consultation with the Health and Safety Executive.
- 2.3 The site is located within a Primary Industrial and Commercial Area as defined by the LDF Adopted Interim Proposals Map. The site is not within an area of known ecological interest and there are no substantial soft landscaping features on the site.

3.0 RELEVANT HISTORY

Enforcement Reference	Description	Decision
10/00298/UNAUSE	Enforcement Notice was served on 10 th February 2012 in relation to the unauthorised use of the site as a motorbike training school	The owner was given 4 years to comply with the requirements of the Notice, expiring 10 th February 2016

4.0 CONSULTATIONS AND REPRESENTATIONS

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

www.thurrock.gov.uk/planning/16/00164/FUL

PUBLICITY:

- 4.2 This application has been advertised by way of individual neighbour notification letters and a site notice site has also been displayed. No letters of representation have been received.

4.4 HIGHWAYS:

No objections.

4.5 ENVIRONMENTAL HEALTH:

No objections.

4.6 ENIRONMENT AGENCY

No objections, subject to condition.

5.0 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
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:

- Design;
- 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:

Thematic Policies:

- CSTP6: Strategic Employment Provision

- CSTP22 Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness²
- CSTP27: Management and Reduction of Flood Risk

Policies for the Management of Development:

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD8: Parking Standards³
- PMD15: Flood Risk Assessments

[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].

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 Focused 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 for the Borough.

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

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

6.0 ASSESSMENT

6.1 The issues for consideration in this case are:

1. Principle of the development;
2. Layout and design issues;
3. Highways issues;
4. Impact on amenity;
5. Flood risk and drainage;
6. Infrastructure Contributions.

1. PRINCIPLE OF THE DEVELOPMENT

6.2 The site is located within a Secondary Industrial and Commercial Area, as defined by the LDF Core Strategy Adopted Interim Proposals Map, where Core Strategy policies CSSP2 and CSTP6 apply. Spatial Policy CSSP2 (Sustainable Employment Growth) describe the Lakeside Basin / West Thurrock as a Key Strategic Economic Hub where the Council will promote and support economic development. Thematic Policy CSTP6 (Strategic Employment Provision) states, inter-alia, that *“Primary and Secondary Industrial and Commercial areas will be reserved for employment generating uses falling within Class B1, B2, and B8 and sui generis uses.”* The temporary use of the site is not considered to be incompatible with the aims and requirements of these adopted Core Strategy policies.

6.3 The application form states that the operation that presently exists on site employs two full time members of staff and one part member of staff. The applicant has requested planning permission be granted for a temporary period of 5 years, following which the applicant’s development needs for the area will be reviewed.

6.4 In conclusion under this heading, the principle of the proposed development raises no conflict with the Council’s adopted Core Strategy or NPPF.

2. LAYOUT AND DESIGN ISSUES

6.5 The existing modular buildings and layout are typical of many such storage facilities in this location. On the basis that this is a temporary application, subject to the structures being retained in their existing location and condition the buildings would not be objectionable.

3. HIGHWAYS ISSUES

6.6 The site would retain access from the existing highway network onto West Thurrock Works Industrial Access Road. The Council’s Highway Officer raises no objection in principle to the use, access, or layout. LDF Core Strategy Policy PMD8 is therefore

considered to be satisfied.

4. IMPACT ON AMENITY

- 6.7 The existing commercial occupiers are located to the south and west of the site and these occupiers would be unlikely to experience any loss of amenity by reason of noise, privacy or loss of daylight / sunlight as a result of the use. Furthermore, the Council's Environmental Health Officer raises no objections.

5. FLOOD RISK AND DRAINAGE

- 6.8 The site is located within the high risk flood zone (Zone 3a), although the West Thurrock area benefits from flood defences and the Environment Agency has confirmed that *"the site is protected up to the 1 in 1000 year current day tidal event by the Thames tidal defences"*.
- 6.9 Paragraph 104 of the NPPF notes that for individual developments on sites allocated in Development Plans through the Sequential Test, applicants need not apply the Sequential Test. As the application is allocated within the adopted Core Strategy as a primary industrial and commercial area it is not necessary to consider the matter of the Sequential Test further.
- 6.10 The commercial use of the site is described as "less vulnerable" within the Flood Risk Vulnerability Classification at Table 2 of PPG. With reference to Table 3 of PPG (Flood Risk Vulnerability and Flood Zone Compatibility) less vulnerable development can be considered appropriate in Flood Zone 3a.
- 6.11 The Environment Agency has asked to ensure a Flood Warning and Evacuation Plan is in place for the site. This matter can be covered by the submission of details pursuant to a condition.

6. INFRASTRUCTURE CONTRIBUTIONS

- 6.12 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.
- 6.13 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. The IRL identifies a requirement for small scale major applications in the West Thurrock and South Stifford Ward. In this instance the application does not generate any commercial floor area and accordingly it is not considered that there is a justification for a S106 contribution.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 The temporary modular buildings and use are acceptable with reference to LDF policy. The application would continue to support employment uses on the site and provide additional flexibility for use on the site.
- 7.2 In relation to matters of detail, the layout, design, impact on the local highways network and flood risk considerations are considered to be acceptable.

8.0 RECOMMENDATION

- 8.1 Approved, subject to the following condition(s):

Temporary Permission

- 1 The development and use hereby permitted shall expire on 28th May 2021 and the modular buildings, containers and other equipment used in association with the motorcycle training centre shall be removed entirely from the site by the end of this period.

Reason: In order to provide for the applicant’s redevelopment of the wider Sports Ground site for employment purposes in the future and in accordance with Policy CSTP6.

Accordance with Plans

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

Reference	Name	Received
(No Nos.)	Location Plan	10th February 2016
TPS.05099.C	Site Layout	10th February 2016
TPS.05103.A	Site Layout	10th February 2016
TPS.05100.C	Elevations	10th February 2016
(No Nos.)	General Documents	10th February 2016

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

Flood Evacuation Plan

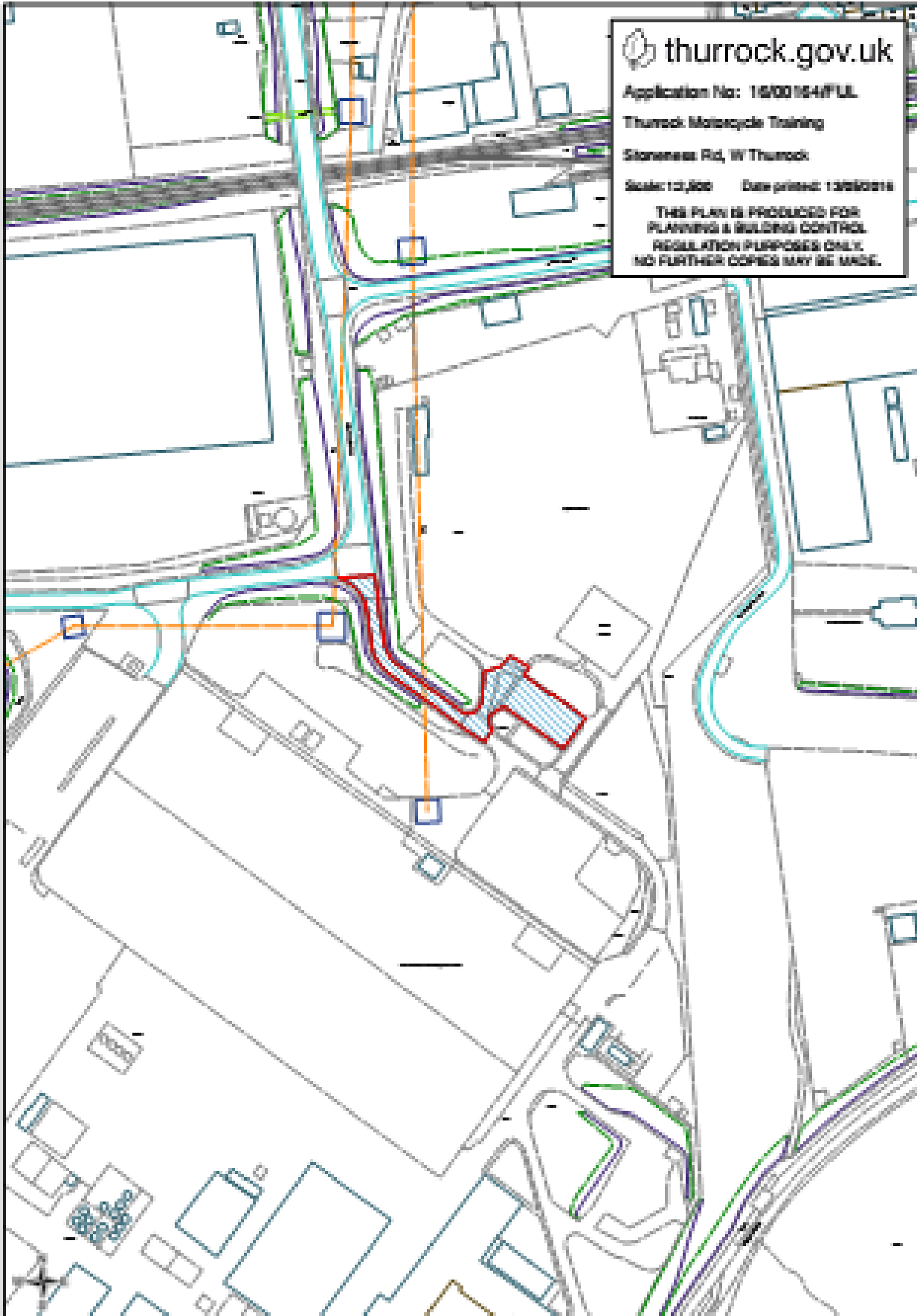
- 3 Within 2 months of the date of this permission the modular buildings and containers located within Environment Agency Flood Zones 2 and 3, or as detailed in any subsequent amendment to the extent of these Flood Zones published by the Environment Agency, a Flood Evacuation and Emergency Response Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The approved measures within the Plan shall be operational upon the written agreement of the Local Planning Authority and shall be maintained for the lifetime of the temporary permission.

Reason: In order to ensure that adequate flood warning and evacuation measures are available for all users of the development in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

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/16/00164/FUL



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