

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 **30 June 2016**

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

### Membership:

Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, John Kent, Steve Liddiard, Tunde Ojetola, David Potter and Gerard Rice

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

### Substitutes:

Councillors John Allen, Jan Baker, Brian Little, Terry Piccolo and Graham Snell

### Agenda

Open to Public and Press

	<b>Page</b>
<b>1 Apologies for Absence</b>	
<b>2 Minutes</b>	<b>5 - 12</b>
To approve as a correct record the minutes of the Planning Committee meeting held on 26 May 2016.	
<b>3 Item of Urgent Business</b>	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
<b>4 Declaration of Interests</b>	
<b>5 Declarations of receipt of correspondence and/or any meetings/discussions held relevant to determination of any</b>	

**planning application or enforcement action to be resolved at this meeting**

- |           |   |                  |
|-----------|---|------------------|
| <b>6</b>  | <b>Planning Appeals</b>   | <b>13 - 16</b>   |
| <b>7</b>  | <b>Public Address to Planning Committee</b>   |                  |
|           | 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 <a href="https://www.thurrock.gov.uk/democracy/constitution">https://www.thurrock.gov.uk/democracy/constitution</a> Chapter 5, Part 3 (c). |                  |
| <b>8</b>  | <b>15/01237/FUL - 9 South Road South Ockendon Essex RM15 6NU</b>  | <b>17 - 36</b>   |
| <b>9</b>  | <b>15/00579/FUL - Grays Gas Holder Station London Road Grays Essex RM17 5YB</b>   | <b>37 - 70</b>   |
| <b>10</b> | <b>16/00324/FUL - Fresh Fill 64 Orsett Road Grays Essex RM17 5EH</b>  | <b>71 - 78</b>   |
| <b>11</b> | <b>16/00406/TBC - Riverside Business Centre Fort Road Tilbury Essex RM18 7ND</b>  | <b>79 - 100</b>  |
| <b>12</b> | <b>16/00580/FUL - Squibb Demolition Wharf Road Stanford Le Hope Essex SS17 0EH</b>  | <b>101 - 120</b> |
| <b>13</b> | <b>16/00566/REM - Squibb Demolition Wharf Road Stanford Le Hope Essex SS17 0EH</b>  | <b>121 - 128</b> |
| <b>14</b> | <b>16/00458/FUL - Treetops School Dell Road Grays Essex RM17 5JT</b>  | <b>129 - 154</b> |
| <b>15</b> | <b>16/00497/TBC - Stifford Clays Primary School Whitmore Avenue Stifford Clays Grays Essex RM16 2JA</b>   | <b>155 - 162</b> |

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

Please contact Jessica Feeny, Senior Democratic Services Officer by sending an email to [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

Agenda published on: **22 June 2016**

## **Information for members of the public and councillors**

### **Access to Information and Meetings**

Members of the public can attend all meetings of the council and its committees and have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

### **Recording of meetings**

This meeting may be recorded for transmission and publication on the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is to be recorded.

Members of the public not wishing any speech or address to be recorded for publication to the Internet should contact Democratic Services to discuss any concerns.

If you have any queries regarding this, please contact Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

### **Guidelines on filming, photography, recording and use of social media at council and committee meetings**

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

If you wish to film or photograph the proceedings of a meeting and have any special requirements or are intending to bring in large equipment please contact the Communications Team at [CommunicationsTeam@thurrock.gov.uk](mailto:CommunicationsTeam@thurrock.gov.uk) before the meeting. The Chair of the meeting will then be consulted and their agreement sought to any specific request made.

Where members of the public use a laptop, tablet device, smart phone or similar devices to use social media, make recordings or take photographs these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

## Thurrock Council Wi-Fi

Wi-Fi is available throughout the Civic Offices. You can access Wi-Fi on your device by simply turning on the Wi-Fi on your laptop, Smartphone or tablet.

- You should connect to TBC-CIVIC
- Enter the password **Thurrock** to connect to/join the Wi-Fi network.
- A Terms & Conditions page should appear and you have to accept these before you can begin using Wi-Fi. Some devices require you to access your browser to bring up the Terms & Conditions page, which you must accept.

The ICT department can offer support for council owned devices only.

## Evacuation Procedures

In the case of an emergency, you should evacuate the building using the nearest available exit and congregate at the assembly point at Kings Walk.

## How to view this agenda on a tablet device



You can view the agenda on your [iPad](#), [Android Device](#) or [Blackberry Playbook](#) with the free modern.gov app.

Members of the Council should ensure that their device is sufficiently charged, although a limited number of charging points will be available in Members Services.

To view any “exempt” information that may be included on the agenda for this meeting, Councillors should:

- Access the modern.gov app
- Enter your username and password

# 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 26 May 2016 at 6.00pm

---

**Present:** Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, John Kent, Steve Liddiard, Tunde Ojetola, David Potter and Gerard Rice

Steve Taylor, Campaign to Protect Rural England Representative

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

### **143. Minutes**

The minutes of the Planning Committee held on the 7 April 2016 were approved as a correct record subject to Cllr C Baker's vote on item 15/01522/FUL Stables , Hatch Farm which stated that he was for the application when he voted against.

### **144. Item of Urgent Business**

There were no items of urgent business.

### **145. Declaration of Interests**

There were no declarations of interest.

### **146. 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**

All Members received correspondence related to application 15/01483/FUL.

### **147. Planning Appeals**

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

**RESOLVED:**

**The report was noted.**

**148. 15/01483/FUL - Land east of St. Andrew's Road, north of Gaylor Road and west of Dock Road, Tilbury.**

Application 15/01483/FUL appeared on the agenda for the Planning Committee meeting on 7 April 2016. However, prior to the meeting Officers received a formal request from the applicant for the application to be deferred. The reason given by the applicant was to allow for further discussions regarding the following recommended planning conditions

- 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).

Members were informed that 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.

Members discussed potential air quality impacts in the surrounding area. The Principal Planner highlighted that a low emission strategy had been captured and that no objections were received from the Air Quality Officer.

Committee Members praised the proposed roundabout which would enable HGVs to make a U turn back out of Tilbury if they had travelled in the wrong direction. It was highlighted that the roundabout would decrease the number of movements through Tilbury Town and reduce the number of vehicles speeding.

Councillor Kent stated that Thurrock had around 1400 unemployed individuals and it was questioned if there had been discussions with the developers on how the new vacancies would benefit Thurrock. The Principal Planner confirmed that the employment skill plan would be shared with Members before implementation.

Councillor Ojetola asked for clarification on the Tilbury Travel Plan Steering Group and questioned what powers it had, the Principal Planner enlightened Members that the steering group had various powers including night time enforcement arrangements. Councillor Ojetola proposed that local residents

would require the opportunity to become members of the Tilbury Travel Plan Steering Group. This was seconded by Councillor Liddiard.

Councillor Kelly questioned what mitigations were in place at weekends. The Principal Planner highlighted to members that there would be no external storage of goods, machinery, plant or materials on the site, unless otherwise agreed in writing by the local planning authority.

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

For: Councillors, Tom Kelly, Kevin Wheeler, Chris Baker, John Kent  
Steve Liddiard, Tunde Ojetola, David Potter, Gerrard Rice

Against: (0)

Abstain: (0)

**RESOLVED:**

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

**149. 16/00361/FUL - 6 Tennyson Avenue, Grays, Essex, RM17 5RG**

The Principal Planner informed the committee that the application sought permission to convert the existing dwelling into 3 x 1 bedroom flats. One flat would cover the ground floor, one on the first floor and one over the first floor and within the roof space. The residential annexe to the rear of the garden would also be used as an independent dwelling. Two parking spaces would remain on the frontage and four would be provided in the rear garden area.

The Committee were informed of the following concerns.

- The significant intensification of use of the building for 3 flats would have a detrimental impact on the character of the wider area which is characterised by larger houses.
- The use of the building to the rear of the site also raised amenity concerns.
- The provision of car parking in the rear garden of the dwelling. The introduction of 4 car parking spaces would impact on the amenities of nearby residential and would introduce a level of activity not usually found in a rear garden.
- The proposed kitchen at first floor level adjacent to the boundary with No 8 Tennyson Avenue would lead to overlooking of the private garden of that dwelling to the detriment of the privacy and amenity of the occupiers of that property.

Councillor Ojetola questioned if there were any other similar developments within the vicinity, the Principal Planner confirmed that there was not.

The Chair invited the applicant Michael Sherriff, to make his supporting statement to the Committee.

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

For: Councillors, Tom Kelly, Kevin Wheeler, Chris Baker, John Kent  
Steve Liddiard, Tunde Ojetola, David Potter, Gerrard Rice

Against: (0)

Abstain: (0)

**RESOLVED:**

**That the application be refused.**

**150. 15/00268/FUL - Land South Of Railway Line Adjacent Purfleet Distribution**

The application sought full planning permission for use of land for vehicular storage, formation of hard standing 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.

The Committee adjourned at 19.35 to read a letter regarding the application which was received late by Planning Officers. The Committee reconvened at 19.45

Councillor Ojetola queried if discussions had taken place between the developers and the regeneration team, it was confirmed that discussions were on going with Thurrock Councils regeneration team and the Purfleet centre regeneration team.

The Chair invited the agent Mike Lewis, to make his supporting statement to the Committee.

Members discussed the result of the transport assessment. The Principal Engineer informed members that the transport assessment provided no significant harm, it was confirmed that the approaching road to the proposed application would be widened into two lanes to reduce traffic.

The Chair of the Committee suggested that the flood lights were switched off when not in use, the Principal Planner informed members that the flood lights would be of use 24/7 although a modern design would prove efficient.

Councillor Kent felt that the approval of this application may risk undermining confidence in the commitment that Thurrock has to Purfleet regeneration.

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

For: Councillors, Tom Kelly, Kevin Wheeler, Chris Baker, Steve Liddiard, Tunde Ojetola, David Potter, Gerrard Rice

Against: Councillor John Kent

Abstain: (0)

**RESOLVED:**

**That the application be approved.**

**151. 16/00232/FUL - Malgraves Meadow Lower Dunton Road, Horndon On the Hill**

Members were informed that the application sought retrospective planning permission for the retention of a biomass building containing a biomass boiler with external flue and associated wood storage. The site was 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 was within the Green Belt.

Members were enlightened that the building had been erected in October 2015 without any planning permission.

Councillor Ojetola questioned if any proposals on the plan had been agreed, the Principal Planner confirmed that there was no proposals agreed.

It was proposed by Councillor Kelly that the committee visited the site, the proposal was seconded by Councillor Rice. The proposal was rejected.

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

For: Councillors, Kevin Wheeler, Chris Baker, John Kent, Steve Liddiard, Gerrard Rice

Against: Councillor David Potter

Abstain: Councillors, Tom Kelly, Tunde Ojetola,

**RESOLVED:**

**That the application be refused.**

It was proposed by Councillor Baker and seconded by Councillor Wheeler that the application be subject to enforcement action.

For: Councillors, Kevin Wheeler, Chris Baker, John Kent, Steve Liddiard, Gerrard Rice

Against: (0)

Abstain: Councillors, Tom Kelly, Tunde Ojetola, David Potter

**RESOLVED:**

**That enforcement action was approved.**

**152. 16/00165/FUL - Pallet On Land Opposite National Grid Stoneness Road.**

The application sought planning permission for the retention of the use of the land for the open storage of pallets.

Councillor Ojetola questioned why they had applied for five years temporary planning permission instead of permanent planning permission. Members were informed that the applicant had specifically requested for five years planning permission as this would enable them to consider their options at the end of the term.

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

For: Councillors, Tom Kelly, Kevin Wheeler, Chris Baker, John Kent, Steve Liddiard, David Potter, Gerrard Rice

Against: (0)

Abstain: Councillor Tunde Ojetola,

**RESOLVED:**

**That the application be approved subject to conditions**

**153. 16/00164/FUL - Thurrock Motorcycle Training Stoneness Rod West Thurrock**

Members were enlightened that planning permission sought retention of the use for the land as a motorcycle training centre for a temporary period of five years. The application involved the retention of two modular buildings and three containers associated with the operational use of the site.

Councillor Ojetola queried how long the Thurrock Motorcycle Training had been operating prior to 2012. The Principal Planner confirmed that it had been operating on site since 2007.

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

For: Councillors, Tom Kelly, Kevin Wheeler, Chris Baker, John Kent, Steve Liddiard, David Potter, Gerrard Rice

Against: **(0)**

Abstain: Councillor Tunde Ojetola,

**RESOLVED:**

**That the application be approved subject to conditions**

**The meeting finished at 8.53 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

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

This page is intentionally left blank

<b>30 June 2016</b>	<b>ITEM: 6</b>
<b>Planning Committee</b>	
<b>Planning Appeals</b>	
<b>Report of:</b> Leigh Nicholson, Development Management Team Leader	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Not Applicable
<b>Accountable Head of Service:</b> Andy Millard, Head of Planning and Growth	
<b>Accountable Director:</b> Steve Cox, Director of Environment and Place	
<b>This report is</b> Public	
<b>Date of notice given of exempt or confidential report:</b> N/A	
<b>Purpose of Report:</b> 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: 15/01531/TPO**

Location: Land Adjacent 7 8 9, Addison Gardens, Grays

Proposal: Group 1, 5 London planes. Reduce all trees by 50%.

#### **3.2 Application No: 16/00007/HHA**

Location: Bretts Farm Cottages, Marshfoot Road, Grays  
Proposal: Proposed two storey extension and rear extension together with internal alterations

#### **4.0 Appeal Decisions**

The following appeal decisions have been received:

##### **4.1 Application No: 15/00917/HHA**

Location: 8 Felipe Road, Chafford Hundred  
Proposal: Proposed loft conversion with rear dormer  
**Decision: Dismissed**

##### Summary of decision:

- 4.1.1 The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the existing dwelling and wider area.
- 4.1.2 The Inspector found that the dormer would unacceptably dominate the rear roof slope, being excessively large and unacceptably close to the main ridge of the roof. The Inspector concluded that the proposal would conflict with LDF CS Policies PMD1, PMD2 and CSTP22.
- 4.1.3 The full appeal decision can be found [here](#)

##### **4.2 Application No: 15/00515/TPO**

Location: 1A Sycamore Close, Tilbury  
Proposal: Removal of T10 - Beech tree from Tree Preservation Order 02/1989  
**Decision: Dismissed**

##### Summary of decision:

- 4.2.1 The Inspector considered the main issue to be the effect of the proposed felling on amenity and whether or not there are sufficient grounds for the works proposed.
- 4.2.2 In dismissing the appeal, the Inspector was satisfied that the sycamore trees have amenity value and that their loss would have an adverse effect on amenity. The Inspector took into account the applicant's reasons for seeking the removal of the trees but found that the reasons did not outweigh the amenity value of the trees.

4.2.3 The full appeal decision can be viewed [here](#)

## 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	2	0	0	0	0	0	0	0	0	0	0	7
No Allowed	2	0	0	0	0	0	0	0	0	0	0	0	2
% Allowed													28%

## 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

# Agenda Item 8

<b>Reference:</b> 15/01237/FUL	<b>Site:</b> 9 South Road South Ockendon Essex RM15 6NU
<b>Ward:</b> Ockendon	<b>Proposal:</b> Conversion and remodelling of existing frontage building and redevelopment of remainder of site to provide a total of 12 residential dwellings (4 x 2 bed houses; 8 x 2 bed flats), together with associated car parking, landscaping and site boundary improvements

<b>Plan Number(s):</b>		
Reference	Name	Received
Existing Floor Plan	Floor Layout	16th October 2015
Site Location Plan	Location Plan	16th October 2015
Existing Site Plan	Site Layout	16th October 2015
P204A	Elevations	14th January 2016
P209	Exploded View of Typical House	14th January 2016
P205A	Elevations	14th January 2016
P202B	Proposed First Floor Layout	10th June 2016
P208	Floor Layout Mews House	14th January 2016
P201B	Proposed Ground Floor Layout	10th June 2016
P210	Drawing	14th January 2016

The application is also accompanied by: <ul style="list-style-type: none"> <li>– Design and Access Statement</li> <li>– Landscape Statement</li> <li>– Tree Report</li> <li>– Sustainability Statement</li> <li>– Transport Statement</li> </ul>	
<b>Applicant:</b> Mr Ray Morgan	<b>Validated:</b> 20 November 2015  <b>Date of expiry:</b> 7 <sup>th</sup> July 2016 (Extension of Time)
<b>Recommendation:</b> Approve, subject to conditions and completion of s.106 agreement	

This application is scheduled for determination by the Council's Planning Committee because recent applications for similar development proposals have been considered and determined by the Planning Committee.

## **1.0 DESCRIPTION OF PROPOSAL**

- 1.1 The previous applications (planning application ref. 14/01377/FUL and 15/00585/FUL) considered by Committee entailed the complete demolition of the existing buildings on site. The current proposal would involve the conversion and remodelling of the existing frontage building and redevelopment of the remainder of site to provide a total of 12 dwellings comprising of 8x two bedroom flats and 4x two bedroom mews-style houses.
- 1.2 When completed, the converted building would be two storeys, with a two storey side extension. The second building would be two storeys, with a shallow pitched zinc roof located to the rear of the site close to the boundary of St Nicholas Church.
- 1.2 The proposals also include use of the existing access with the provision of 12 parking spaces and landscaping. The application proposes to upgrade the existing church wall with flint work.

## **2.0 SITE DESCRIPTION**

- 2.1 The application site is currently occupied by a two storey frontage building which is of traditional design, with a shallow pitched roof similar to those surrounding it. The two storey element of no. 9 South Road is set back from the front of no. 11 with a flat roof single storey element at the front. The ground floors of the properties have been used for commercial purposes, mainly retail.
- 2.2 The rear of the site is occupied by poorly maintained 1.5 storey workshops. These buildings appear to be attached to the boundary wall of the Church of St Nicholas. This part of the site was formerly a builders yard.
- 2.3 The narrow access to the site is located between 11 and 15 South Road.
- 2.4 The rear of the site abuts the Church of St Nicholas, which is a Grade I Listed Building. There is a large Ash tree located within the church grounds adjacent to the boundary of the site.
- 2.5 This part of South Road is characterised by traditional buildings with shallow pitched roofs and 19<sup>th</sup> century proportions.

**3.0 RELEVANT HISTORY**

Reference	Description	Decision
15/00585/FUL	Demolition of existing buildings and redevelopment to provide 14 residential dwellings, together with associated car parking, landscaping and site boundary improvements	Refused 1st May 2015
14/01377/FUL	Demolition of existing buildings and redevelopment to provide 16 residential dwellings (1 x studio, 10 x 1 bedroom, and 5 x 2 bedroom accommodation), in buildings up to three storeys, together with associated car parking, landscaping, and site boundary improvements.	Refused 15th July 2015

**4.0 CONSULTATIONS AND REPRESENTATIONS**

PUBLICITY:

- 4.1 The application has been advertised by way of neighbour letter, a site notice and press notice. No written responses have been received.
- 4.2 Members will be updated should any letters of representation be received before the meeting.
- 4.3 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council’s website via public access at the following link:

[www.thurrock.gov.uk/planning/15/01237/FUL](http://www.thurrock.gov.uk/planning/15/01237/FUL)

HIGHWAYS:

- 4.5 No objections, subject to conditions.

HERITAGE ADVISOR:

- 4.6 No objections, subject to conditions.

LANDSCAPE AND ECOLOGY:

- 4.9 No objections, subject to condition.

ARCHAEOLOGICAL ADVICE:

- 4.10 No objections, subject to condition regarding archaeological ground works.

**ENVIRONMENTAL HEALTH:**

4.11 No objections, subject to conditions.

**FLOOD RISK MANAGER:**

4.12 No objection, subject to condition.

**HOUSING TEAM:**

4.13 No objections [on the basis that the development will provide for 35% affordable housing on, or an equivalent contribution, off the site]

**EDUCATION:**

4.14 Education contribution is justified towards secondary and primary education provision.

**5.0 POLICY CONTEXT****5.1 National Planning Policy Framework**

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

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

- promoting sustainable transport;
- delivering a wide choice of high quality homes;
- requiring good design;
- promoting healthy communities;
- meeting the challenge of climate change, flooding and coastal change and;
- Conserving and enhancing the historic 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:

- Conserving and enhancing the historic environment
- design;
- flood risk and coastal change;
- planning obligations; and
- the use of planning conditions.
- Noise

## 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 following Core Strategy policies also apply to the proposals:

#### SPATIAL POLICIES

- CSSP2: Sustainable Employment
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock<sup>1</sup>

#### THEMATIC POLICIES

- CSTP1 (Strategic Housing Provision)
- CSTP2 (Provision of Affordable Housing)
- CSTP5 (Neighbourhood Renewal)
- CSTP8 (Viability and Vitality of Existing Centres)<sup>2</sup>
- CSTP11 (Health Provision)
- CSTP12 (Education and Learning)
- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)<sup>2</sup>
- CSTP25 (Addressing Climate Change)<sup>2</sup>
- CSTP26 (Renewable or Low Carbon Energy Generation)<sup>2</sup>

- CSTP27 (Management and Reduction of Flood Risk)<sup>2</sup>

## POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity<sup>2</sup>
- PMD2: Design and Layout<sup>2</sup>
- PMD4: Historic Environment
- PMD7: Biodiversity, Geological Conservation and Development<sup>2</sup>
- PMD8: Parking Standards<sup>3</sup>
- PMD10: Transport Assessments and Travel Plans<sup>2</sup>
- PMD12: Sustainable Buildings<sup>2</sup>
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment<sup>2</sup>
- PMD16: Developer Contributions<sup>2</sup>

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

### 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 28<sup>th</sup> 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 The principal issues to be considered in this case are:

- I. Plan designation and principle of development
- II. Protection of the historic environment
- III. Design and relation of development with surroundings
- IV. Residential impact and amenity
- V. Trees and Landscaping
- VI. Highways and parking
- VII. Sustainability, Energy and Surface Water Drainage
- VIII. Infrastructure improvements and affordable housing

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

6.2 The site is not subject to any specific land use or policy allocation as defined in the Adopted Interim Proposals Map accompanying the Core Strategy. In these circumstances, the interpretation accompanying the Proposals Map assumes that site will continue broadly within their existing use. Nevertheless, this assumption does not preclude alternative uses for land which can be considered on their individual merits and in light of relevant Core Strategy policies.

6.3 The existing shop is not designated within a frontage which the Council seeks to retain. Therefore, the principle of residential redevelopment of the site and loss of the retail function in this location would not be contrary to Policy CSTP8 of the Core Strategy.

6.4 Core Strategy policy CSSP1 (Sustainable Housing and Locations) refers to the target for the delivery of new housing in the Borough over the period of the Development Plan. This policy notes that new residential development will be directed to previously developed land in the Thurrock urban area, as well as other specified locations. The policy aims to ensure that up to 92% of new residential development will be located on previously developed land. The application site is clearly within the urban area and comprises a 'brownfield' site. Although the site was not identified as a potential location for residential development in the 2012 and 2013 Site Specific Allocations and Policies DPD consultations, the principle of housing would be compatible with the character of surrounding development.

Accordingly, the site may be considered as a 'windfall' location for housing and no objections are raised to the principle of residential development in this location.

## II. PROTECTION OF THE HISTORIC ENVIRONMENT

- 6.5 Policy PMD4 seeks to ensure all applications for development demonstrate that they contribute positively to the special qualities and local distinctiveness of Thurrock. The current frontage building is not of such quality that requires listing or inclusion as a heritage asset as defined by the NPPF and NPG, but does contribute to the townscape and a positive sense of place.
- 6.6 The former shop fronting South Street is a large mid-nineteenth century building with good brick detailing. It contributes to the character of the area as part of a group of traditional buildings at the core of the historic settlement. The main part of this building would now be retained, which is welcomed by the Council's Heritage Advisor. An extension would be added to the north side, which would appear subservient and well-related to the existing building.
- 6.7 The church of St Nicholas and its churchyard are immediately adjacent to the site. St Nicholas is a fine grade I listed church of Norman origins, with a rare (there are only five others in Essex) thirteenth century round tower. There are good views of the church tower from South Road and the adjacent green to the west. These views would be preserved by the development.
- 6.8 The application site also forms an important edge to the churchyard. The construction of a flint wall would improve the setting of the church. The design of the buildings incorporates a staggered layout to create small courtyards and give an outlook over the church yard. The buildings would have a contemporary form and appearance; they would not appear overbearing or unduly intrusive within the churchyard.
- 6.9 The Council's Heritage Advisor raises no objections and comments that overall the scheme would not adversely impact on the setting of the listed church, retains the frontage building of local merit and provides a reasonable design approach.
- 6.10 Policy PMD4 and guidance within the NPPF and Planning Practice Guidance seeks to ensure appropriate protection of existing heritage assets, which include archaeological assets. The advice received from the Archaeological Advisor highlights the potential for evidence from settlements dating back to 1777. Therefore, in order to comply with the requirements of the guidance within the NPPF and Policy PMD 4, a condition is required to prevent any development on site until implementation of a programme of archaeological work has been undertaken. This condition could be attached to any consent given.
- 6.11 In conclusion under this heading, the proposal is considered to comply with Core Strategy Policies PMD2 and PMD4 regarding the protection of local heritage.

## III. DESIGN AND RELATION OF DEVELOPMENT WITH SURROUNDINGS

- 6.12 The proposed development would involve the conversion of the existing frontage building on South Road including a two storey side extension to the northern flank of the building. This main front building would be converted to create 6x two bedroom flats.
- 6.13 The converted building and extension would retain much of the character of the original building with the repointing of the original brickwork, slated hipped roofs and reinstatement of the chimney and use of original windows and openings. The side extension would be reduced in height and scale from the main building ensuring it appears subordinate to the main building. The extension would have a ground floor front elevation which would replicate the original shop front from the 1950s. The building would have no overall change in its existing height.
- 6.14 The proposed conversion and extension of the main building would be of a high quality design and appropriate for the location. The changes in the design and treatment of the frontage building would be a significant improvement and is considered to overcome previous concerns regarding the loss of character and poor design. This element of the proposal is considered to comply with Core Strategy Policies PMD1, PMD2 and PMD4 and is acceptable.
- 6.15 The existing single storey building along the rear, eastern half of the site, would be demolished and redeveloped to provide a two storey staggered terrace comprising 4x one bedroom flats at the northern end and 4x two bedroom mews-style houses. The proposed building would follow a broadly similar rectilinear form, depth and length as the existing structure but would be two storeys with a maximum height of 6.85m.
- 6.17 The success of the mews block design relies on high-quality render, surface and corner finish, window and door frame detailing. It is considered that this could be achieved via suitable planning condition to ensure the quality of the build is not diminished. In conclusion under this heading, on balance, the proposed mews block is considered to comply with Core Strategy Policies PMD1, PDM2 and PMD4 with respect to design and layout.

#### IV. RESIDENTIAL IMPACT AND AMENITY

- 6.18 The footprint of the proposed mews block would be staggered and the windows facing onto the courtyard would be angled so that they would avoid any significant overlooking or loss of privacy and amenity for the neighbours at nearby dwellings at 15 to 21 South Road. There would be minimal overlooking across to no. 7 South Road from the first floor flat. Whilst the mews block would be two storeys with a maximum height of 6.85m, the proposed buildings would not appear out of character with the height and scale to the existing buildings on the site and immediately surrounding. As such it is not considered the proposed mews block would significantly reduce the level of direct sunlight or natural daylight to the adjacent properties.
- 6.19 The proposed frontage block would be designed with the all windows facing either the front or rear of the site, which would not afford views over private amenity space

of nearby properties. With regards to overlooking distances and impact upon neighbour amenity the proposals would not conflict with the requirements of the retained Annexes of the Local Plan (1997) and Policies PMD1 and PMD2.

- 6.20 The proposed development would result in the majority of the site being covered by either buildings or car parking, with little opportunity for the provision of additional landscaping. Annex 1 of the Local Plan requires 25 sqm of amenity space for one-bedroom flats and 50 sqm for two-bedroom flats. Annex 1 requires 600 sqm of amenity space for a development of this scale. The mews houses and four of the ground floor flats would be provided with small areas of amenity area/landscaping ranging between 8sqm and 30sqm, with a maximum area of approximately 158 sqm amenity area provided. The mews houses and the first floor flat in the rear block would also have access to balcony areas overlooking the churchyard and one of the first floor two bedroom flats would have access to a balcony area. The remaining two first floor flats in the frontage building would have no access to amenity space.
- 6.21 In light of the above assessment, there would be a significant shortfall in the level of amenity space for a development of this kind. However, the development would be in close proximity to accessible public open space and the deficiency in amenity space needs to be weighed against the benefits of the scheme, namely the redevelopment of a brownfield site for housing, and the protection and enhancement of heritage assets, both in terms of the frontage building and listed church. On balance, it is not considered that a refusal based upon amenity space would be supported at appeal, given the overriding positives of the scheme.

## V. TREES AND LANDSCAPING

- 6.23 The Council's Tree and Ecology advisor considers the revised scheme to be more in keeping with the surrounding area than previous designs. Subject to the protection of the Ash tree within the churchyard and other trees adjacent to the southern boundary of the site, no objection is raised. A landscaping condition is recommended to ensure a high quality finish within the grounds of the development. Subject to the above protection of existing trees and landscaping conditions the proposal would be in accordance with Policy PMD 2 of the Core Strategy.

## VI. HIGHWAYS AND PARKING

- 6.24 The proposal would utilise the existing vehicular access and would provide 12 parking spaces. The proposal would also include the provision of bicycle racks and a communal bin store area.
- 6.25 The site is located in an area that is considered to have relatively good public transport provision and is close to local amenities. As a result, provision of 1 vehicle space per unit would be considered acceptable in this instance. The provision of at least 1 secure and covered cycle parking space per unit is also considered acceptable. The Council's Highway Officer has raised no objection subject to conditions. As such, no objections are raised in relation to Policies PMD8 and PMD9 of the Core Strategy.

## VII. SUSTAINABILITY, ENERGY AND SURFACE WATER DRAINAGE

Adopted Core Strategy policies PMD12 (Sustainable Buildings) and PMD13 (Decentralised, Renewable and Low Carbon Energy Generation) are relevant to this application. PMD12 required that new dwellings are consistent with Code For Sustainable Homes Level 4 from 2013. However this requirement has since been superseded by Government guidance in March 2015. Policy PMD13 requires that major residential and commercial developments secure 10% of their predicted energy demands from decentralised, renewable or low carbon sources from 2010, increasing to 15% from 2015.

- 6.27 The application is accompanied by an Energy Strategy. The Energy Strategy details that the scheme would achieve the former Code for Sustainable Homes Level 4, which accords with the requirement of Policy PMD12 (Sustainable Buildings) up to 2016. It also details how a range of energy efficiency measures and low or zero carbon technologies could be employed to achieve a 21.4% reduction carbon dioxide beyond the energy baseline demand of regulated emissions. The applicant has demonstrated that the scheme would meet the standards set out in PMD13 (Decentralised, Renewable and Low-Carbon Energy Generation).
- 6.28 It is considered that the measures to minimise water consumption, maximise water efficiency, maximise sustainable materials, minimise waste and maximise recycling accord with Policy PMD12 (Sustainable Buildings).
- 6.29 The Sustainability Statement identifies permeable paving to deal with surface water drainage within the site. The Council's Flood Risk Manager has required additional information in relation to surface water management. The information could be required by planning condition attached to any consent given. Subject to such controls, the development would not give rise to flooding in the area and would therefore not be contrary to Policy PMD 15 of the Core Strategy.

## VIII. INFRASTRUCTURE IMPROVEMENTS AND AFFORDABLE HOUSING

- 6.30 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.
- 6.31 The Council's Infrastructure Requirement List (IRL) identifies specific infrastructure needs on an area basis. The IRL identifies a requirement for small scale major applications in the Ockendon Ward to contribute toward local education provision at primary and secondary level and highways improvements, specifically the conversion and widening of existing footpaths to form a shared path along stretches of South Road (B186) at various points.

- 6.32 In this instance, the development proposes 12 units, all of them with 2 bedrooms and the Education department has indicated that a contribution would be required at both secondary, primary and nursery levels as there is a shortfall in pupil places at both levels in the area. An education contribution can therefore be justified. In relation to highways improvements, the proposal would utilise the existing access and the site is somewhat distant from the locations where footpath widening would be proposed on South Road. It is considered that there is no justification for the development to provide a contribution towards highway improvements in this instance. The applicant has agreed to the requirement for education contributions and it has been included within the s106 Legal Agreement.
- 6.33 In addition to infrastructure, Policy CSTP2: (The Provision of Affordable Housing) seeks the minimum provision of 35% of the total number of residential units built to be provided as Affordable Housing. Part 2 of this Policy states '*The Council will seek Affordable Housing to meet local needs on qualifying sites subject to:*
- i. its suitability for on-site provision;*
  - ii. the economics of providing affordable housing;*
  - iii. the extent to which the provision of affordable housing would prejudice other planning objectives to be met from the development of the site; and*
  - iv. the mix of units necessary to meet local needs and achieve a successful sustainable socially inclusive development'.*
- 6.34 The applicant has submitted a viability assessment which has been independently assessed. It concludes that the development is viable and can provide 5 affordable units, in accordance with Policy CSTP2. The applicant has indicated that it would prefer to provide an equivalent off site affordable housing contribution. The Council's Housing Team has advised that the applicant should show due diligence in engaging with housing associations to find a registered provider which can be written into the s.106 Legal Agreement, and that it is only after this criteria cannot be satisfied that any off site contribution mechanism should be implemented as an alternative. The applicant has agreed to this arrangement.
- 6.35 Subject to completion of that agreement, the application complies with the Council's affordable housing policy.

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

- 7.1 The retention and conversion of the main building fronting South Road is welcomed and would retain the character and heritage of this part of Ockendon. The proposed design of the development would also be of high quality. The proposal would comply with the Council's land use policies for the area and would provide an education contributions at secondary and primary levels, contribute towards improved bus service facilities in the locality and affordable housing for South Ockendon, where a registered provider can be engaged, if not an off-site contribution would be made. The proposal would not adversely affect neighbour amenity, views or setting of local heritage assets, parking and highway movement or landscaping. The shortfall in amenity space is considered to be outweighed by the benefits of the scheme highlighted in the report. The application is consequently

recommended for approval.

**8.0 RECOMMENDATION**

APPROVAL of planning permission, subject to:

i) the completion and signing of an obligation under s.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:

- Education Contribution
- Affordable Housing at 35% of total units
- Highways contribution towards bus service facilities

ii) the following planning conditions:

**Standard Time**

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

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

**Samples of Materials**

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality in accordance with Policy PMD2 of the Thurrock LDF Core Strategy and Policies for Management of Development 2011.

**Accordance with Plans**

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

<b>Plan Number(s):</b>		
Reference	Name	Received
Existing Floor Plan	Floor Layout	16th October 2015
Site Location Plan	Location Plan	16th October 2015
Existing Site Plan	Site Layout	16th October 2015
P204A	Elevations	14th January 2016
P209	Exploded View of Typical House	14th January 2016

P205A	Elevations	14th January 2016
P202B	Proposed First Floor Layout	10th June 2016
P208	Floor Layout Mews House	14th January 2016
P201B	Proposed Ground Floor Layout	10th June 2016
P210	Drawing	14th January 2016

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

### **Design Details**

- 4 Notwithstanding the submitted plans, prior to the commencement of development details shall be submitted to the Local Planning Authority showing the following:

- Window design, including recesses and cills, and
- Door design, including any recesses
- Gutters, fascia and soffits

Thereafter, development shall be carried out strictly in accordance with the details approved.

Reason: In the interests of the character and visual amenities of the area, in accordance with Policies PMD2 and CSTP22 of the Core Strategy.

### **Parking layout**

- 5 Prior to commencement of the development hereby approved, a revised design of the proposed parking area, as indicated on Dwg. No. P201/B dated June 2016, shall be submitted for approval and subsequently, suitably surfaced, laid out and drained in accordance with details to be previously submitted to and approved in writing by the Local Planning Authority and constructed concurrently with the remainder of the development hereby approved. This plan shall provide 12 parking spaces each with a minimum reversing distance of 6ms, delineated and allocated as 1 space per unit, and 12 covered cycle parking spaces serving the development.

Reason: To ensure that satisfactory off-street car parking provision is made in accordance with the Local Planning Authority's standards in Policy PMD8 of the Core Strategy and in the interests of highway safety in accordance with Policy PMD2 of the Core Strategy

### **Highways Management Plan**

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

- i. Hours of operation
- ii. Construction vehicle routing
- iii. Construction access
- iv. Temporary hard standing

- v. Storage of materials
- vi. Heavy plant storage
- vii. Abnormal Load Vehicle movements and routing
- viii. Crane storage and its use
- ix. Contractor parking
- x. Wheel Washing Facilities

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

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

### **Construction Management Plan**

- 7 Prior to the commencement of the works subject to this consent hereby approved, a Construction Management Plan and Waste Management Plan shall be submitted to and agreed in writing prior to the commencement of the works hereby approved. The details shall include;
- I. Details of measures to minimise fugitive dust during construction demolition and stockpiling of materials;
  - II. A Waste Management Plan;
  - III. Details of any security lighting or flood lighting proposed including mitigation measures against light spillage outside the site boundary;
  - IV. Details of crushing and/or screening of demolition and excavation materials including relevant permits;
  - V. Contingency plan, remediation scheme and risk assessment for any unforeseen contamination found at the site;
  - VI. Details of measures to minimise noise and vibration during construction and demolition to comply with the recommendations (including those for monitoring) set out in Parts 1 and 2 of BS5228:2009 'Code of Practice for Noise and Vibration Control on Construction and Open Sites'.

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

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

### **Hard and Soft Landscaping Plan**

- 8 No construction works in association with the erection of the dwellings hereby permitted shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
- I. All species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;

- II. Finished levels and contours;
- III. Means of enclosure;
- IV. Minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units including any private cycle store, signs and lighting);
- V. External surface material for parking spaces, pedestrian accesses;
- VI. Tree protection measures and details of the proposed management of the retained trees and hedges, including the protection of the existing Ash tree in the churchyard;
- VII. Any preserved trees which it is proposed to remove and their suitable replacement elsewhere within the site.

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

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

### **Controlled Access to Parking Area**

- 9 Prior to the first residential occupation of any of the development hereby permitted, a scheme detailing for the control of access to all car parking areas shall be submitted to and agreed in writing with the local planning authority. The scheme shall be designed to provide controlled access by occupiers of the units / dwellings, which those parking areas serve, and visitors to those units. The agreed scheme shall be installed in accordance with the agreed details prior to the first occupation of the units / dwellings and shall thereafter be permanently retained and maintained in the agreed form.

Reason: In the interest of controlling access to the parking spaces to ensure adequate parking for the development in accordance with Policies PMD2 and PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Bin Store Details**

- 9 Prior to the commencement of development the detailed design of structures for the storage of refuse and recycling containers to serve all residential units shall be submitted to, and agreed in writing by, the Local Planning Authority. Provision of refuse containers and the structures to secure those containers shall be made in accordance with the standard prevailing at the time of detailed design submission. The refuse stores and containers shall be provided in strict accordance with the approved details prior to the first occupation of the residential unit. Thereafter, refuse stores shall be permanently retained in the approved form.

Reason: To ensure suitable provision is made for the storage of refuse and recyclables, in the interests of amenity and sustainability

### **Windows Fronting South Road**

- 10 Windows proposed in the front elevation facing South Road shall be fitted with enhanced glazing specification of around Rw33 (6/12/6 glazing units) to achieve the BS8233:1999 "good" internal standard together with passive acoustic trickle ventilation or acoustic airbricks.

Reason: In order to reduce noise impacts from the South Road and in the interests of the future occupiers of the site.

### **Surface Water Drainage**

- 11 No development shall take place until a detailed surface water drainage scheme for the site, based on the above comments has been submitted to and approved in writing by the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

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

Reason: To prevent environmental and amenity problems arising from flooding.

### **Hours of Work**

- 12 No demolition, building work or deliveries shall be carried out before 8am or after 6pm on Mondays to Fridays or before 9am or after 1pm on Saturdays and not at all on Sundays or Bank Holidays. Any particularly noisy activities such as breaking out of concrete be limited to 09.00 hours to 17.00 hours Monday to Friday with none on Saturdays, Sundays and Bank Holidays.

Reason: In the interests of the amenity of surrounding occupiers

### **Archaeology**

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

Reason: In the interests of the historical value of the site in accordance with Policy PMD4 of the Core Strategy.

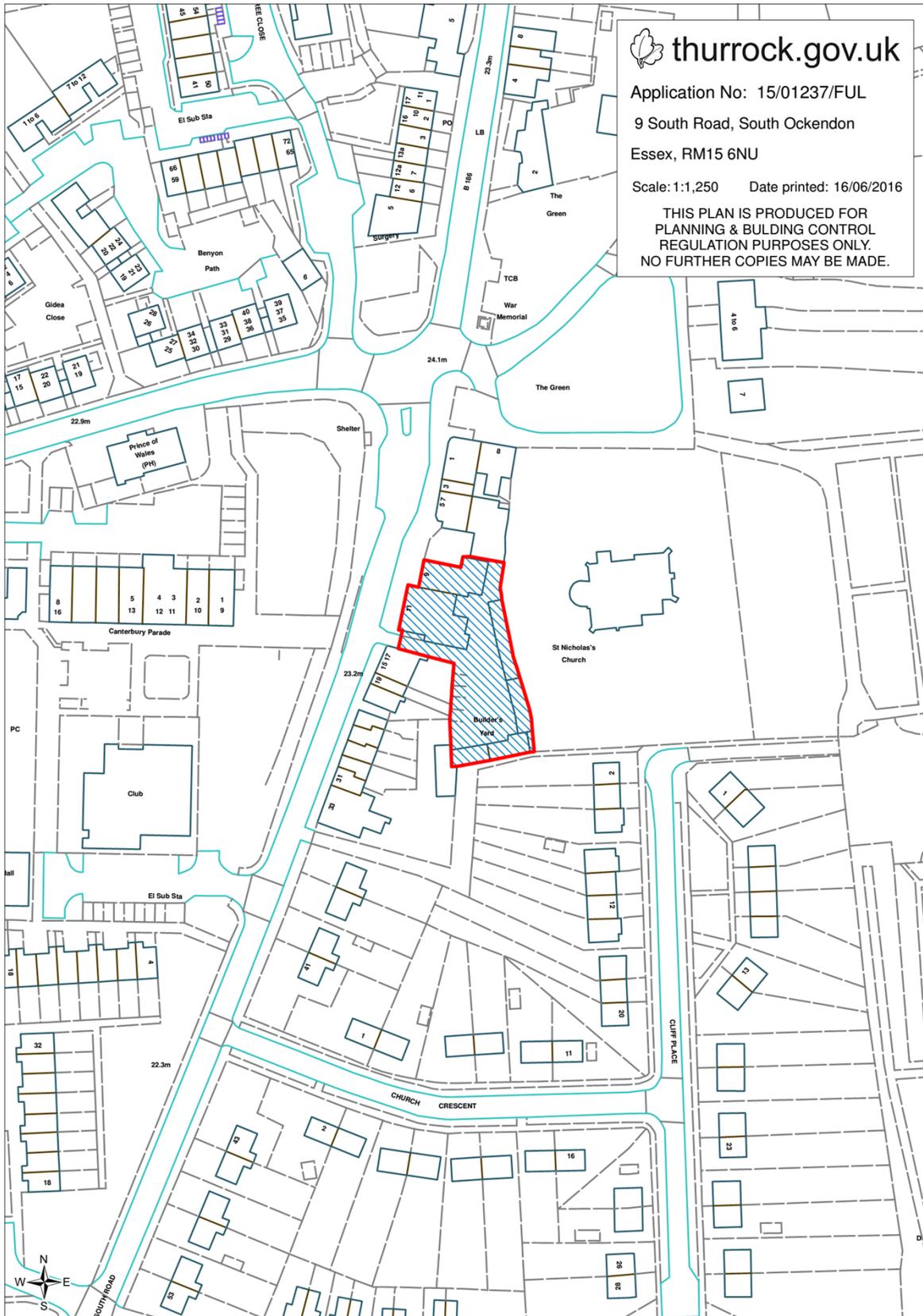
**INFORMATIVE**

- 1 The applicant's attention is drawn to the advice given by the Council's Environmental Health Officer regarding the site's former use as a builder's yard. Although historical records show no other activities on site, should any unforeseen contamination be encountered during construction then work should cease, an investigation be carried out and a scheme of remediation submitted and approved by the Local Planning Authority prior to recommencement of work.

**Documents:**

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

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



© Crown copyright and database rights 2016 Ordnance Survey 100025457



<b>Reference:</b> 15/00579/FUL	<b>Site:</b> Grays Gas Holder Station London Road Grays Essex RM17 5YB
<b>Ward:</b> Grays Riverside	<b>Proposal:</b> Full planning application for the redevelopment of the former Grays Gas Station site and associated land for 187 dwellings (comprising 66% houses and 34% apartments) with associated private amenity space, means of enclosure, car parking, vehicle and pedestrian access and drainage.

<b>Plan Number(s):</b>		
Reference	Name	Received
PH-201_001	Site Layout	9th February 2016
PH-201_002	Other	9th February 2016
PH-201_003	Other	9th February 2016
PH-201_004	Other	9th February 2016
PH-201_005	Other	9th February 2016
PH-201_006	Floor Layout	9th February 2016
PH-201_007	Floor Layout	9th February 2016
PH-201_008	Elevations	9th February 2016
PH-201_009	Floor Layout	9th February 2016
PH-201_010	Floor Layout	9th February 2016
PH-201_011	Elevations	9th February 2016
PH-201_012	Floor Layout	9th February 2016
PH-201_013	Floor Layout	9th February 2016
PH-201_014	Elevations	9th February 2016
PH-201_015	Floor Layout	9th February 2016
PH-201_016	Floor Layout	9th February 2016
PH-201_017	Elevations	9th February 2016
PH-201_018	Floor Layout	9th February 2016
PH-201_019	Floor Layout	9th February 2016
PH-201_020	Elevations	9th February 2016
PH-201_021	Elevations	9th February 2016
PH-201_022	Other	9th February 2016
PH-201_023	Elevations	9th February 2016
PH-201_024	Elevations	9th February 2016

PH-201_025	Elevations	9th February 2016
PH-201_026	Elevations	9th February 2016
PH-201_027	Elevations	9th February 2016
PH-201_028	Elevations	9th February 2016
PH-201_029	Elevations	9th February 2016
PH-201_030	Other	9th February 2016
PH-201_031	Elevations	9th February 2016
PH-201_032	Elevations	9th February 2016
PH-201_033	Elevations	9th February 2016
PH-201_034	Elevations	9th February 2016
PH-201_035	Other	9th February 2016
PH-201_036	Other	9th February 2016
PH-201_037	Other	9th February 2016
PH-201_038	Floor Layout	9th February 2016
PH-201_039	Floor Layout	9th February 2016
PH-201_040	Elevations	9th February 2016

The application is also accompanied by:

- Design and Access Statement
- Air Quality Assessment
- Arboricultural Impact Assessment
- Archaeology Assessment
- Badger Survey
- Drainage Statement
- Drainage Strategy Report
- Ecological Walkover Survey
- Geo Technical Report
- Invertebrate Survey
- Planning Statement
- Sustainable Design and Energy Statement
- Drainage Strategy Report

**Applicant:**

Persimmon Homes Ltd

**Validated:**

26 June 2015

**Date of expiry:**

25 September 2015

**Recommendation:** Approve, subject to conditions and Section 106 Agreement.

This application is scheduled for determination by the Council's Planning Committee because of the scale and strategic nature of the proposal.

**1.0 DESCRIPTION OF PROPOSAL**

- 1.1 This application seeks full planning permission for the redevelopment of the former Grays Gas Station site and associated land for 187 dwellings with associated private amenity space, means of enclosure, parking, vehicle and pedestrian access and drainage.
- 1.2 Table 1 below summarises some of the main points of detail contained within the development proposal:

Site Area	Approximately 4.88 hectares
Density	38 dwellings per hectare (dph) (53.44 dph if the woodland area is excluded from the calculation)
Total dwellings	9 no. 1-bedroom flats 56 no 2-bedroom flats  35 no 2-bedroom houses 74 no 3-bedroom houses 13 no 4-bedoorm houses  TOTAL: 65 flats and 122 houses
Building Height	Houses: 2 – 3 storey Flats: 4 storey blocks
Car Parking	Flats: 1 space per unit (all sizes)  Houses: 2 bed – 1 space per unit 3 beds – 2 spaces per unit 4 beds – 2 spaces per unit  Visitors: 26 across the site  TOTAL: 302 parking spaces

#### Access

- 1.4 The proposed development would be served by a single vehicular access point on London Road. The existing site is accessed from London Road but for the proposed development, the access point has been moved to the east to keep it further from the mini-roundabout which links to Argent Street. The new access is roughly equidistant between that mini-roundabout and the entrance to the Aldi car park.

- 1.5 The vehicle access would be in the form of a boulevard running north to south, terminating at a T junction to the southern point of the wooded area in the site.
- 1.6 Pedestrian permeability is an important part of the scheme with a four accesses to the west from the site onto Meesons Lane.

### Layout

- 1.7 The proposed development has been designed to reflect the existing pattern of development in the surrounding area. The main internal roads run either north to south reflecting the character of the adjacent streets to the east and west. The other main access roads run east to west, parallel with the London Road.
- 1.8 Fourteen of the dwellings face directly onto London Road providing a live street frontage for the development. These dwellings would be three storey townhouses to allow for under croft parking. To the Meesons Lane frontage eight dwellings have been orientated to the west to provide a live frontage on this site boundary.
- 1.9 Within the site dwellings are located close to the back of the highway to make the best use of space and provide strong frontages to each road. Internally the roads are a mixture of traditional street and areas of shared surfacing on the more closely designed street providing and intimate more human scale development. The dwellings range between 2 and 2.5 storey for the most part in these locations.
- 1.10 There are six flat blocks towards the centre of the site. These form corner turning buildings and take advantage of views toward the open space and provide strong corner anchors for the scheme.
- 1.11 Private gardens are provided for all the houses and the flatted units have balconies and access to outdoor space.

### Appearance

- 1.12 There are seven house types proposed within the site and a design for the six flat blocks.
- 1.13 The new dwellings have regard to the surrounding properties, with traditional proportions and pitched roofs characteristic of the wider area and the use of bricks as the predominant building material and external finish. However, the scheme provides a more modern interpretation of the traditional nearby properties with simpler, cleaner lines than the more detailed Victorian/Edwardian terraces.
- 1.14 The overall development would be softened by street trees and planting on some of the frontages and the more enclosed shared areas in more traditional communal style courtyard settings.

### Parking

- 1.15 The level of parking provision is detailed in the table above. Parking across the site is proposed in a variety of forms. The flats share communal parking areas, the terrace properties generally have parking provided in communal areas and the semi-detached and detached properties have parking provided on plot either in the form of parking spaces or under croft provision. The terraces of properties on the main access road have on street parallel parking spaces.

### Infrastructure

- 1.16 The applicant is providing contributions and affordable housing in the following manner:
- NHS Health Contribution - £40,200;
  - Open Space Contribution - £75,000;
  - Education Contribution - £1,332,979.02
  - 16% of units to be affordable housing
  - A financial viability review mechanism for affordable housing if slab level has not been reached on 20 units in 2 years

## **2.0 SITE DESCRIPTION**

- 2.1 The majority of site is presently vacant, having most recently been occupied by three gasholders which have since been demolished. Some areas of hardstanding remain. To the south eastern corner, just outside the site boundary, will be located a new gas governor and equipment (previously granted permission under ref: 15/00364/FUL) which is required to continue operations.
- 2.2 The north eastern corner of the site is covered by dense woodland which is subject to a Tree Preservation Order, and which will be retained as part of the development proposals.
- 2.3 Natural ground levels across the site fall gently from north to south towards London Road. The site, for the most part, is located in the low flood risk area (Zone 1) but toward the southern part of the site falls within Zones 2 and 3(a).
- 2.4 The west of the site is bounded by Meesons Lane and the rear gardens/accesses onto properties on Parker Road (generally two-storey Victorian/Edwardian properties). The southern side of the site is bounded by London Road and

commercial and residential development (on the southern side of London Road). The eastern side of the site is bounded by the rear gardens of the two storey dwellings on Grovelands Way (generally two storey 1930s properties) and the northern side of the site are the more modern properties on Helleborine and Kiln Way built in the 1980s.

**3.0 RELEVANT HISTORY**

Reference	Description	Decision
10/00292/TPO	Reduce encroachment of boundary trees in Gas Holders land back to boundary but not beyond.	Approved
14/00197/DMI	Demolition of three gasholders, five associated buildings (booster house, boiler house, telemetry building, toilet block and anti freeze switch room) and above ground diesel tank.	Approved
14/01024/FUL	Infilling of gas holder tank voids.	Approved
14/01104/TPO	Maintain the trees by cutting back to the previous growth points	Approved
15/00364/FUL	Relocation of gas equipment and construction of 2.4 metre high fencing	Approved
15/00620/SCR	Request for EIA Screening Opinion - proposed residential development	EIA Not required
16/00118/CV	Variation of condition 2 [Approved Plans] from approved planning application 15/00364/FUL; Relocation of gas equipment and construction of 2.4 metre fencing	Withdrawn

**4.0 CONSULTATIONS AND REPRESENTATIONS**

4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council’s website at: [www.thurrock.gov.uk/planning/15/00579/FUL](http://www.thurrock.gov.uk/planning/15/00579/FUL)

**PUBLICITY:**

4.2 The application has been publicised by the display of a site notice, a newspaper advertisement and consultation with relevant consultees and landowners. Neighbours and consultees have twice been notified of the receipt of revised plans.

4.3 Twenty four letter of representation have been received objecting for the following reasons:

- Turning of existing vehicles on Meesons Lane is hazardous;
- Lack of pedestrian control in Meesons Lane near Helleborine;

- Increased pedestrian and cycle movements will cause difficulties on Meesons Lane;
- Increased pressure on local services;
- Badgers will be confined to the wooded area;
- Additional traffic accessing London Road;
- Land is likely to be contaminated;
- Increased problems for school parking issues in the vicinity;
- There are three care homes in Meesons Lane which require large vehicles to access;
- Junction of Meesons Lane and London Road is already busy;
- Houses on Parker Road unlawfully access the back of their dwellings from Meesons Lane;
- London Road cannot cope with the amount of vehicles presently using it from Lakeside and this will make the situation worse;
- Impact on biodiversity on remaining grassland on the site;
- Grays already has poor air quality and more dwellings will not improve this creating more idling cars creating more pollution;
- Lack of infrastructure in the area, additional school places are needed;
- Site should be used as green spaces;
- Site should be used for the construction of a school or doctors or other local amenities;
- There is already housing being built in Grays, Aveley, South Ockendon, Corringham, Stanford, Chadwell and West Thurrock;
- Overlooking of neighbouring properties;
- Increased levels of crime due to social housing and housing being rented to people;
- Area is saturated already with new development at William Ball site and Gumley Road;
- Development is too dense;

[NB. It should be noted that the majority of these letters were received when 19 of the units were proposed to have access directly onto Meesons Lane. During the revised iterations of the plans all the dwellings now have vehicle access from London Road. Neighbours have been reconsulted in regards to the revised plans]

One letter has been received neither objecting to nor supporting the application, but raising the following points:

- The proposal would tidy up the waste ground;

- There would be additional traffic;

One letter has been received indicating broad support for the proposal which will enhance this area of Grays, but raising concern about traffic movements and parking.

ANGLIAN WATER:

- 4.4 No objections (subject to conditions).

ENVIRONMENTAL HEATH:

- 4.5 No objections (subject to conditions).

HIGHWAYS:

- 4.6 No objection (subject to conditions).

TRAVEL PLAN COORDINATER:

- 4.7 No objections (subject to conditions).

NATURAL ENGLAND:

- 4.8 No objections.

ESSEX FIELD CLUB

- 4.9 Objection

LANDSCAPE AND ECOLOGY OFFICER

- 4.10 No objections (subject to conditions).

EDUCATION

- 4.11 A section 106 contribution is required.

HOUSING

- 4.12 Affordable housing is required.

NHS

- 4.13 A section 106 contribution is required.

## ENVIRONMENT AGENCY

4.14 No objections (subject to conditions).

## HEALTH & SAFETY EXECUTIVE

4.15 Advise against development [see Section X of this report "Other Matters"].

## 5.0 POLICY CONTEXT

### National Planning Guidance

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

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

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

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

#### 5.3 Planning Practice Guidance

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

- climate change;
- design;

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

### **Local Planning Policy**

#### Thurrock Local Development Framework (2011)

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

#### Spatial Policies:

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

#### Thematic Policies:

- CSTP1 (Strategic Housing Provision)
- CSTPP2 (The Provision of Affordable Housing)
- CSTP9 (Well-being: Leisure and Sports)
- CSTP10 (Community Facilities)
- CSTP11 (Health Provision)
- CSTP12 (Education and Learning)
- CSTP14 (Transport in the Thurrock Urban Area: Purfleet to Tilbury)<sup>3</sup>
- CSTP19 (Biodiversity)
- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)<sup>2</sup>
- CSTP24 (Heritage Assets and the Historic Environment)
- CSTP25 (Addressing Climate Change)<sup>2</sup>
- CSTP26 (Renewable or Low-Carbon Energy Generation)<sup>2</sup>

- CSTP27 (Management and Reduction of Flood Risk)<sup>2</sup>

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)<sup>2</sup>
- PMD2 (Design and Layout)<sup>2</sup>
- PMD4 (Historic Environment)<sup>2</sup>
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)<sup>3</sup>
- PMD7 (Biodiversity, Geological Conservation and Development)<sup>2</sup>
- PMD8 (Parking Standards)<sup>3</sup>
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)<sup>2</sup>
- PMD12 (Sustainable Buildings)<sup>2</sup>
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation); and
- PMD15 (Flood Risk Assessment)<sup>2</sup>
- PMD16 (Developer Contributions)<sup>2</sup>

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

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

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

## 5.6 Draft Site Specific Allocations and Policies DPD

This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. Site Allocation Policy SAP1 (Land for Housing Development) identifies the application site as a preferred housing site without permission (ref. AVE05) with an indicative

capacity of 110 dwellings. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

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

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

### 6.0 ASSESSMENT

6.1 The assessment below covers the following areas:

- I. Principle of the Development (Conformity with Planning Policies)
- II. Traffic Impact, Access and Car Parking
- III. Impact Upon Ecology and Biodiversity
- IV. Design and Layout
- V. Ground Contamination
- VI. Noise and Air Quality
- VII. Energy and Sustainability
- VIII. Flood Risk and Site Drainage
- IX. Viability and Planning Obligations
- X. Other Matters

#### I. PRINCIPLE OF THE DEVELOPMENT

6.2 The application seeks full planning permission for the residential development of the site. The site lies within a residentially allocated area, is previously developed land and is close Grays Town Centre, one of the Borough's Regeneration Hubs. In addition the LDF Site Specific Allocation and Policies Local Plan Further Issues and Options consultation (January 2013) included the land as a potential housing site. Accordingly, the principle of the development is considered to be sound.

## II. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.3 The Highways Officer advises that the principle of the development on this site is supported due to its proximity to local amenity and public transport links. Additionally the proposed layout of dwellings within the site and the number of parking spaces are considered to be acceptable.
- 6.4 The Officer has recommended conditions relating to a Parking Management Strategy, details of improvements to Meesons Lane (including a widened pedestrian footway) and details of the cycle/footway on London Road.
- 6.5 Accordingly, subject to conditions, the proposal is considered to comply with Policies PMD8, PMD9, and PMD10 of the Core Strategy.

## III. IMPACT ON ECOLOGY AND BIODIVERSITY

- 6.6 The application site is not located within an area statutorily designated for its ecological or biodiversity interest.
- 6.7 An ecological survey, invertebrate survey and badger survey have been carried out on the site. The site has previously and most recently been used as a gasholder site, which has been cleared and is of limited ecological value. The ecological survey, badger survey and invertebrate survey indicate that the development would not be harmful to the local area.
- 6.8 The proposed development would involve the retention of all the existing woodland to the northern part of the site, but the development of the rest of the site. The woodland area is the part of the site which it is indicated has most ecological value.
- 6.9 Natural England raises no objections to the development.
- 6.10 The Council's Landscape and Ecology Advisor agrees that the majority of the site has limited ecological value. He advises that the grassland species are poor and lacking in structural diversity but notes that it might be of value for reptiles. He therefore recommends a condition for a reptile survey to be undertaken to determine the extent of animals on the site and a translocation scheme to be agreed as required. Similarly, the Advisor recommends a condition to carry out a badger survey with appropriate mitigation; again this matter can be covered by a condition.
- 6.11 With reference to woodland area, the Council's Landscape and Ecology Advisor indicates that this could have some value to be used as public open space, but that would need to be managed and he therefore recommends a Management Plan be submitted as part of the list of conditions.
- 6.12 Subject to the conditions proposed, it is concluded that the impacts of the proposals on ecology and biodiversity interests are acceptable.

## IV. DESIGN AND LAYOUT

- 6.13 The application has been subject to two detailed revisions since it was first received in the middle of 2015. During the lifetime of the application the applicant has spent considerable time working with officers to address issues raised. The application has also been subject to a Commission of Architecture and Built Environment (CABE) design review.
- 6.14 The revisions to the scheme related to the form/layout and detailed design matters. The scheme as originally submitted included 19 dwellings having private driveways being served from Meesons Lane with these dwellings backing onto properties within the site.
- 6.15 The main changes to the layout have resulted in all dwellings now being accessed from the main London Road entrance. Although dwellings face out onto Meesons Lane none of the proposed units have vehicular access onto Meesons Lane. This is more appropriate in design terms and will prevent the southern end of Meesons Lane becoming blocked with vehicles using driveways.
- 6.16 The dwellings would back onto one another and would have private amenity spaces to the rear. The flatted blocks have been concentrated where they would look onto the woodland area to make the best use of the views. The flats are also concentrated within the same area to provide a recognisable core to the development.
- 6.17 A live frontage is provided onto London Road with 14 houses directly facing onto London Road and two of the units within the site being orientated onto London Road. This will provide a link between the existing terraces to the east and west and integrates the development into the fabric of the area.
- 6.18 Eight dwellings would face towards Meesons Lane. These would be pairs of dwellings at the end of four of the short cul-de-sacs within the site. These dwellings would provide a new live frontage to Meesons Lane, increasing security for users of Meesons Lane and providing visual interest to pedestrian using Meesons Lane.
- 6.19 The other main improvement that has been made through the process is in relation to the design of the units. The scheme as originally submitted included a mixture of architectural details on both the flats and housing. The quality of the design did not meet the high standards expected and represented a form of development that was considered to be unacceptable.
- 6.20 The CABE review indicated that the wider site context does not provide a strong historic reference or character. The Review suggested that a simpler but more refined architectural style should be adopted for the proposal and that there was the ability to create a unique and distinctive character within the site.
- 6.21 The revised plans address the issues raised; the scheme reflects the traditional terrace forms of the nearby properties and updates this for the twenty first century. The proposed houses have clean, straight detailing providing a modern approach to terraced development. Excessive detailing has been removed, with simple porch canopies, banding to highlight the different floor height and windows of modern design and proportions.

- 6.22 The apartment blocks continue this similar, modern approach with clean lines and modern detailing of the window openings, balconies and entrance doors.
- 6.23 The buildings would be constructed of brick, with render features on the flats and timber features to bring some interests to the houses.
- 6.24 Overall, the design is now considered to be acceptable and of the high quality that the Council seeks to achieve.
- 6.25 Accordingly the proposal is considered to satisfy the relevant criteria of Policies PMD1, PMD2 and CSTP22 of the Core Strategy.

#### V. GROUND CONTAMINATION

- 6.26 Historically (since the 1950s) the site has been used in connection with gas operations. The land below is made up of sand and gravel. Ground investigation works were undertaken in 2011.
- 6.27 The Council's Environmental Health Officer (EHO) considers that the site will be suitable for residential use provided that a remediation scheme is undertaken. This can be covered by conditions.
- 6.28 The Environment Agency (EA) has also provided detailed comments on the proposals relating to groundwater and contaminated land considerations and advise that planning permission could be granted subject to conditions.

#### VI. NOISE AND AIR QUALITY

- 6.29 The application site is located adjacent to London Road which is a main link between Grays, West Thurrock and Lakeside beyond. The location of some of the proposed dwellings close to London Road has potential impacts in terms of noise and air quality which need to be considered.

##### Noise

- 6.30 The Environmental Health Officer (EHO) indicates that the facades of the properties facing London Road will be affected by road traffic noise. He raises no objection to the proposals in this regard, but indicates that a noise survey will be required to assess the impact of road traffic noise on the habitable rooms that face onto London Road. Mitigation measures such as enhanced glazing specification will be likely to be required to reduce internal noise levels to an acceptable level. This issue can be covered by a condition.

##### Air quality

- 6.31 London Road is part of an Air Quality Management Area (AQMA). The applicant has carried out an Air Quality Assessment (AQA) as part of their application. The plans submitted as part of this assessment shows that the dwellings that face towards London Road fall in part within the AQMA. The rear elevations of the dwellings all lie outside the AQMA.

- 6.32 The submitted AQA suggests two mitigation measures to reduce any impact on the potential receptors: either through (i) sealed windows with an additional form of natural or mechanical ventilation from outside the AQMA or (ii) Air being drawn in from either façade and then passed through filters.
- 6.33 The EHO agrees with the methodology used in the AQA and the findings. In terms of approach he indicates that option (i) above would be preferable as this would have less maintenance issues in the long term. Details of which can be covered be condition.
- 6.34 In the short term, impacts such as noise and pollution created during construction upon nearby residents can be ameliorated by the use of conditions, including Construction Management and Highways Management plans.

#### VI. ENERGY AND SUSTAINABILITY

- 6.35 Adopted Core Strategy policies PMD12 (Sustainable Buildings) and PMD13 (Decentralised, Renewable and Low Carbon Energy Generation) are relevant to this application. PMD12 required that new dwellings are consistent with Code For Sustainable Homes Level 4 from 2013. However this requirement has since been superseded by Government guidance in March 2015. Policy PMD13 requires that major residential and commercial developments secure 10% of their predicted energy demands from decentralised, renewable or low carbon sources from 2010, increasing to 15% from 2015.
- 6.36 The application is accompanied by a sustainable design and energy statement which provides a pre-assessment for the proposed dwellings and shows that they could comply with the now superseded Code Level 4. It concludes that this Level could be achieved as required by Core Strategy policy.
- 6.37 The applicant's Sustainability Statement considers the energy demands of the development and assesses the potential to include renewable energy technologies. The Strategy concludes that the project will aim to contribute a minimum of 15% of its energy from decentralised and renewable or low-carbon sources. The Strategy assumes that individual houses can accommodate solar photo-voltaic (PV) panels, that energy efficient construction will be used, internal water saving measures, waste minimisation methods will be adopted and surface water management and ecological enhancement will contribute towards sustainability. The strategy concludes that the 10% policy target will be exceeded.

#### VIII. FLOOD RISK AND SITE DRAINAGE

- 6.38 The southern part of the site is located within the high risk flood zone (Zone 3) and other parts within Zone 2 (although it benefits from the protection of defences located adjacent to the River Thames).
- 6.39 Ground levels at the site vary from a height of 12.01m AOD in the north eastern corner, to 3.5m AOD in the south western corner (with the exception of the quarried section which has a reduced level of 1.5m AOD).
- 6.40 The NPPF seeks to avoid inappropriate development in areas at risk of flooding by directing development away from areas at highest risk. Nevertheless, where

development is necessary it should be made safe without increasing flood risk elsewhere. As noted above, the application site is located within the high risk flood zone (Zone 3). However the River Thames is protected by defences to the 1 in 1000 year standard.

- 6.41 However, as residential development is proposed within Flood Zone 3 (albeit protected by flood defences) Planning Practice Guidance categorises dwellings as 'more vulnerable' development where a Sequential and Exceptions Test are required before development should be approved.
- 6.42 The consultation response received from the Environment Agency raises no objection to the proposal subject to a condition relating to floor levels of the dwellings across the site.
- 6.43 The response from the Flood Risk Manager indicates there is no objection to the proposal subject to the submission of a Drainage Strategy. In addition the Council's Civil Protection Officer raises no objection subject to the submission of a Flood Warning and Evacuation Plan, which can also be covered by a condition.

#### IX. VIABILITY AND PLANNING OBLIGATIONS

- 6.44 Adopted Core Strategy policy CSTP2 seeks the provision of 35% affordable housing and policy PMD16, seeks planning obligations through S106 agreement (as appropriate) to mitigate the impact of development.
- 6.45 In relation to financial contributions the applicant has agreed to a contribution towards education facilities of just over £1.3m as required by the Education team, an open space contribution of £75,000 as required by the Council's Environment Team and a contribution towards local healthcare facilities of £40,200 as required by the Public Health. The proposal thus complies with Policy PMD16 in this regard.
- 6.46 In relation to affordable housing the applicant provided a financial viability appraisal. The financial information within the appraisal is commercially sensitive, but has been assessed by the Council's appointed independent assessors. The policy requirement is for 35% affordable housing but the applicant's assessment indicates that this level of provision cannot be met at this time.
- 6.47 On the basis of the current market conditions the applicant has indicated that 16% of the units can be provided as affordable units. The Council's independent assessors have reviewed the documents and advise that they agree with this assessment. As with other similar schemes, they advise that a review mechanism is implemented and carried out if the scheme has not reached slab level (in this instance on 20 plots) within 2 years of consent being granted. Subject to the inclusion of such a review mechanism in the 106 agreement, it is considered that the Council would not be in a position to object on the grounds of the proposed level of affordable housing provision.

#### X. OTHER MATTERS

- 6.48 The response from the Health and Safety Executive (HSE) raises concern about the proposal due to existing Hazardous Substance Consents (HSC) which have

been granted on the land. All the equipment used to store substances on the land has been removed and accordingly this matter is a technicality. These consents however remain and will not be removed unless an application to revoke the consent is made. The decision to revoke any consents would be made by the Secretary of State.

- 6.49 The response from the Archaeology team at Essex county Council recommends a watching brief in case there is material of any interest. This could be covered by an appropriate condition.

## **7.0 CONCLUSIONS AND REASONS FOR APPROVAL**

7.1 This planning application seeks full planning permission for the residential development of the site. The site lies within a residentially allocated area, is previously developed land and is close to one of the major regeneration hubs in the Borough. In addition the LDF Site Specific Allocation and Policies Local Plan Further Issues and Options consultation (January 2013) included the land as a potential losing site. Accordingly the principle of the development is sound.

7.2 The proposal would lead to an increase in vehicles using the highway. However the proposed access point, layout and parking provision is considered to be acceptable and compliant with Council policy.

7.3 The design and layout has been significantly improved since the application was originally submitted and is now of a high standard that would be acceptable given the size and location of the site.

7.4 Other matters such as noise, archaeology, ecology, flood risk and contamination could be dealt with by appropriate conditions.

7.5 The applicant is contributing toward local healthcare, provision of play equipment, affordable housing and education.

## **8.0 RECOMMENDATION**

APPROVAL of planning permission, subject to:

i) the completion and signing of an obligation under s.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:

- NHS Health Contribution - £40,200;
- Open Space Contribution - £75,000;
- Education Contribution - £1,332,979.02
- 16% of units to be affordable housing
- A financial viability review mechanism for affordable housing if slab level has not been reached on 20 units in 2 years

ii) the following planning conditions:

**Time Limit**

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

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

**Accordance with Plans**

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

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

**Details of Materials and Samples**

3. Notwithstanding the information on the approved plans, no development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the local planning authority.

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

**No extensions or roof alterations without permission**

4. Notwithstanding the provisions of Schedule 2 Part 1 Classes A, B, and C of the Town & Country Planning [General Permitted Development] Order 2015 [or any order revoking and re-enacting that Order with or without modification] no extensions or roof alterations shall be carried out to the building[s] hereby permitted.

REASON: In the interests of amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings and does not impact on the amenities of neighbours in accordance with Policies PMD1 and PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD [2011].

**Communal TV Aerials/Satellite**

5. Notwithstanding the provisions of the Town & Country Planning [General Permitted Development] Order 1995 [or any order revoking or re-enacting that Order with or without modification] the flats hereby permitted shall be equipped with a communal satellite dishes. Details of the number, size, external appearance and the positions of the satellite dishes shall be submitted to and agreed in writing by the local planning authority prior to the installation of such systems. The agreed communal

satellite dish systems shall be installed prior to the residential occupation of the flats and thereafter retained. Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 1995 [or any Order revoking or re-enacting that Order with or without modification] other than those agreed by way of the above scheme, no additional satellite dishes or aerials shall be fixed to the building comprising the flats hereby permitted without the prior written approval of the local planning authority.

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

### **Public Open Space Management**

6. Prior to the first residential occupation a management plan to describe the proposals for the management and maintenance of the areas of public open space within the development has been submitted to and approved in writing by the local planning authority. Thereafter these areas shall be permanently managed and maintained in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In order to ensure the appropriate management and maintenance of open space on the site in accordance with Policy PMD5 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Drainage Strategy (FRM)**

7. No development shall take place until a detailed surface water drainage scheme based on the submitted document "Proposed Drainage Strategy' (Job No 1481, dated 19.06.2015)" has been submitted to and approved in writing by the Local Planning Authority. Where a sustainable drainage system 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 discharge from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters
  - II. Include a period for its implementation; and
  - III. Provide a management and maintenance plan of the development which shall include the arrangements for adopted by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

REASON: To prevent environmental and amenity problems arising from flooding.

### **Floor Levels (EA)**

8. Habitable accommodation shall be restricted to the internal finished floor levels of 5.95m AOD and above.

REASON: To reduce the flood risk to the occupants of the development.

**FWEP (TBC)**

9. Prior to the first occupation of any building 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 first 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 development in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

**Landscaping**

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

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

**Landscape Protection**

11. All trees, shrubs and hedgerows to be retained on the site shall be protected by chestnut paling or Heras fencing [as approved in writing by the Local Planning Authority] fencing for the duration of the demolition and construction period at a distance equivalent to not less than the spread from the trunk. Such fencing shall be erected prior to the commencement of any works on the site. No materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside this fencing; no changes in ground level may be made or underground services installed within the spread of any tree or shrub [including hedges] without the previous written consent of the local planning authority.

REASON: To ensure that all existing trees are properly protected, in the interests of visual amenity and to accord with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Boundary Treatments**

12. No development above ground level shall take place until] there has been submitted to and approved in writing by the local planning authority details of the locations, heights, designs, materials and types of all boundary treatments to be erected on site. The boundary treatments shall be completed in accordance with the approved details before the occupation of the buildings in accordance with a timetable agreed in writing with the local planning authority.

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

### **Contaminated Land (EA)**

13. No development approved by this planning permission (or at other date or stage as may have been previously approved in writing by the Local Planning Authority) shall take place until as scheme that includes the following components to deal with the risks associated with the contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- I) A preliminary risk assessment which has identified: a) All previous uses; b) potential contaminants associated with those uses; c) a conceptual model of the site indicating sources, pathways and receptors, potentially unacceptable risks arising from contamination of the site.
- II) A site investigation scheme, based on (I) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- III) The results of the site investigation and detailed risk assessment referred to in (II) 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.
- IV) 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 (III) 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 and Principal aquifers 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.

**Contaminated Land (EA)**

14. 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 and Principal aquifers 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.

**Contaminated Land (EA)**

15. 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 shall be 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 and Principal aquifers 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.

**Contaminated Land (EA)**

16. 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 and Principal aquifers 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.

### **Contaminated Land (EA)**

- 17 No infiltration of surface water drainage into the ground is permitted unless otherwise agreed as part of the “Proposed Drainage Strategy” under condition 7 and where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON: To protect and prevent the pollution of controlled waters (particularly the Secondary A and Principal aquifers and EU Water Framework Directive Drinking Water Protected Area) in line with National Planning Policy Framework (NPPF; paragraphs 109, 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection (GP3 v.1.1, 2013) position statements G1, G9 to G13, N7 and N10. The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration sustainable drainage systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins

### **Piling (EA)**

- 18 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.  
<http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environmentagency.gov.uk/scho0501bitt-e-e.pdf>

REASON: Piling or other penetrative ground improvement methods can increase the risk to the water environment by introducing preferential pathways for the movement of contamination into the underlying aquifer and/or impacting surface water quality.

### **Decentralised, Renewable & Low Carbon Energy**

19. Prior to the construction above ground level of any Phase and of the Outline Part details of measures to demonstrate that the Phase or Outline Part will achieve the generation of at least 10% of their energy needs through the use of decentralised, renewable or low carbon technologies 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 in relation to each Phase and Outline Part 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).

### **Construction & Highways Environmental Management Plan (CHEMP)**

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

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

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

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] and in the interests of highways safety in accordance with Policy PMD2 of the Core Strategy.

### **Demolition & Construction Working Hours**

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

Monday to Fridays 0800 – 1900 hours and  
Saturdays 0800 – 1300 hours

unless the prior written approval of the local planning authority has been obtained.

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).

### **Impact Piling**

22. No impact piling shall take place until a scheme detailing the proposed method of impact piling, the proposed days / hours of impact piling and the proposed duration of impact piling has been submitted to, and approved in writing by the local planning authority. Impact piling operations shall only take place in accordance with the agreed scheme.

REASON: To ensure that the development does not have a detrimental effect on the amenities and enjoyment of residential properties or other commercial operators in the vicinity of the site in accordance with Policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

### **Lifetime Homes**

23. Unless otherwise agreed in writing by the local planning authority, the dwellings on the site shall meet Lifetime Homes standards.

REASON: In order to produce flexible, accessible and adaptable homes appropriate to diverse and changing needs in accordance with Policy CSTP1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

### **Bin Storage**

24. Prior to any development above ground level plans detailing the number, size, location, design and materials of bin stores to serve the residential development together with details of the means of access to bin stores shall be submitted to and agreed in writing with the local planning authority. The agreed bin storage shall be provided prior to the first occupation of any of the dwelling(s) within the Outline Part and shall be permanently retained in the form agreed.

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

### **Highways Access Construction Specification**

25. Details shall be submitted showing the layout, dimensions and construction specification of the proposed access to the highway, such details shall be approved by the Local Planning Authority before occupation of the development hereby permitted and thereafter implement in accordance with an agreed phasing plan.

REASON: In the interests of highway safety and efficiency.

### **Roads and footpaths prior to occupation**

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

REASON: In the interests of highway safety and amenities of the occupiers of the proposed residential development.

### **Sight Splays (Individuals Plots)**

27. Before any dwelling vehicle access is first used, clear to ground level sight splays of 1.5 metres x 1.5 metres from the back of the footway shall be laid out either side of the proposed access within the site and maintained at all times.

REASON: In the interests of highway safety.

### **Parking Management Strategy**

28. Prior to the first residential occupation a Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall include details of designated on-street parking areas and those areas that will be restricted with no on-street parking.. The agreed strategy shall be implemented on site simultaneously with the occupation of each phase of the development.

REASON: The development has been assessed in accordance with LDF Policy PMD8 Parking Standards; in the interests of highways amenity and efficiency.

### **Sight Splays (London Road)**

29. Sight splays of 2.4 metres x 43 metres shall be provided at the proposed access on to London Road. Sight splays within the development and at junctions shall be no less than 2.4 metres x 33 metres, with forward visibility sight splays within the

development being no less than an envelope of 25m. These standards shall be 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.

### **Garages/car ports for parking of cars only**

30. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 and Section 55 of the Town and Country Planning Act 1990, any garage hereby approved/permitted shall only be used for the parking of cars in connection with the residential use of that dwelling and for no other purposes whatsoever.

REASON: To ensure that satisfactory off-street car parking provision is made in accordance with the Local Planning Authority's standards and in the interests of highway safety.

### **Widening of Footpath on Meesons Lane**

31. Within 4 months of commencement of development hereby approved details of the increase in footway width along the eastern side of Meesons Lane adjacent of the site frontage to provide a footway width of at least 2.5m from the kerb edge shall be submitted to and approved in writing by the LPA. The approved scheme shall be implemented prior to the occupation of any dwelling that has a boundary to the frontage of this scheme.

REASON: To ensure that satisfactory provision is made for pedestrians in the interests of highway safety.

### **Travel Plan**

32. No development shall be occupied or brought into beneficial use until such time that a Travel Plan for that Phase and the Outline Part as the case may be, based on the Residential Travel Plan (as revised) has been submitted to and approved by the local planning authority. The approved measures for each shall be implemented upon the first operational use any phase of the development and shall be permanently kept in place unless otherwise agreed in writing by the local planning authority. Upon written request, the applicant or their successors in title shall provide the local planning authority with written details of how the agreed measures contained in the Travel Plan for any Phase being undertaken at any given time.

REASON: To reduce reliance on the use of private cars in the interests of Sustainability, highways safety and amenity in accordance with Policy PMD10 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

### **Archaeology (Trial Trenching)**

33. No development or groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant,

and approved by the planning authority

REASON: In the interests of the historical integrity of the site.

### **Air Quality**

34. Prior to any development above ground level on plots 1 to 4 (inc), 47-51 (inc), 94, 95, 98-102 (inc) details shall be submitted to and approved in writing by the Local Planning Authority dealing with methods to deal with the air quality issued identified in the Air Quality Assessment submitted by gem Air Quality Limited. For the avoidance of doubt the Council would expect the system to utilise clean air being drawn into the properties from the rear to ensure that future residential occupiers experience air quality levels in accordance with air quality objective levels in operation at the time of the updated assessment.

REASON: To protect the amenities of future residential occupiers in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

### **Noise Survey**

35. Prior to construction of the dwellings on plots 1 to 4 (inc), 47 – 51 (inc), 94, 95, 98-102 (inc) (for the purposes of this condition construction shall exclude site clearance, demolition, remediation and groundworks) hereby approved, a scheme for noise insulation of the proposed dwellings shall be submitted to and agreed in writing with the local planning authority. The scheme shall assess the noise impact from London Road upon the proposed dwellings and shall propose appropriate measures so that all habitable rooms will achieve 'good' internal levels as specified by BS8233:2014. The scheme shall identify and state the glazing specifications for all the affected windows, including acoustic ventilation, where appropriate. The approved measures shall be incorporated into the residential units in the manner detailed prior to their residential occupation and shall thereafter be permanently retained as approved unless otherwise agreed in writing with the local planning authority.

REASON: To protect the amenities of future residential occupiers and to ensure that the development can be integrated within its immediate surroundings in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Reptile Survey and Translocation**

36. Prior to the commencement of development which includes for the purposes of this condition works of demolition, a reptile survey should be undertaken to determine the extent of population of animals present and a suitable translocation scheme to remove the animal from the site shall be submitted to and approved in writing by the local planning authority. The capture and translocation of reptiles shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the local planning authority.

REASON: In order to ensure that the interests of protected species are addressed in accordance with the Wildlife and Countryside Act 1981.

**Badger Survey**

37. Prior to the commencement of development which includes for the purposes of this condition works of demolition, a badger survey, as detailed in the submitted report "Badger Survey, National Gird Site London Road" by SES March 2015, shall be undertaken to confirm that the setts outside the woodland are disused and suitable mitigation plan developed based on the survey results, shall be submitted to and approved in writing by the local planning authority.

REASON: In order to ensure that the interests of protected species are addressed in accordance with the Wildlife and Countryside Act 1981.

**Breeding Birds**

38. Demolition and clearance of vegetation or other potential bird nesting sites for each Phase and the Outline Part shall not be undertaken within the breeding season of birds (i.e. from 1st March to the 31st July) except where a suitably qualified ecological consultant has confirmed in writing to the local planning authority that such clearance works would not affect any nesting birds. In the event that an active bird nest is discovered outside of this period and once works have commenced for each Phase and the Outline Part, then a suitable standoff period and associated exclusion zone shall be implemented until the young have fledged the nest.

REASON: To ensure effects of the development upon the natural environmental are adequately mitigated and in order to comply with LDF Policy PMD7.

**Removal of HSC**

49. None of the dwellings hereby permitted shall be occupied until such time as Hazardous Substances Consent: 02/00788/HSC has been formally revoked.

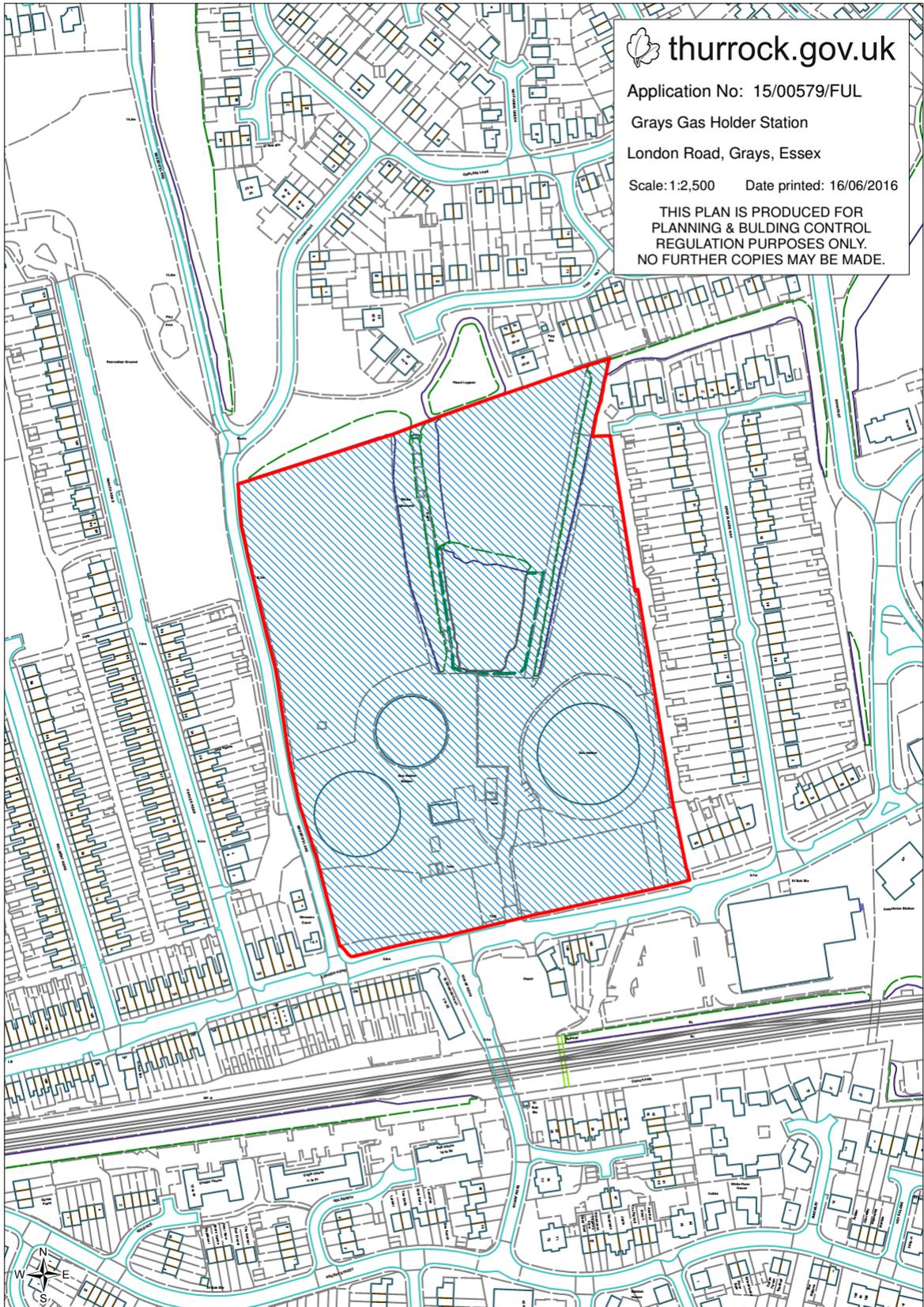
REASON: In the interests of health and safety.

**Documents:**

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

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







This page is intentionally left blank

<b>Reference:</b> 16/00324/FUL	<b>Site:</b> Fresh Fill 64 Orsett Road Grays Essex RM17 5EH.
<b>Ward:</b> Grays Riverside	<b>Proposal:</b> New shop front including entrance doors and window.

<b>Plan Number(s):</b>		
Reference	Name	Received
1:1250 @ A4	Location Plan	12th April 2016
Existing Photograph DWG: 01.	Existing Elevations	12th April 2016
Trade info DWG: 02 (1 <sup>st</sup> Floor).	Proposed Elevations	12th April 2016
Trade info DWG: 03 (1 <sup>st</sup> Floor).	Proposed Elevations	12th April 2016
Trade info DWG: 04 (Shop Front).	Proposed Elevations	12th April 2016
INFO 1-2-3	General Documents	12th April 2016

The application is also accompanied by:	
- N/A.	
<b>Applicant:</b> Mr Peter Morrish	<b>Validated:</b> 6 May 2016 <b>Date of expiry:</b> 1 July 2016
<b>Recommendation:</b> Approve, subject to conditions.	

This application is scheduled for determination by the Council's Planning Committee because the application is connected with a relative of a member of staff within the Environment and Place Directorate (in accordance with Part 3 (b) Section 2, paragraph 2.1 (c) of the Council's Constitution).

## 1.0 DESCRIPTION OF PROPOSAL

- 1.1 The proposal seeks planning approval for a new shop front including entrance doors and new window [replacement windows are also proposed to the first floor however these do not require planning permission].

## 2.0 SITE DESCRIPTION

- 2.1 The property is situated on Orsett Road forming part of an existing parade of shops in Grays town centre.
- 2.2 The property features a Sandwich Bar (Use Class A1) at ground floor level and offices (Use Class B1) at first floor level.

### **3.0 RELEVANT HISTORY**

- 3.1 None.

### **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/16/00324/FUL](http://www.thurrock.gov.uk/planning/16/00324/FUL)

#### **PUBLICITY:**

- 4.2 The application has been advertised by way of individual neighbour letters and a public site notice has also been displayed. No responses have been received. Members will be advised should any letters be received prior to the meeting.

### **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.
  2. Ensuring the vitality of town centres
  7. Requiring good design
- 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;
- 
- Ensuring the vitality of town centres

**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)

Policies for the Management of Development:

PMD1 (Minimising Pollution and Impacts on Amenity)<sup>2</sup>

PMD2 (Design and Layout)<sup>2</sup>

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

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

**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

I. PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

6.2 This application only seeks planning permission for external alterations which would not alter the use of the premises. Consequently, there are no land use objections to the development.

II. DESIGN AND APPEARANCE

- 6.3 The proposed new shop front entrance doors and window would improve the appearance of the property and wider shopping parade.
- 6.4 There would be no negative impact on the amenity of the adjacent or nearby neighbours or premises. The proposal therefore complies with policies PMD1 and PMD2 of the Core Strategy.

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

- 7.1 The proposed new shop front entrance doors and new window would not result in any detrimental impact to neighbouring privacy and amenity and would improve the appearance of the parade. The proposal satisfies policies PMD1, PMD2, CSTP22 of the Core Strategy, and the relevant criteria of the NPPF.

**8.0 RECOMMENDATION**

- 8.1 Approve, subject to the following conditions:

**Condition(s):**

**Time Limit**

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

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

**Materials**

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified on the application form and information submitted with this application.

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 Focus Review 2015.

**Plans**

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

<b>Plan Number(s):</b>		
Reference	Name	Received
1:1250 @ A4	Location Plan	12th April 2016
Existing Photograph DWG: 01.	Existing Elevations	12th April 2016

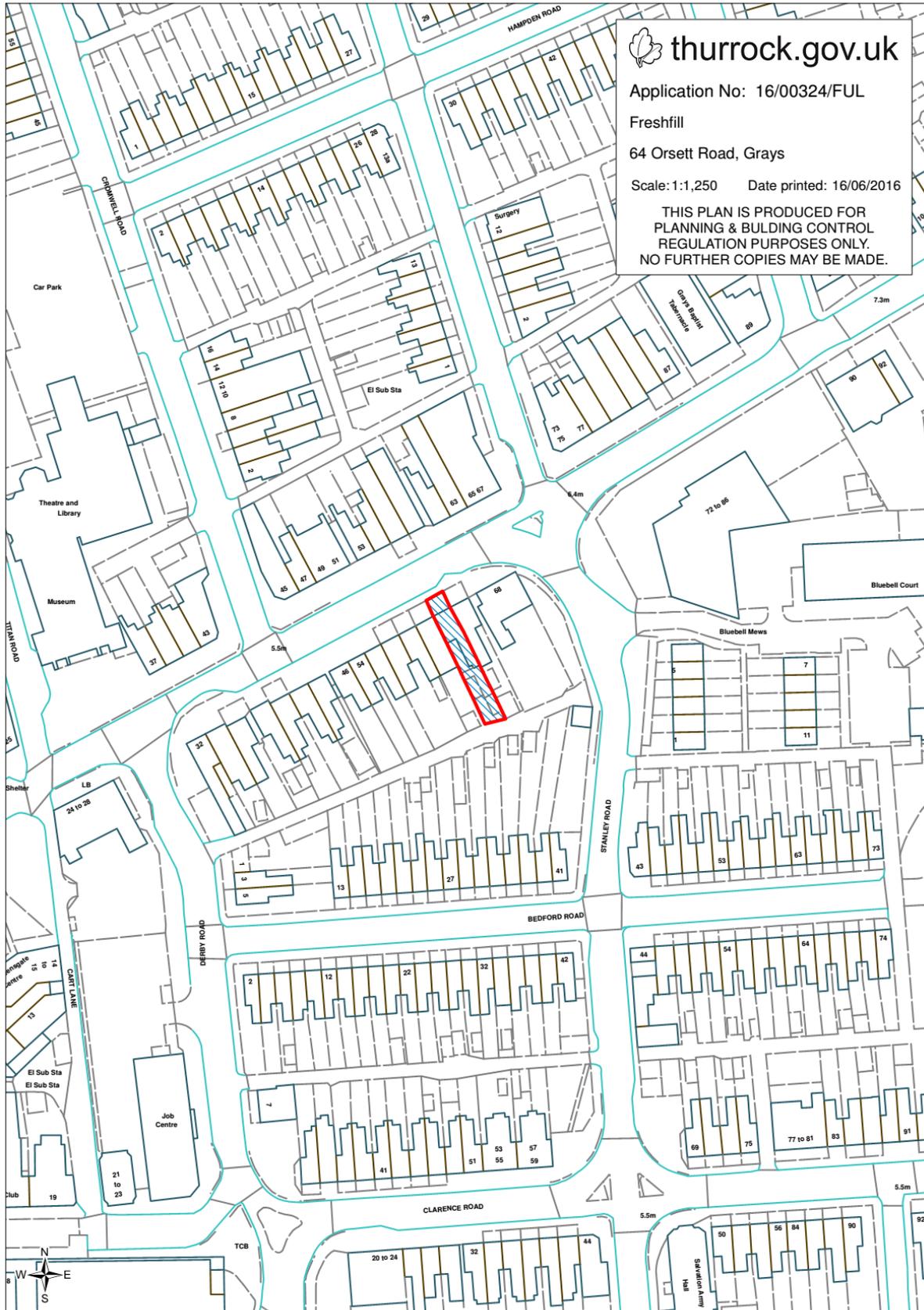
Trade info DWG: 02 (1 <sup>st</sup> floor).	Proposed Elevations	12th April 2016
Trade info DWG: 03 (1 <sup>st</sup> Floor).	Proposed Elevations	12th April 2016
Trade info DWG: 04 (Shop Front).	Proposed Elevations	12th April 2016
INFO 1-2-3	General Documents	12th April 2016

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

**Documents:**

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

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



© Crown copyright and database rights 2016 Ordnance Survey 100025457



This page is intentionally left blank

<b>Reference:</b> 16/00406/TBC	<b>Site:</b> Riverside Business Centre Fort Road Tilbury Essex RM18 7ND
<b>Ward:</b> Tilbury Riverside And Thurrock Park	<b>Proposal:</b> An expansion to include the provision of 20 no. New business units and associated car parking

<b>Plan Number(s):</b>		
Reference	Name	Received
PL112	Drawing	4th April 2016
PL113	Drawing	4th April 2016
PL114	Drawing	4th April 2016
PL115	Drawing	4th April 2016
A2303 (PL01)	Drawing	4th April 2016
PL104	Elevations	4th April 2016
PL106	Location Plan	4th April 2016
PL102	Elevations	4th April 2016
PL109	Drawing	4th April 2016
2001 (PL01)	Proposed Floor Plans	4th April 2016
PL100	Other	4th April 2016
PL110	Drawing	4th April 2016
PL101	Site Layout	4th April 2016
PL103	Elevations	4th April 2016

- The application is also accompanied by:
- Design and Access Statement
  - Archaeology Desk Based Report
  - Client Supporting Statement
  - Flood Risk Assessment
  - Energy Statement
  - External Lighting Report
  - Flood Risk Assessment Addendum
  - Generic Risk Assessment
  - Preliminary Ecological Assessment
  - Preliminary Invertebrates Assessment
  - Preliminary Risk Assessment Ground Investigation V1A
  - Preliminary Risk Assessment Ground Investigation V1B

<ul style="list-style-type: none"> <li>- Preliminary Risk Assessment Ground Investigation V1C</li> <li>- Reptiles Survey</li> <li>- Records Search</li> <li>- Stakeholder Engagement Report</li> <li>- Traffic Assessment Report</li> </ul>	
<b>Applicant:</b> Thurrock Council	<b>Validated:</b> 7 April 2016  <b>Date of expiry:</b> 7 July 2016
<b>Recommendation:</b> Deemed to be granted, subject to conditions.	

This application is scheduled for determination by the Council’s Planning Committee because the application has been submitted by the Council, who is acting as agent for the application and is the landowner, (in accordance with Part 3 (b) Section 2 2.1 (b) of the Council’s constitution).

## 1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission for the construction of single detached building hosting 20 new business units with a mix of B1(c), B2 and B8 uses. The building would measure 6m in width, 68m in length with an overall height of 6m. The proposal includes the reconfiguration of existing parking areas to provide additional parking to meet the requirements of the new and existing business units.
- 1.2 Thurrock Council’s Enterprise Hubs Programme was approved by Cabinet in July 2014. The provision of enterprise units - well-designed flexible workspace with flexible terms - is a key part of the Council’s Regeneration Strategy which seeks to support economic growth and create employment opportunities.
- 1.3 The lack of suitable accommodation for new and small businesses is recognised as one of the barriers to growth. As such, Thurrock Council is actively developing a broad range of Enterprise Units across the Borough. As well as strengthening the local economy, these Enterprise Units provide a revenue stream which is used to meet savings targets and support a range of regeneration activities across the Borough.

## 2.0 SITE DESCRIPTION

- 2.1 The site is a roughly triangular shaped area with the existing L-shaped business centre located to the southwestern half of the site with car parking to the north-eastern half of the site. Access is taken from Fort Road to the immediate west.

The building would be located immediately behind the existing centre on an area that is currently used for car parking.

- 2.2 Tilbury Fort lies 40 metres to the East, and the River Thames lies 90m to the south. To the west and north, there are areas of hardstanding, used by the Maritime Transport Vehicle depot and the Fortress Distribution Park.
- 2.3 There is a ditch network around the Centre and Development Site, though not directly adjacent to it. The site is located in Flood Risk Zone 3.

**3.0 RELEVANT HISTORY**

Reference	Description	Decision
02/01223/FUL	Construction of Enterprise Workshop Units, Studios and Offices	Approved

**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/16/00406/TBC](http://www.thurrock.gov.uk/planning/16/00406/TBC)

**4.2 PUBLICITY:**

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

- 4.3 Four letters of objection have been received from tenants at the business centre raising the following concerns:

- parking within the site;
- manoeuvring vehicles within the site; and
- condition of local access roads.

**4.4 ENVIRONMENT AGENCY:**

No objection, subject to conditions.

**4.5 ESSEX COUNTY COUNCIL – ARCHAEOLOGY:**

No objection, subject to conditions.

**4.6 HISTORIC ENGLAND:**

No objections.

**4.7 ENVIRONMENTAL HEALTH:**

No objection, subject to conditions.

**4.8 FLOOD RISK MANAGER:**

No objection, subject to conditions.

**4.9 HERITAGE ADVISOR:**

No objection, subject to conditions.

**4.10 HIGHWAYS:**

No objections, subject to conditions

**4.11 LANDSCAPE AND ECOLOGY:**

No objection, subject to conditions.

**4.12 EMERGENCY PLANNER:**

No objection, subject to conditions.

**5.0 POLICY CONTEXT****5.1 National Planning Policy Framework**

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

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

1. Building a strong, competitive economy
4. Promoting sustainable transport
7. Requiring good design
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:

- Design
- Determining a planning application
- Flood Risk and Coastal Change
- Natural Environment
- 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 a Primary Industrial and Commercial Area where policies CSSP2 (Sustainable Employment Growth) and CSTP6 (Strategic Employment Provision) 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. Policy CSTP6 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. The following Core Strategy policies also apply to the proposals:

- CSSP2: Sustainable Employment
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock<sup>1</sup>

#### THEMATIC POLICIES

- CSTP6: Strategic Employment Provision
- CSTP19: Biodiversity
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness
- CSTP25: Addressing Climate Change<sup>2</sup>
- CSTP26: Renewable or Low-Carbon Energy Generation<sup>2</sup>
- CSTP27: Management and Reduction of Flood Risk<sup>2</sup>

#### POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity<sup>2</sup>
- PMD2: Design and Layout<sup>2</sup>
- PMD4: Historic Environment
- PMD7: Biodiversity, Geological Conservation and Development<sup>2</sup>
- PMD8: Parking Standards<sup>3</sup>
- PMD10: Transport Assessments and Travel Plans<sup>2</sup>
- PMD12: Sustainable Buildings<sup>2</sup>
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment<sup>2</sup>
- PMD16: Developer Contributions<sup>2</sup>

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

#### 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 28<sup>th</sup> 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 The principle issues for consideration of this application are:

- i. Development plan designation and principle of development
- ii. Design and relationship of development with surroundings
- iii. Heritage impacts
- iv. Access and parking
- v. Landscape and ecology
- vi. Drainage and Flood risk
- vii. Contaminated land
- viii. Infrastructure

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

6.2 The land to which the application relates is designated as Primary Industrial and Commercial Area where policies CSSP2 (Sustainable Employment Growth) and CSTP6 (Strategic Employment Provision) apply. The Council’s Economic Development Strategy and the adopted Core Strategy identify Tilbury as a growth hub where economic growth and regeneration will be concentrated to address key challenges including the need to provide for a varied business offer and employment opportunities.

- 6.3 The Tilbury Riverside Business centre is an important part of the Council's offer of accommodation for small businesses in the Borough. The recent opening of the former Magistrates court as a business centre in Grays and the proposed extension of the Tilbury Riverside Centre are part of a growing portfolio of business accommodation that the council is providing to meet the needs of businesses based in Thurrock.
- 6.4 Spatial Policy CSSP2 of the adopted Core Strategy identifies the role of Tilbury in providing for economic growth and identifies the expansion of the Tilbury Riverside Business Centre as a Flagship Development and this is reinforced by Thematic Policy CSTP6. The development is therefore supported in principle by the Council's Economic Development Strategy and the current adopted Local Plan. The Council's adopted vision for Tilbury recognises the need for the Council to work with a range of stakeholders to address a wide range of issues, an important one being employment and the quality of jobs available to local people; the expansion of the Tilbury Riverside Business Centre is one of a range of projects aimed at delivering the vision and as such there are no land use objections to the proposal.

## II. DESIGN AND RELATIONSHIP OF DEVELOPMENT WITH SURROUNDINGS

- 6.5 The building would be of a modern design featuring shallow pitched roofs and parapet; the walls would be finished in timer cladding and the roof would be light grey with circular opening rooflights screened behind the parapets.
- 6.6 The site is a roughly triangular shaped area with the existing L-shaped business centre located to the south-western half of the site with car parking to the north-eastern half of the site. Access is taken from Fort Road to the immediate west. The building would be located immediately behind the existing centre on an area that is currently used for car parking. Car parking would be extended to the east and the areas for car parking and the servicing of the workshops would be to the rear and east of the buildings and not exposed from public vantage points. The south elevation of the building would face towards the existing business centre. Areas of glazing are proposed on the widest elements of the building in the north and south elevations.
- 6.7 Overall, the design and external appearance of the building is considered to be of a satisfactory standard for a site of this nature and would complement the existing business centre. The proposal would comply with Policies PMD1 and PMD2 with regard to scale, mass, appearance and design.

## III. HERITAGE IMPACTS

- 6.8 Core Strategy Policy PMD4 Historic Environment recognises the archaeological, architectural and historic heritage that exists in Thurrock and seeks to preserve and enhance those assets for the benefit of future generations by controlling development which might affect their fabric or setting.
- 6.9 Several heritage assets are located nearby the application site. Tilbury Fort is located to the immediate east of the site. The site is as an outstanding example of a late seventeenth century fort, which retains its original layout. It is a Scheduled Monument and the 1772 Officers Barracks are grade II\* listed. To the southeast of

the application site is the Worlds End Public House, which is grade II listed.

- 6.10 To the southwest the River Station was constructed in 1924 as a combined railway station, baggage hall, ticket office and floating pontoon, serving as London's cruise liner terminal. The buildings are grade II\* listed.
- 6.11 The Council's Heritage Advisor and Historic England have been consulted on the proposals. The Council's Heritage Advisor has commented that the position of the proposed building set at the centre of the site means that key views from the adjacent heritage assets would not significantly change. The water meadow setting to Tilbury Fort is a significant feature, but the application site makes a limited contribution to its setting, as it was not directly associated with the series of defensive moats surrounding the fort or its strategic surveillance of the eastern approach.
- 6.12 Historic England has commented that the industrial setting would move marginally closer towards Tilbury Fort, but as seen in the existing industrial context and due to its subservient form would not adversely affect its setting. Likewise the Riverside Station and the Worlds End would not be adversely affected. The Council's Heritage Advisor and Historic England raise no objections to the development on heritage grounds subject to conditions relating to materials, landscaping and boundary treatments.

#### IV. ACCESS AND PARKING

- 6.13 The proposal seeks to provide a total of 145 parking spaces, including 8 disabled accessible spaces, for the development and existing business centre. At present there are 98 parking spaces available, including 6 disabled accessible spaces. The level of parking provision is considered to be acceptable and no objection is raised by the Council's Highway Officer.

#### V. LANDSCAPING AND ECOLOGY

- 6.14 The Council's Landscape and Ecology Advisor considers that the development would not have significant adverse effects on the landscape setting or visual amenity.
- 6.15 With regard to ecological matters, the site contains a small area (0.2ha) of unmanaged grass and scrub that is considered to be of value at a local level and the site has been found to contain low populations of adder and common lizard, both of which are species protected under the Wildlife and Countryside Act 1981.
- 6.16 The Reptile Survey report accompanying the application recommends that the reptiles are translocated off-site. The Council's Landscape and Ecology Advisor agrees that the adjacent fields are not suitable receptors and therefore it is recommended that the reptiles are translocated to a suitable Essex Wildlife Trust site such as Thameside Nature Park. The details of the reptile translocation could be dealt with by suitable planning condition.
- 6.17 In conclusion with landscape and ecological matters, the Council's Landscape and

Ecology Advisor raises no objections, subject to conditions, and the development would comply with the landscape and ecology objectives identified under Policies PMD2 and CSTP19.

## VI. DRAINAGE AND FLOOD RISK

- 6.18 The site lies within tidal Flood Zone 3a, defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for a new single building of 20 units, use classes B1(c), B2 and B8, which is classified as a 'less vulnerable' development in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance. The application is therefore required to pass the Sequential Test and to be supported by a site-specific flood risk assessment. The Environment Agency raises no objections on flood risk grounds and is satisfied with the Flood Risk Assessment submitted.
- 6.19 The site benefits from the presence of flood defences, which defend Purfleet, Grays and Tilbury to a 1 in 1000 annual probability standard of protection. The site is also influenced by the Thames Estuary 2100 Plan. The Council's Emergency Planner has raised no objections to the development subject to the securing of a detailed Site Specific Flood Warning and Evacuation Plan (FWEP) via planning condition which must be maintained for the lifetime of the development.

## VII. CONTAMINATED LAND

- 6.20 The Environment Agency has raised no objections to the development subject to specific contaminated land and drainage conditions. The Council's Environmental Health Officer concurs with this view and has advised that it would be prudent to keep a watching brief for any unforeseen contamination during ground works. If any such contamination is encountered then an intrusive investigation would be required a further risk assessment and remediation strategy should be submitted to the Local Planning Authority should the risk assessment and investigation prove it necessary. Appropriate conditions have been included within the recommendation.

## VIII. INFRASTRUCTURE

- 6.21 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development; the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The Policy states that the Council will seek to ensure that development 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.
- 6.29 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. Given that the proposals seek to provide small business units at the existing Enterprise Centre, supported by the Council's Economic Development Strategy, and access arrangements would not change and there are no highway objections, it is not considered that there is a justification for a highways contribution.

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

7.1 The development of 20 business units for B1(c), B2 and B8 uses within the existing Tilbury Enterprise Centre site would comply with the primary employment and commercial land use designation for the site and would be acceptable. Consequently, there are no objections to the principal of the land use. Subject to appropriate planning conditions there are no objections to the proposals on the grounds of flood risk, ecology, ground conditions, parking, impact on amenity, design or impact on landscape.

**8.0 RECOMMENDATION**

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

**Condition(s):**

**Time Limit**

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

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

**Accordance with Plans**

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

<b>Plan Number(s):</b>		
Reference	Name	Received
PL112	Drawing	4th April 2016
PL113	Drawing	4th April 2016
PL114	Drawing	4th April 2016
PL115	Drawing	4th April 2016
A2303 (PL01)	Drawing	4th April 2016
PL104	Elevations	4th April 2016
PL106	Location Plan	4th April 2016
PL102	Elevations	4th April 2016
PL109	Drawing	4th April 2016
2001 (PL01)	Proposed Floor Plans	4th April 2016
PL100	Other	4th April 2016
PL110	Drawing	4th April 2016
PL101	Site Layout	4th April 2016

PL103

Elevations

4th April 2016

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

### **Samples of Materials**

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality in accordance with Policy PMD2 of the Thurrock LDF Core Strategy and Policies for Management of Development 2011.

### **Contaminated Land**

- 4 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, nearby

watercourses, nearby groundwater abstraction 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).

### **Remediation Strategy**

- 5 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, nearby watercourses, nearby groundwater abstraction 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).

### **Monitoring of Contamination**

- 6 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, shall be 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, nearby watercourses, nearby groundwater abstraction 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).

### **Unforeseen Contamination**

- 7 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, nearby watercourses, nearby groundwater abstraction 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).

### **Surface Water Drainage**

- 8 No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect and prevent the pollution of controlled waters (particularly the Secondary (undifferentiated) and Principal aquifers, nearby watercourses, nearby groundwater abstraction and EU Water Framework Directive Drinking Water Protected Area) in line with National Planning Policy Framework (NPPF; paragraphs 109, 121).

### **Piling**

- 9 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

<http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environmentagency.gov.uk/scho0501bitt-e-e.pdf>

Reason: Piling or other penetrative ground improvement methods can increase the risk to the water environment by introducing preferential pathways for the movement of contamination into the underlying aquifer and/or impacting surface water quality.

### **Drainage**

- 10 Prior to any commencement of development on site details shall be submitted to and approved in writing by the Local Planning Authority regarding the pre and post development runoff rates and evidence confirming approval for proposed discharge destination.

Reason: The proposed development is located in an Area of Critical Drainage and therefore as a predeveloped site is required to return runoff rates to greenfield levels in accordance with CS Policies CSTP27 and

PMD15.

### **Archaeological Investigations**

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

Reason: To ensure that investigation and recording of any remains takes place prior to commencement of development in accordance with Policy PMD4 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Construction Management Plan**

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

- I. Details of measures to minimise fugitive dust, including wheel washing, during construction demolition and stockpiling of materials;
- II. A Waste Management Plan;
- III. Details of any security lighting or flood lighting proposed including mitigation measures against light spillage outside the site boundary;
- IV. Details of crushing and/or screening of demolition and excavation materials including relevant permits;
- V. Contingency plan, remediation scheme and risk assessment for any unforeseen contamination found at the site;
- VI. Details of measures to minimise noise and vibration during construction and demolition to comply with the recommendations (including those for monitoring) set out in Parts 1 and 2 of BS5228:2009 'Code of Practice for Noise and Vibration Control on Construction and Open Sites'.
- VII. Details of any piling methodology to be used;

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

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

### **Hours of Work**

- 13 No demolition, building work or deliveries shall be carried out before 8am or after 6pm on Mondays to Fridays or before 9am or after 1pm on Saturdays and not at all on Sundays or Bank Holidays. If impact piling is proposed the hours of piling should be further limited to 9am to 5pm Monday to Fridays.

Reason: In the interests of the amenity of surrounding occupiers

### **Hard and Soft Landscaping Plan**

14

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

- (a) All species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (b) Finished levels and contours;
- (c) Means of enclosure and boundary treatments;
- (d) Minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units including any private cycle store, signs and lighting);
- (e) External surface material for parking spaces, pedestrian accesses.
- (f) Tree protection measures and details of the proposed management of the retained trees and hedges
- (g) Any preserved trees which it is proposed to remove and their suitable replacement elsewhere within the site

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

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

### **Biodiversity Management Plan**

15

Prior to the [demolition of existing building[s] / commencement of development / site clearance], a 'Biodiversity Management Plan' shall be submitted to, and approved in writing by, the local planning authority. The Biodiversity Management Plan shall be based upon the details proposed within the Method Statement included in the invertebrate assessment accompanying the planning application and shall include details of:

- I. phasing of operations;
- II. the further survey work undertaking [including a further reptile and invertebrate surveys], the methodology, timing and findings of these

- surveys and how they have informed the measures outlined in the Biodiversity Management Plan;
- III. methodologies for translocation of protected species [where relevant];
  - IV. suitable receptor areas together with evidence produced by an ecologist that the receptor areas are capable of supporting the population displaced;
  - V. the methods for the protection of existing species in situ [where relevant];
  - VI. any seeding, planting and methods to promote habitat creation and establishment or habitat enhancement;
  - VII. general ecological mitigation applying to the program of construction works;
  - VIII. an assessment of the works required for management and who will undertake such works,
  - IX. a monitoring programme in accordance with the Method Statement.

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

Reason: To ensure effects of the development upon the natural environmental are adequately mitigated in accordance with Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Parking Layout**

- 16 Prior to the commencement of development details of the road[s] / footway[s] / visibility splay[s] / accesses / turning space[s]] shall be submitted to and agreed in writing with the local planning authority. The details to be submitted shall include plans and sections indicating design, layout, levels, gradients, materials and method of construction. The road[s] / footway[s] / visibility splay[s] / accesses / turning space[s]] shall be constructed in accordance with the agreed details.

Reason: In the interests of highway safety and amenity in accordance with policy PMD2 of the Thurrock Core Strategy and Policies for the Management of Development DPD [2011].

### **Car Parking**

- 17 Prior to the commencement of development details of [loading / unloading areas / turning spaces / vehicle parking] shall be submitted to and agreed in writing with the local planning authority. The development shall be constructed in accordance with the agreed details prior to the first operational use and shall thereafter be permanently retained for such purposes.

Reason: To ensure that adequate provision is made for the [loading / unloading / turning / parking of vehicles] in the interests of highways safety in accordance with Policy PMD8 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development

DPD [2011].

### **Cycle Parking**

- 18 Prior to the first operational use of the development hereby approved details of the number, size, location, design and materials of secure and weather protected cycle parking facilities to serve the building[s] hereby permitted shall be submitted to and agreed in writing with the local planning authority. The agreed facilities shall be installed on site prior to the first occupation of the building[s] / site hereby permitted and shall thereafter be permanently retained for sole use as cycle parking for the users and visitors of the development.

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].

### **Refuse and recycling**

- 19 Prior to the commencement of development the detailed design of structures for the storage of refuse and recycling containers to serve the business centre buildings shall be submitted to, and agreed in writing by, the Local Planning Authority. Provision of refuse containers and the structures to secure those containers shall be made in accordance with the standard prevailing at the time of detailed design submission. The refuse stores and containers shall be provided in strict accordance with the approved details prior to the first occupation of the new business building. Thereafter, refuse stores shall be permanently retained in the approved form.

Reason: To ensure suitable provision is made for the storage of refuse and recyclables, in the interests of amenity and sustainability

### **FWEP**

- 20 Prior to the [first operational use / occupation] of any building located within Environment Agency Flood Zones 2 and 3, as detailed on Figure 2 Flood Defence Extent of the submitted Flood Risk Assessment – Addendum, Frankhams Consultancy Group Ltd, dated 22/01/2016 or as detailed in any subsequent amendment to the extent of these Flood Zones published by the Environment Agency, a Site Specific 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 first [use / 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 development in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

**INFORMATIVE**

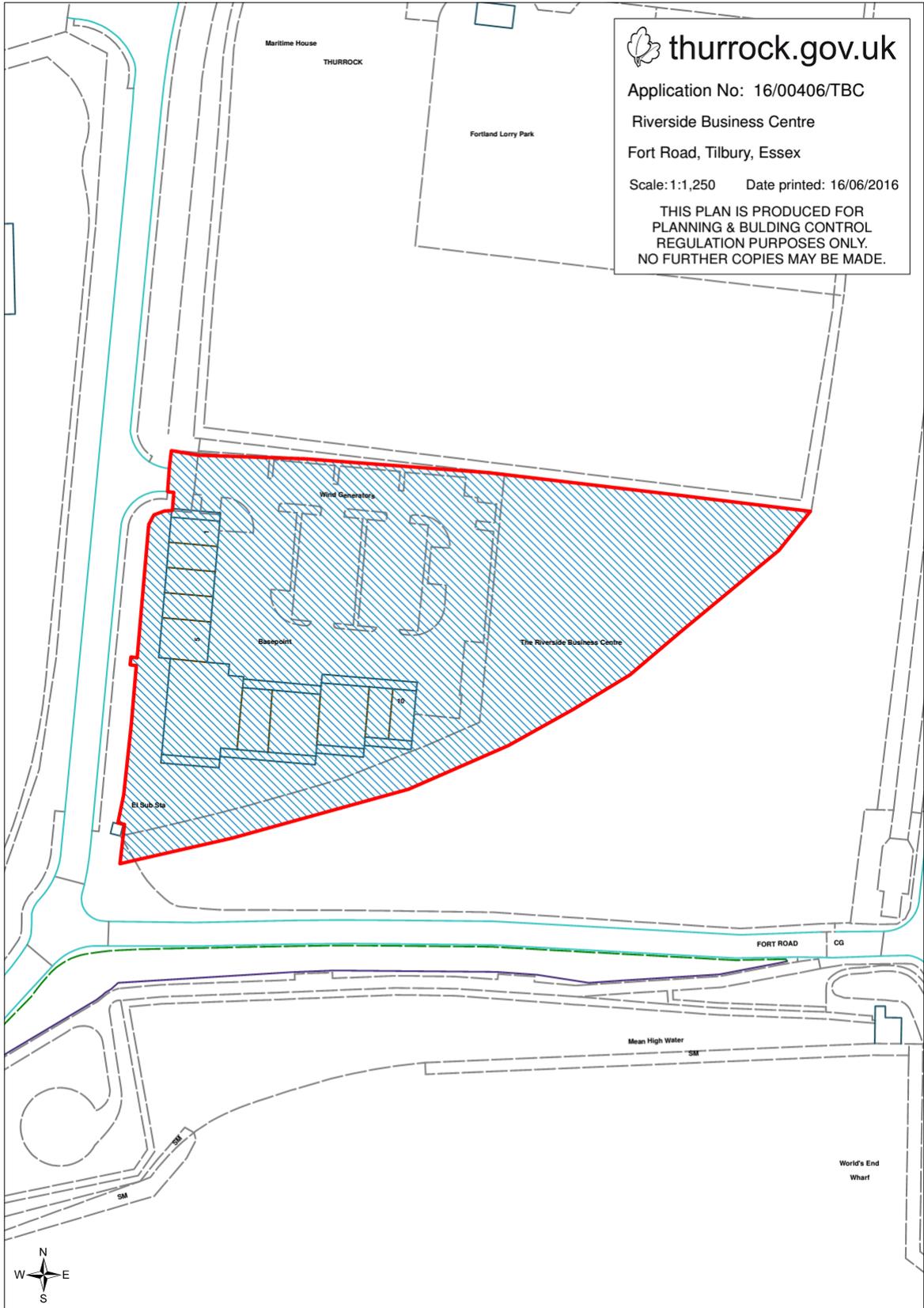
## Archaeological Advice

- 1 The applicant's attention is drawn to the letter from Essex County Council's Archaeology Team dated 21<sup>st</sup> April 2016 regarding archaeological investigations advice.

**Documents:**

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

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



 **thurrock.gov.uk**  
Application No: 16/00406/TBC  
Riverside Business Centre  
Fort Road, Tilbury, Essex  
Scale: 1:1,250    Date printed: 16/06/2016  
THIS PLAN IS PRODUCED FOR  
PLANNING & BUILDING CONTROL  
REGULATION PURPOSES ONLY.  
NO FURTHER COPIES MAY BE MADE.

© Crown copyright and database rights 2016 Ordnance Survey 100025457



This page is intentionally left blank

<b>Reference:</b> 16/00580/FUL	<b>Site:</b> Squibb Demolition Wharf Road Stanford Le Hope Essex SS17 0EH
<b>Ward:</b> Stanford Le Hope West	<b>Proposal:</b> Construction of a new office and storage building, asbestos storage facility and reconfiguration of the layout in connection with the use of the site as a demolition contractors yard and waste recycling centre; associated parking, weighbridge and access to Wharf Road.

Plan Number(s):		
Reference	Name	Received
16-3839-P-001	Existing Site Layout	21st April 2016
16-3839-P-002	Proposed Site Layout	21st April 2016
16-3839-P-003	Proposed Floor Plans	21st April 2016
16-3839-P-004	Proposed Floor Plans	21st April 2016
16-3839-P-005	Proposed Floor Plans	21st April 2016
16-3839-P-006	Proposed Plans	21st April 2016
16-3839-P-008	Proposed Elevations	21st April 2016
16-3839-P-009	Proposed Elevations	21st April 2016
16-3839-P-013	Proposed Plans	21st April 2016
16-3839-P-014	Proposed Plans	21st April 2016
16-3839-P-015	Proposed Plans	21st April 2016
16-3839-P-007	Proposed Plans	21st April 2016

The application is also accompanied by:

- Planning Statement including Design and Access Statement
- Flood Risk Assessment
- Drainage Strategy
- Transport Assessment and Travel Plan

**Applicant:**  
Mr Les Squibb

**Validated:**  
26 April 2016  
**Date of expiry:**  
26 July 2016

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

This application is scheduled for determination by the Council's Planning Committee because an earlier outline application for a similar development (14/01320/OUT) was considered and determined by the Planning Committee.

## **1.0 DESCRIPTION OF PROPOSAL**

- 1.1 This application seeks planning permission for the demolition of the existing water tower, erection of a combined office building and storage building and the reconfiguration of the existing yard area.
- 1.2 The development proposed comprises a single new, three storey building which would accommodate both the office and plant storage areas. The building would be located on the northern side of the existing yard area, slightly to the west of the centre. The building would measure 109m in width by 21m in depth by 11m in height (rising to 13m for a small plant area on the roof). The building would be of a modern appearance with a flat roof typical of many such new commercial buildings.
- 1.3 To the southern part of the middle of the site it is proposed to retain the existing office building and plant workshop on the boundary. The western part of the site would be given over to parking, for office staff and for workers on the wider part of the site.
- 1.4 The remainder of the central part of the site would be set over to lorry and vehicle parking and circulation areas and the eastern third of the site would remain used for crushed concrete storage.
- 1.5 The primary difference between this application and the previously consented outline application is that this application seeks to consolidate the office and storage uses in one single building along the northern edge of the site [the outline scheme provided two separate buildings].

## **2.0 SITE DESCRIPTION**

- 2.1 The application site is located 1km south east of Stanford-le-Hope and forms part of the larger Stanhope Industrial Park (which covers an area of approximately 14 hectares).
- 2.2 The application site presently operates as demolition contractor's yard and waste recycling centre. The contractor's yard is located in the central and western areas of the site with the waste recycling element located to the east. There are a number of buildings on site, mainly of a temporary nature, which house offices and vehicle repair offices. The disused water tower dating from the 1950s still exists on the site. The site houses lorries, trailers, plant and equipment relating to the demolition business. There are also numerous piles of waste materials (principally concrete) stored within the site.

**3.0 RELEVANT HISTORY**

Reference	Description	Decision
14/01320/OUT	Demolition of existing water tower and construction of a new office building, storage buildings (including secure asbestos storage) and reconfiguration of the layout in connection with the use of the site as a demolition contractors yard and waste recycling centre. Associated parking, weighbridge and access to Wharf Road. (Outline application with access, appearance, layout and scale being matters for consideration)	Approved
16/00565/CONDC	Discharge of conditions 1 [Outline, submission of details]; 3 [Hours of vehicle movements]; 9 [Travel Plan]; 11 [Materials]; 12 [Wheel Washing]; 14 [Boundary Treatments]; 15 [External Lighting]; 17 [Drainage Strategy]; 18 [Foul and Surface Water Drainage (EA)]; 19 [Highways Technical Details] and 21 [CEMP] of approved application:14/01320/OUT	Pending Consideration
16/00566/REM	Application for the approval of reserved matter (Landscaping) following outline approval ref: 14/01320/OUT (Demolition of existing water tower and construction of a new office building, storage buildings (including secure asbestos storage) and reconfiguration of the layout in connection with the use of the site as a demolition contractors yard and waste recycling centre. Associated parking, weighbridge and access to Wharf Road.) )	Recommended for approval on this Agenda

3.1 Planning application 14/01320/OUT was approved at the Planning Committee on 29<sup>th</sup> October 2015. This outline permission established the following in relation to the site:

- Principle of use of use of the site as a demolition contractors and waste recycling yard;
- Access to site from Wharf Road for all vehicles;
- Specified number of HGV movements per day (no limit on number of car or van movements);
- Provision of office building and storage buildings on the site;
- Use of the site by HGVs, with a limited number of Abnormal Load Vehicles (ALV) per year;
- Removal of the water tower

#### 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/16/00580/FUL](http://www.thurrock.gov.uk/planning/16/00580/FUL)

#### 4.2 PUBLICITY:

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

4.3 Two letters of representation have been received objection to the proposal on the following grounds:

- Loss of water tower which is an iconic building;
- The site is not suitable for Abnormal Load Vehicle movements;
- Concerns over storage of material on site and delivery of materials;
- Lorries can get stuck on the road causing blockages and harm in emergencies;
- Hours of use that are taking place on site;
- Disturbance to residents from operation of the site;
- Site is not an appropriate location for such a use;
- Impact on highway due to vehicles;
- Vehicle activity makes it unsafe for children.

#### 4.4 ENVIRONMENT AGENCY:

No objections.

#### 4.5 ENVIRONMENTAL HEALTH:

No objection, subject to conditions.

#### 4.6 FLOOD RISK MANAGER:

No objection, subject to a conditions.

#### 4.7 HIGHWAYS:

No objections subject to conditions.

#### 4.8 LANDSCAPE AND ECOLOGY:

No objection.

#### 4.9 NETWORK RAIL:

No objections subject to an informative.

## **5.0 POLICY CONTEXT**

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

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

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

1. Building a strong, competitive economy
4. Promoting sustainable transport
7. Requiring good design
10. Meeting the challenge of climate change, flooding and coastal change

### **5.2 Planning Practice Guidance (PPG)**

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

- Climate change
- Design
- Determining a planning application
- Flood Risk and Coastal Change
- Land affected by contamination
- Land Stability
- Light pollution
- 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 falling within a Secondary Industrial and Commercial Area.

The following Core Strategy policies apply to the proposals:

#### SPATIAL POLICIES

- CSSP2: Sustainable Employment Growth
- CSSP3: Sustainable Infrastructure
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock<sup>1</sup>

#### THEMATIC POLICIES

- CSTP6: Strategic Employment Provision
- CSTP15: Transport in Greater Thurrock
- CSTP16: National and Regional Transport Networks<sup>3</sup>
- CSTP17: Strategic Freight Movement and Access to Ports
- CSTP22: Thurrock Design
- CSTP25: Addressing Climate Change<sup>2</sup>
- CSTP26: Renewable or Low-Carbon Energy Generation<sup>2</sup>
- CSTP27: Management and Reduction of Flood Risk<sup>2</sup>

#### POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity<sup>2</sup>
- PMD2: Design and Layout<sup>2</sup>
- PMD8: Parking Standards<sup>3</sup>
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans<sup>2</sup>
- PMD11: Freight Movement
- PMD12: Sustainable Buildings<sup>2</sup>
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment<sup>2</sup>
- PMD16: Developer Contributions<sup>2</sup>

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

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

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds

with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

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

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

### 6.0 ASSESSMENT

6.1 The issues for consideration in this case are:

- I. Principle of the development
- II. Appearance, layout and scale
- III. Access
- IV. Impact on residential amenity

#### I. PRINCIPLE OF DEVELOPMENT

6.1 The site forms part of designated Secondary Employment Area in the Core Strategy and the use of the site as a demolition contractor's yard and waste recycling centre has been established through the recent outline planning application.

6.2 The development proposed would result in the site being the administrative headquarters for Squibb Demolition Ltd. At present the site employs 37 FTE; this would increase to 105 FTE; many of the jobs created would be in the administrative side of their business.

6.3 In light of, the allocation of the site in the Core Strategy and the recent approval at Planning Committee in October 2015 of a similar scheme, the principle of the development is considered to be sound.

## II. APPEARANCE, LAYOUT AND SCALE

- 6.4 The proposed layout of the site would essentially create two distinct parts to the site; one being the parking area on the western fifth of the site and the main part of the site being where the primary use takes place.
- 6.5 The main difference between this application and the outline application is that this application seeks to consolidate the office accommodation and storage together within one building; the applicant states that this would help to reduce the spread of buildings across the site and also allow improved security and integration between the administration of the use and the storage use. This arrangement is logical as it would concentrate the building in one area to allow more efficient use of the site.
- 6.6 The building would be of a similar size to the storage building consented by the previous outline scheme. The office section of the building would have windows at ground, first and second floor on both the front and rear elevations (north and south). There would be an entrance on the western elevation for staff. On the eastern elevation, warehouse/storage element there would be a goods entrance to the storage side of the building.
- 6.7 The remainder of the site would take the form of a yard featuring stockpile areas, ancillary workshop buildings, wheel wash facilities, weighbridge, and parking areas.
- 6.7 The applicant has submitted details of the proposed materials that are to be used which are modern grey finishes; these are considered to be appropriate given the location of the site.
- 6.9 In conclusion under this heading no objection is raised to the development in terms of its appearance, layout and scale.

## III. ACCESS

- 6.10 The application proposes to use the existing access to the western boundary of the site to serve the parking area for the site, comprising 99 parking spaces. A revised access is proposed which would be used to serve the yard area; this is the access to the west of the centre on the southern side of the site; this would allow vehicles to circulate the yard, entering via the easternmost access and leaving via the new access.
- 6.11 The vehicle movements associated with the business have been considered extensively in the past and were considered acceptable, subject to conditions in approving the outline application. The Council's Highway Officer has raised no objection to this application and accordingly, subject to the same conditions being imposed on any consent granted, the development is considered to be acceptable in this regard.

## IV. IMPACT ON RESIDENTIAL AMENITY

- 6.12 The site is very remote from residential properties and as such, the new buildings themselves proposed would have no impact upon local residents.
- 6.13 It is recognised that local residents have raised concern in relation to the use of Wharf Road as the access to the site; however the means of access has already

been established via a previous appeal decision and the approved planning application which remains extant. It is not possible therefore to come to a different conclusion on this matter as part of this application. To ensure that the amenity of local residents is protected, it is considered appropriate to impose the same conditions on any consent granted as those which were imposed previously.

- 6.14 In light of the above and in conclusion under this heading, the proposal is considered to be acceptable.

#### V. OTHER MATTERS

- 6.15 There are no issues in relation to flood risk or ecology affecting the site.
- 6.16 The recycling operation involves the use of a crushing machine as well as the storage of demolition material and the recycled product. It is considered necessary that there be a limit on the machinery being used and a height limit on the piles of material. The applicant has indicated that the stockpiles would not be higher than 5m, which is consistent with stacking heights on other sites within the Industrial Estate; this is considered acceptable and could be controlled by planning condition.

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

- 7.1 The site lies within an established secondary employment area and the use of the site as a demolition contractor's yard and waste recycling centre has been established through a recent appeal decision and the approved outline planning consent. Suitable planning conditions exist to protect local residents. The proposal complies with the NPPF and employment policies of the Core Strategy.
- 7.2 This application as submitted is also acceptable in relation to matters of detail.

### 8.0 RECOMMENDATION

- 8.1 APPROVE, subject to the following conditions:

#### **Condition(s):**

##### Standard Time

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

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

#### **Hours of vehicle movements**

- 2.. No lorries shall enter or leave the site outside the hours of 6am - 7pm Monday Saturday and not at all on Sundays or Bank Holidays. A vehicle booking system shall be in operation at all times the site is operational. This system shall record details of the registration, origin, destination and operators of each vehicle entering and leaving the site and the time of such movements.

Prior to the commencement of development a scheme for the control and monitoring of the speed of heavy goods vehicles (HGVs) moving along the length of Wharf Road that are associated with the operation of the site shall be submitted to the Local Planning Authority. The scheme shall include but not necessarily be limited to the creation of a record of vehicle speeds that can be inspected by the Local Planning Authority upon the provision of reasonable notice.

On the approval of the submitted details by the Local Planning Authority this scheme shall be implemented and operated at all times.

No more than 10 HGV's shall enter or leave the site between 6am and 7am hours and their speed shall not exceed more than 20mph along the length of Wharf Road. The speed of vehicles entering or leaving the site between these hours shall be subject to the implementation of a monitoring scheme as per the details submitted and approved.'

REASON: In the interests of residential amenity and to ensure that the proposed development is integrated within its immediate surroundings as required by Policy PMD 1 of the Thurrock Core Strategy.

#### **Number of Abnormal Load (ALVs) per calendar year**

3. The number of Abnormal Load Vehicle (ALV) movements to and from the site shall not exceed, in total, 12 movements per calendar year.

The ALV movements shall not take place except between the hours of 9:30am and 2:30pm Monday — Friday (9:30am and 4pm Monday – Friday during local school holidays) and none whatsoever at weekends or bank holidays.

The site operators shall put procedures in place to ensure that every ALV movement shall be routed as follows: A13 Stanford Interchange, Wharf Road, Corringham Road and the A1014 - The Manorway and vice versa.

All notifications via the Special Types General Order 2003 (STGO) shall be provided to the Council's Highways Department and Planning Department for prior written approval and shall include the date and time of when the ALV movement will progress along Wharf Road and Corringham Road.'

For the avoidance of doubt:

*An ALV is defined for these purposes as a vehicle which satisfies at least one of the following criteria:*

- i. Gross weight of vehicle carrying the load exceeding C&U limits up to 80,000 kg (78.74 tonnes)*
- ii. Width exceeding 3 metres (9' 10")*
- iii. Length exceeding 18.75 metres (61' 6")*

*The definition of an ALV movement is a single movement from the development*

REASON: In the interests of residential amenity and to ensure that the proposed development is integrated within its immediate surroundings as required by Policy PMD 1 of the Thurrock Core Strategy.

**Number of Vehicle Movements per day (including ALVs)**

4. There shall be no more than 108 Heavy Goods Vehicles (HGV) vehicle movements (including Abnormal Load Vehicles (ALVs)) to and from the site (54 in and 54 out) in any one day.

REASON: In the interests of highway and pedestrian safety and the amenities of nearby residential occupiers as required by Thurrock Core Strategy Policy PMD1.

**No external storage (excluding open yard area)**

5. No external storage of goods or materials shall take place within the site, except in the open yard area where no storage above 5 metres in height shall take place.

REASON: In the interests of the character and visual amenities of the area as required by Thurrock Core Strategy Policies PMD1 and PMD2

**No racks or chattels**

6. Notwithstanding the Town and Country Planning Act 1990, at no time shall any racks, portable structures or any other form of chattel be placed on the site without the prior written approval of the Local Planning Authority.

REASON: In the interests of the character and visual amenities of the area as required by Thurrock Core Strategy Policies PMD1 and PMD2.

**Ancillary uses**

7. The offices and other buildings shall be used for purposes in conjunction with and ancillary to the main use of the site only and shall not be occupied separately.

REASON: To determine the scope of this permission and to avoid the introduction of inappropriate separate uses on the site.

**Travel Plan**

8. Prior to the commencement of development a Travel Plan shall be submitted and approved, in writing by, the Local Planning Authority.

The Travel Plan shall be in line with prevailing policy and best practice and shall include as a minimum:

- The identification of targets for trip reduction and modal shift
- The methods to be employed to meet these targets
- The mechanisms for monitoring and review
- The mechanisms for reporting
- The penalties to be applied in the event that targets are not met
- The mechanisms for mitigation
- Implementation of the Travel Plan to an agreed timescale or timetable and its operation thereafter
- Mechanisms to secure variations to the Travel Plan following monitoring and reviews

REASON: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity.

**Limit to recycling plant**

- 9. The plant associated with the recycling of demolition waste shall be limited to 1 no 360 degree excavator, 1 no jaw crusher and 1 no Impact crusher with recirculating facility unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of local amenity.

**Materials**

- 10. The office/storage building hereby permitted shall be carried out strictly in accordance with the details shown on plan No. 16-3839-P-008 “Proposed Elevations”.

The site area shall be surfaced in accordance with the details shown on plan No. 16-3839-P-015 “Proposed Site Plan Surface Materials”.

REASON: To ensure the proposed development is visually satisfactory and does not prejudice the appearance of the locality

**Wheel Washing**

- 11 Prior to the commencement of development details of wheel washing facilities, which shall include a barrier to stop all vehicles before they enter the highway, shall be submitted to, and agreed in writing by, the Local Planning Authority. Such facilities shall be installed in accordance with the agreed details and operated throughout the construction of the development.

REASON: In order to prevent materials from the site being deposited on the adjoining public highway in the interests of highway safety and the amenity of the surrounding area.

**Hours of work**

- 12 No construction work in connection with the development shall take place on the site at any time on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0730-1700 hours  
 Saturday 0800-1300 hours

Unless such work -

- (a) is associated with an emergency; or
- (b) is carried out with the prior written approval of the Local Planning Authority; or
- (c) does not cause existing ambient noise levels to be exceeded.

REASON: In the interest of protecting residential amenity

### **Boundary Treatments**

- 13 The boundary treatments hereby permitted shall be carried out strictly in accordance with the details shown on plan No. 16-3839-P-002 "Proposed Site and Landscaping Plan". The boundary treatments shall be completed in strict accordance with the approved details before the first occupation of any of the buildings.

REASON: In the interests of visual amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings.

### **External Lighting**

- 14 Prior to the commencement of development details of any external lighting, including details of the spread and intensity of light together with the size, scale and design of any light fittings and supports, shall be submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, external lighting shall only be provided 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 visual amenity and to ensure that the proposed development is satisfactorily integrated within its immediate surroundings.

### **No Lorry Park Use**

- 15 At no time whatsoever, shall any part of the site be used as a lorry park, or for any form of ad hoc lorry parking. Any LGVs or HGVs kept on site shall be solely in connection with the lawful buildings and uses on the site.

REASON: To prevent the formation of a lorry parking in the interests of visual amenity, neighbour amenity, the character and visual amenities of the area and highways safety in accordance with Policies PMD1, PMD2, PMD6, PMD8 and PMD9 of the Core Strategy.

### **Drainage Strategy**

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

REASON: In the interests of drainage and surface water management in accordance with the requirements of Policies PMD15 and CSTP27 of the Core

Strategy.

### **Foul and Surface Water Drainage (EA)**

- 17 The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the local planning authority. The scheme will include details of oil interceptors and other pollution prevention arrangements and shall be implemented as approved.

REASON: To prevent pollution of the surface water and ground water.

### **Highways Technical Details**

- 18 Notwithstanding the details submitted on the indicative layout included with this application, details shall be submitted to, and approved in writing, by the Local Planning Authority of all access points into and out of the site onto the internal roadway. Such details shall include construction details, roadway geometry and visibility sight splay details. All approved details are to be implemented on site and maintained by the operator of the site for as long as the development hereby approved is in use.

REASON: To ensure adequate access is maintained, in the interests of highway safety and efficiency of the industrial estate roads

### **Unforeseen Contamination**

- 19 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, 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. Such agreed measures shall be implemented and completed prior to the first occupation of any parts of the development.

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] and in the interests of public health and safety.

### **CEMP**

- 20 No demolition or construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the local planning authority in writing. The CEMP should contain or address the following matters:
- (a) Hours and duration of any piling operations,
  - (b) Vehicle haul routing in connection with construction, remediation and engineering operations,
  - (c) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site, (including long term management for the site once it has been developed out)
  - (d) Details of construction access;

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

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

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

**Plan Numbers**

- 21 The development hereby permitted shall be constructed in accordance with the following plans:

<b>Plan Number(s):</b>		
Reference	Name	Received
16-3839-P-001	Existing Site Layout	21st April 2016
16-3839-P-002	Proposed Site Layout	21st April 2016
16-3839-P-003	Proposed Floor Plans	21st April 2016
16-3839-P-004	Proposed Floor Plans	21st April 2016
16-3839-P-005	Proposed Floor Plans	21st April 2016
16-3839-P-006	Proposed Plans	21st April 2016
16-3839-P-008	Proposed Elevations	21st April 2016
16-3839-P-009	Proposed Elevations	21st April 2016
16-3839-P-013	Proposed Plans	21st April 2016
16-3839-P-014	Proposed Plans	21st April 2016
16-3839-P-015	Proposed Plans	21st April 2016
16-3839-P-007	Proposed Plans	21st April 2016

REASON: For the avoidance of doubt in the interests of good planning.

**Informative(s):**

**1. Network Rail Advise the following:**

- As the application site is located adjacent to Network Rail's boundary and operational railway infrastructure, Network Rail strongly recommends that the developer contacts its Asset Protection Anglia team at [AssetProtectionAnglia@networkrail.co.uk](mailto:AssetProtectionAnglia@networkrail.co.uk) prior to any works commencing on site and signs up to an Asset Protection Agreement with us. This will enable Network Rail engineers to review the developments design and construction details, which in turn will help to ensure the safety of the operational railway. More information can also be obtained from our website at [www.networkrail.co.uk/asp/1538.aspx](http://www.networkrail.co.uk/asp/1538.aspx).
- The developer must ensure that their proposal, both during construction and after completion of works on site, does not:
  - encroach onto Network Rail land
  - affect the safety, operation or integrity of the company's railway and its infrastructure
  - undermine its support zone
  - damage the company's infrastructure
  - place additional load on cuttings
  - adversely affect any railway land or structure
  - over-sail or encroach upon the air-space of any Network Rail land
  - cause to obstruct or interfere with any works or proposed works or Network Rail development
- Future maintenance - The development must ensure that any future maintenance can be conducted solely on the applicant's land. The applicant must ensure that any construction and any subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land and air-space, and therefore all/any building should be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary. The reason for the 2m (3m for overhead lines and third rail) stand off requirement is to allow for construction and future maintenance of a building and without requirement for access to the operational railway environment which may not necessarily be granted or if granted subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works. The applicant / resident would need to receive approval for such works from the Network Rail Asset Protection Engineer, the applicant / resident would need to submit the request at least 20 weeks before any works were due to commence on site and they would be liable for all costs (e.g. all possession costs, all site safety costs, all asset protection presence

costs). However, Network Rail is not required to grant permission for any third party access to its land. No structure/building should be built hard-against Network Rail's boundary as in this case there is an even higher probability of access to Network Rail land being required to undertake any construction / maintenance works. Equally any structure/building erected hard against the boundary with Network Rail will impact adversely upon our maintenance teams' ability to maintain our boundary fencing and boundary treatments.

- Construction - Any scaffold, cranes or other mechanical plant must be constructed and operated in a "fail safe" manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports. Any cranes or other mechanical plant equipment involved during construction should be positioned so that their loads or jibs do not over-sail Network Rail's land.
- Scaffolding - Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.
- Piling - Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.
- Demolition - Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of existing water tower near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Outside Parties Engineer before the development can commence.
- Drainage - Storm/surface water and effluent must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Suitable foul drainage must be provided separate from Network Rail's existing drainage.
- Roads and Parking - The Department of Transport recommends the provision of a safety barrier adjacent to the railway, alongside all roads, turning circles and parking areas where the railway is situated at or below the level of the development. The safety barrier should be designed to cater for specific loadings dependent on the road traffic anticipated and in a position to stop vehicles driving into or rolling onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged.
- Landscaping - Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent

Network Rail from maintaining its boundary fencing.

- Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:
- Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata “Zebrina”
- Not Permitted: Alder (Alnus Glutinosa), Aspen – Poplar (Populus), Beech (Fagus Sylvania), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica)

## 2. The Environment Agency Advises:

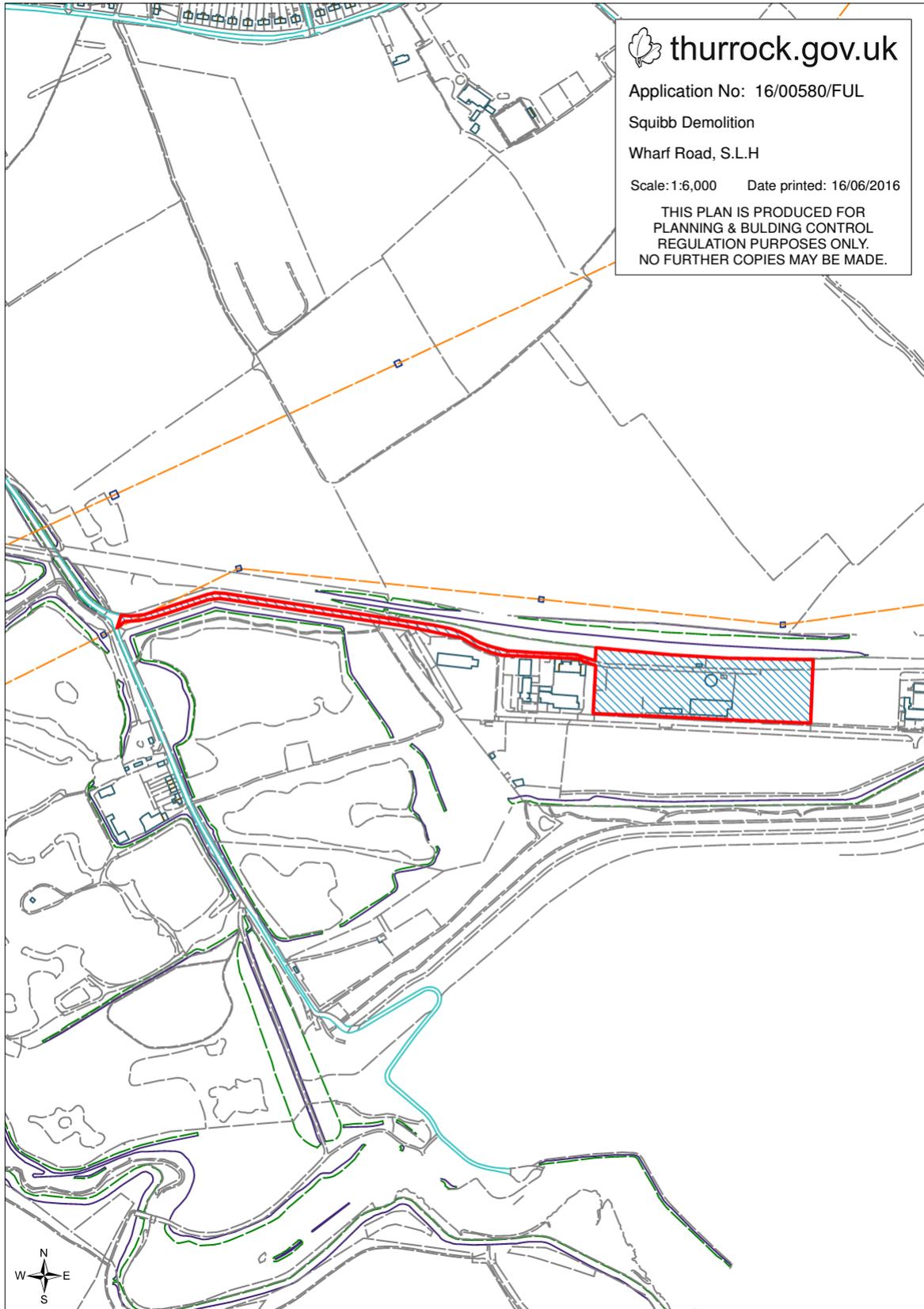
Surface Water Disposal - The developer needs to make sure any proposed discharge of surface water from the development stays clean and uncontaminated. Oil is one of the most common pollutants to water. Prior to being discharged into the surface water sewer, all surface water drainage from parking areas and hard standings susceptible to oil contamination must pass through an oil separator (interceptor) designed and constructed to have a capacity compatible with the site being drained. Furthermore, roof water should not pass through the interceptor as this can compromise the effectiveness of the separator during heavy rainfall. We refer the applicant to our [PPG3](#) - choosing and using oil separators.

Only clean surface water run-off from roofs, paved areas or clean hard standing areas not accessible to vehicles should be discharged to any soakaway, watercourse or surface water sewer.

### **Documents:**

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

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



© Crown copyright and database rights 2016 Ordnance Survey 100025457



<b>Reference:</b> 16/00566/REM	<b>Site:</b> Squibb Demolition Wharf Road Stanford Le Hope Essex SS17 0EH
<b>Ward:</b> Stanford Le Hope West	<b>Proposal:</b> Application for the approval of reserved matter (Landscaping) following outline approval ref: 14/01320/OUT (Demolition of existing water tower and construction of a new office building, storage buildings (including secure asbestos storage) and reconfiguration of the layout in connection with the use of the site as a demolition contractors yard and waste recycling centre. Associated parking, weighbridge and access to Wharf Road.

<b>Plan Number(s):</b>		
Reference	Name	Received
16-3839-P-001	Location Plan	20th April 2016
16-3839-P-015	Landscaping	20th April 2016
16-3839-P-101	Landscaping	20th April 2016

The application is also accompanied by:	
- Decision Notice 14/01320/OUT	
<b>Applicant:</b> Mr Les Squibb	<b>Validated:</b> 26 April 2016  <b>Date of expiry:</b> 26 July 2016
<b>Recommendation:</b> Approve, subject to conditions.	

This application is scheduled for determination by the Council's Planning Committee because the outline application to which this proposal relates (14/01320/OUT) was considered and determined by the Planning Committee.

## DESCRIPTION OF PROPOSAL

- 1.1 This is an application for the approval of reserved matters, following the grant of outline planning permission for redevelopment of the site for a new office building, storage buildings and use of the site as a demolition contractor's yard and waste

recycling centre. The application solely seeks approval for the reserved matter of landscaping.

- 1.2 The reserved matter in question relates specifically to soft landscaping (i.e. the planting of trees and shrubs). Details of hard landscaping, such as fencing, lighting and materials, were specifically covered by conditions attached to the outline permission and these details were submitted as part of a discharge of conditions application.
- 1.3 The landscaping scheme as submitted comprises 10 Copper Beech trees running north to south to divide the main yard area from the office building and car parking to the west. Also part of the proposed scheme are 13 Hypericum shrubs/bushes within the car parking area of the office.

**2.0 SITE DESCRIPTION**

- 2.1 The application site is located 1km south east of Stanford-le-Hope and forms part of the larger Stanhope Industrial Park (which covers an area of approximately 14 hectares).
- 2.2 The application site presently operates as demolition contractors’ yard and waste recycling centre. The contractors’ yard is located in the central and western areas of the site with the waste recycling element located to the east. There are a number of buildings of buildings on site, mainly of a temporary nature, which house offices and vehicle repair offices. The site houses lorries, trailers, plant and equipment relating to the demolition business. There are also piles of waste materials (principally concrete) stored within the site.

**3.0 RELEVANT HISTORY**

Reference	Description	Decision
14/01320/OUT	Demolition of existing water tower and construction of a new office building, storage buildings (including secure asbestos storage) and reconfiguration of the layout in connection with the use of the site as a demolition contractors yard and waste recycling centre. Associated parking, weighbridge and access to Wharf Road. (Outline application with access, appearance, layout and scale being matters for consideration)	Approved
16/00565/CONDC	Discharge of conditions 1 [Outline, submission of details]; 3 [Hours of vehicle movements]; 9 [Travel Plan]; 11 [Materials]; 12 [Wheel Washing]; 14 [Boundary Treatments]; 15 [External Lighting]; 17 [Drainage Strategy]; 18 [Foul and Surface Water Drainage (EA)]; 19	Pending Consideration

	[Highways Technical Details] and 21 [CEMP] of approved application:14/01320/OUT	
16/00580/FUL	Construction of a new office and storage building, asbestos storage facility and reconfiguration of the layout in connection with the use of the site as a demolition contractors yard and waste recycling centre; associated parking, weighbridge and access to Wharf Road.	Recommended for approval on this Agenda

**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/16/00556/REM](http://www.thurrock.gov.uk/planning/16/00556/REM)

**4.2 PUBLICITY:**

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

4.3 Five letters of representation have been received objection to the proposal on the following grounds:

- The site is not suitable for Abnormal Load Vehicle movements;
- Concerns over storage of material on site and delivery of materials;
- Lorries can get stuck on the road causing blockages and harm in emergencies;
- Hours of use that are taking place on site;
- Disturbance to residents from operation of the site;
- Site is not an appropriate location for such a use;
- Impact on highway due to vehicles;
- Vehicle activity makes it unsafe for children.

[N.B. It should be noted that the principle of the use has been granted by the outline permission, as well and the buildings. In addition, the hours of use have been established. The current application relates solely to the consideration of the soft landscaping details]

**4.4 LANDSCAPE AND ECOLOGY:**

No objections.

**5.0 POLICY CONTEXT**

5.1 National Planning Policy Framework (NPPF)

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

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

7. Requiring good design

## 5.2 Planning Practice Guidance (PPG)

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

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

## 5.3 Local Planning Policy

### Thurrock Local Development Framework (2011)

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

The following Core Strategy policies apply to the proposals:

#### THEMATIC POLICIES

- CSTP22: Thurrock Design

#### POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity<sup>2</sup>
- PMD2: Design and Layout<sup>2</sup>

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

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

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

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

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

### 6.0 **ASSESSMENT**

- 6.1 The principle of the use of the site, access to the site, appearance of the site, layout of the site and scale of the development were established by the grant of outline planning permission under reference 14/01320/OUT.
- 6.2 The outline planning permission is subject to conditions requiring the submission and approval of details of boundary treatments, lighting and materials (hard landscaping). The applicant is not seeking to discharge these conditions as part of the reserved matters submission. The only issue to be considered in this case is the soft landscaping (planting) within the site.
- 6.3 The submitted plans detail structural planting running north to south, to provide a visual screen between the office and parking area to the west and the wider yard

area covering the rest of the site. Lower level planting is also proposed within the car parking area for the offices to soften the impact of the tarmac hard surfacing.

- 6.4 The Council’s Landscape Advisor notes that the site is an intensively used yard area, predominantly with concrete and tarmac surfacing. He indicates that the planting Copper Beech and Hypericum within the car park will provide some visual relief without impact on the way in which the site would be used.
- 6.5 The site is within a commercial area and comprises a distinct use for recycling and waste operation. The surrounding units have no formal planting to speak of. In light of the above and the comments of the Landscape Advisor it is considered that the level of planting is appropriate. The application is therefore recommended for approval.

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

- 7.1 It is considered that the details submitted would ensure satisfactory landscaping, as required by local and national planning policies. It is recommended that the reserved matter is approved.

**8.0 RECOMMENDATION**

- 8.1 It is recommended that the reserved matter is APPROVED subject to the following conditions:

**Approved Plans**

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

<b>Plan Number(s):</b>		
Reference	Name	Received
16-3839-P-001	Location Plan	20th April 2016
16-3839-P-015	Landscaping	20th April 2016
16-3839-P-101	Landscaping	20th April 2016

REASON: For the avoidance of doubt and in the interests of good planning.

**Landscaping**

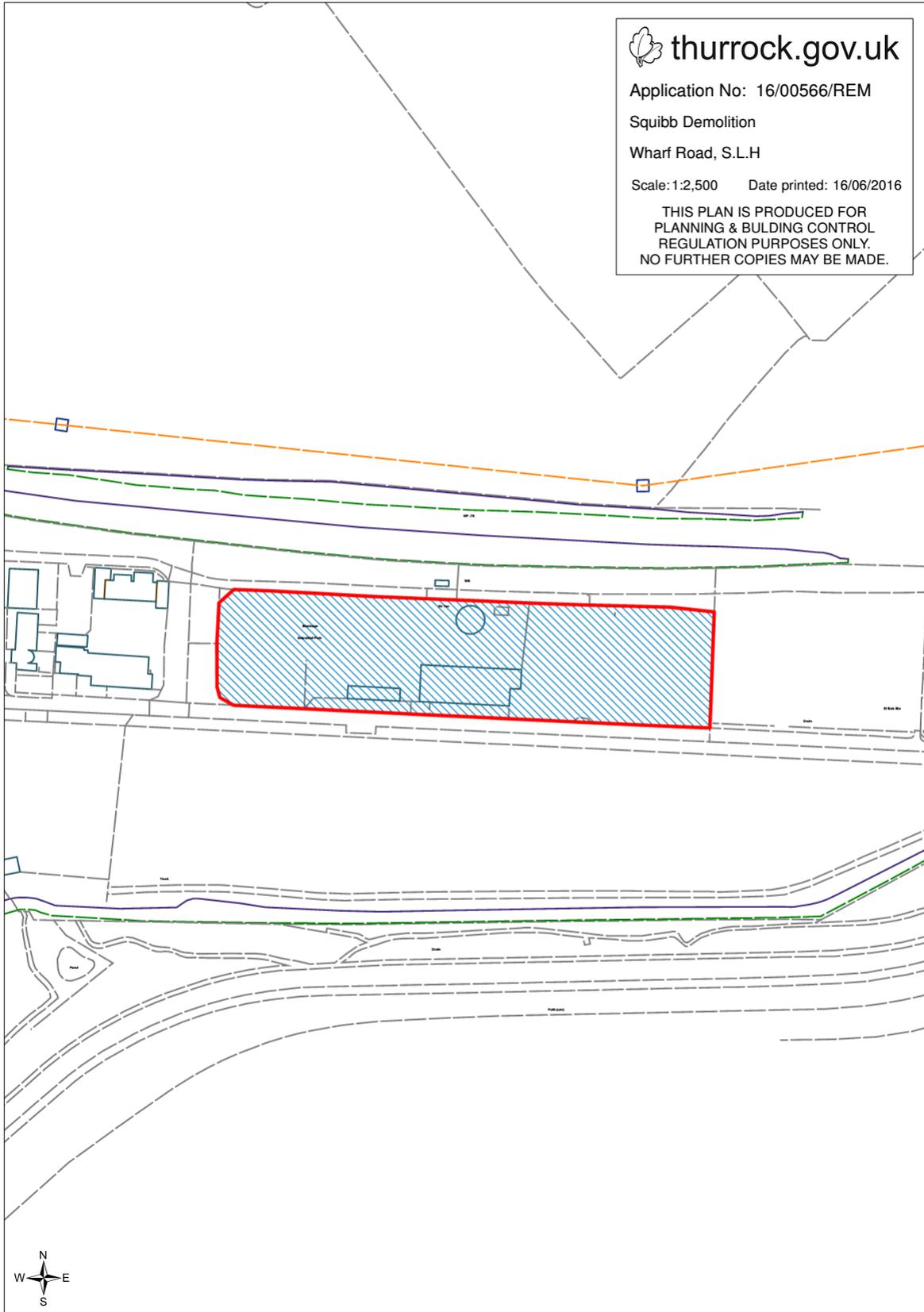
- 2. All planting comprised in the approved scheme shall be carried out in the first planting and seeding season following commencement of the development [or such other period as may be agreed in writing by the local planning authority] and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

REASON: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011) and the Core Strategy Focused Review (2015).

**Documents:**

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

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



© Crown copyright and database rights 2016 Ordnance Survey 100025457

<b>Reference:</b> 16/00458/FUL	<b>Site:</b> Treetops School Dell Road Grays Essex RM17 5JT
<b>Ward:</b> Grays Thurrock	<b>Proposal:</b> Redevelopment of land at the former Treetops School site for 74 dwellings (a mixture of houses and flats) including site accesses on Dell Road, public open space, landscaping and other associated ancillary uses.

<b>Plan Number(s):</b>		
Reference	Name	Received
14.042.320	Proposed Elevations	6th April 2016
14.042.317	Proposed Floor Plans	6th April 2016
14.042.318	Proposed Floor Plans	6th April 2016
14.042.316	Proposed Elevations	6th April 2016
14.042.313	Proposed Floor Plans	6th April 2016
14.042.314	Proposed Floor Plans	6th April 2016
14.042.101	Location Plan	6th April 2016
14.042.100.P8	Proposed Site Layout	6th April 2016
14.042.104 P1	Landscaping	14th June 2016
14.042.107 P2	Drawing	14th June 2016
14.042.110	Drawing	6th April 2016
400	Proposed Elevations	6th April 2016
401	Proposed Elevations	6th April 2016
14.042.300	Proposed Plans	6th April 2016
14.042.301	Proposed Plans	6th April 2016
14.042.302	Proposed Plans	6th April 2016
14.042.304	Proposed Plans	6th April 2016
14.042.305	Proposed Plans	6th April 2016
14.042.306	Proposed Plans	6th April 2016
14.042.307	Proposed Plans	6th April 2016
14.042.308	Proposed Plans	6th April 2016
14.042.310	Proposed Plans	6th April 2016
14.042.102.P2	Drawing	14th June 2016
14.042.103.P2	Drawing	14th June 2016
14.042.106.P2	Parking Block Plan	14th June 2016

14.042.108.P2	Drawing	14th June 2016
14.042.109.P1	Drawing	14th June 2016
14.042.111.P2	Drawing	14th June 2016
14.042.300M4(3)	Proposed Plans	14th June 2016
14.042.302 M4(2)	Proposed Plans	14th June 2016
14.042.303 M4(2)	Proposed Plans	14th June 2016
14.042.315	Proposed Plans	6th April 2016
14.042.319	Proposed Plans	6th April 2016
14.042.305-M4(3)	Proposed Plans	14th June 2016
14.042.309-M4(2)	Proposed Plans	14th June 2016

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> <li>- Design and Access Statement</li> <li>- Arboricultural Survey</li> <li>- Flood Risk Assessment</li> <li>- Construction Management Plan</li> <li>- Transport Statement</li> <li>- Planning Statement</li> <li>- Heritage Assessment</li> </ul>	
<p><b>Applicant:</b> Mr Paul Edwards</p>	<p><b>Validated:</b> 8 April 2016</p> <p><b>Date of expiry:</b> 8 July 2016</p>
<p><b>Recommendation:</b> Approve, subject to conditions and completion of s.106 agreement</p>	

The application is scheduled for determination by the Council’s Planning Committee because of the scale and strategic nature of the proposal.

**1.0 DESCRIPTION OF PROPOSAL**

1.1 This application seeks full planning permission for the redevelopment of the former Treetops School site and associated land for 74 dwellings with associated private amenity space, means of enclosure, parking, vehicle and pedestrian access and public viewing platform.

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

Site Area	Approximately 3.13 hectares
Density	24 dwellings per hectare (dph)
Total dwellings	18 no. 1-bedroom flats

	8 no. 2-bedroom flats 13 no 2-bedroom houses 21 no 3-bedroom houses  14 no 4-beddoorm houses  TOTAL: 26 flats and 48 houses
Building Height	Houses: 2 – 3 storey Flats: 3 and 4 storey blocks
Car Parking	Flats: 1 space per unit (all sizes)  Houses: 2 bed – 1 space per unit 3 beds – 2 spaces per unit 4 beds – 2 or 3 spaces per unit  Visitors: 13 across the site  TOTAL: 135 parking spaces

Access

- 1.4 The proposed development would effectively be in two separate sections, a northern part and a southern part and both would be accessed from Dell Road.
  
- 1.5 The northern part of the site would be served by a new access which is proposed to the rear of 112-116 Hathaway Road and the southern part of the site would be provided with an improved access which was previously used to access Treetops School.
  
- 1.6 A pedestrian link would be provided internally between the northern and southern parts of the site.

Layout

- 1.7 The proposed development has been designed to reflect the existing pattern of development on the site and to take into account the restrictions caused by the levels across the site. The proposal seeks to concentrate development within the southern part of the site, largely on the previously developed area occupied by Treetops School, whilst the development to the northern part has been designed to integrate with the existing gradients and landforms on the site.
  
- 1.8 The southern part of the site would is less visible from public vantage points, whilst the northern part is closer to Dell Road, albeit the northern part of Dell Road is less

well trafficked than the south, primarily providing access to the rear of the properties on Hathaway Road.

- 1.9 Consequently, taller buildings would be located where the land is lower and the building height decreases generally around the site margins where the new buildings would be closer to established residential properties.
- 1.10 Private gardens would be provided for all the houses and the flatted units would have access to communal space and Juliet style balconies.

#### Appearance

- 1.12 The new dwellings have regard to the surrounding properties, with traditional proportions and pitched roofs characteristic of the wider area and the use of bricks as the predominant building material and external finish. Details such as bay windows, porch canopies and strong detailing for the windows provide visual interest and the mixture in the pallet of materials would create a variety in the appearance of the site.
- 1.14 The overall development would be softened by proposed planting and the existing landscape features in and around the site.

#### Parking

- 1.15 The level of parking provision is detailed in the table above. Parking across the site is proposed in a variety of forms. The flats share communal parking areas, the terrace properties generally have parking provided to the frontages in communal areas and the semi-detached and detached properties have parking provided on plot in the form of parking spaces and/or garage provision. Visitor parking is spread throughout the site.

## **2.0 SITE DESCRIPTION**

- 2.1 The site is presently vacant, having most recently been occupied by Treetops School. The use has since been re-provided at Buxton Road, Grays. The site is roughly kidney shaped.
- 2.2 The northern half of the site was occupied by the school playing fields and is generally flat. The southern half of the site is extensively covered by trees and vegetation [a number of trees are protected by a Tree Preservation Order, ref TPO/01/2015] and varies in levels. The school building itself was on higher land.
- 2.3 The west of the site is bounded by Dell Road, predominantly at this point serving the rear accesses to properties on Hathaway Road. The southern side of the site is bounded by properties on Dell Road and properties on Rookwood Close. The eastern side of the site is bounded by the rear gardens of properties in Woodward

Close and College Avenue and the northern side of the site are properties on Dell Road.

### 3.0 RELEVANT HISTORY

The site has an extensive planning history relating to the school use, none of which is relevant to this application.

### 4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council's website at: [www.thurrock.gov.uk/planning/16/00458/FUL](http://www.thurrock.gov.uk/planning/16/00458/FUL)

#### PUBLICITY:

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

4.3 Twenty four letter of representation have been received objecting for the following reasons:

- Impact on wildlife on the site;
- More school place will be required;
- Will result in an increase in crime;
- Impact on the Dell (adjacent listed building) and overlooking from the Dell on plots 67 and 68;
- The plans are not the same which residents were previously consulted on by the developer and they were not notified by the developer of the changes;
- There should be no more development in Grays;
- Site should be kept as a nature park;
- Congestion in Grays town centre;
- Pollution with all the new houses;
- Loss of light from the development;
- Development is out of character with the area;
- Loss of privacy;
- Sewage system will not be able to cope;
- Access to the properties at The Barn to the north of Dell Road will be impacted upon, this is an unmade one way road running north to south,

• This is a quiet part of Grays;

- The height of the buildings is excessive;
- Impact on property values

ANGLIAN WATER:

4.4 No objections.

ENVIRONMENTAL HEATH:

4.5 No objections (subject to conditions).

HIGHWAYS:

4.6 No objection (subject to conditions).

NATURAL ENGLAND:

4.7 No objections.

ESSEX FIELD CLUB:

4.8 Objection, on the basis they consider a lack of information has been submitted and the way in which their survey data has been used.

ESSEX COUNTY COUNCIL CONSERVATION OFFICER

4.9 Request plots 67 and 68 be removed as these are the closest to the adjacent listed building and have most impact upon that building.

LANDSCAPE AND ECOLOGY OFFICER

4.10 No objections (subject to conditions).

EDUCATION

4.11 A section 106 contribution is required.

HOUSING

4.12 Affordable housing is required.

NHS

4.13 No contribution is required.

## ESSEX COUNTY COUNCIL ARCHAEOLOGY

4.14 No objection (subject to condition)

## 5.0 POLICY CONTEXT

### National Planning Guidance

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

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

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

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

#### 5.3 Planning Practice Guidance

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

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

## 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 a ‘Housing Land Proposal’. The following Core Strategy policies apply to the proposals:

#### Spatial Policies:

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

#### Thematic Policies:

- CSTP1 (Strategic Housing Provision)
- CSTPP2 (The Provision of Affordable Housing)
- CSTP9 (Well-being: Leisure and Sports)
- CSTP10 (Community Facilities)
- CSTP11 (Health Provision)
- CSTP12 (Education and Learning)
- CSTP14 (Transport in the Thurrock Urban Area: Purfleet to Tilbury)<sup>3</sup>
- CSTP19 (Biodiversity)
- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)<sup>2</sup>
- CSTP24 (Heritage Assets and the Historic Environment)
- CSTP25 (Addressing Climate Change)<sup>2</sup>
- CSTP26 (Renewable or Low-Carbon Energy Generation)<sup>2</sup>
- CSTP27 (Management and Reduction of Flood Risk)<sup>2</sup>

#### Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)<sup>2</sup>

- PMD2 (Design and Layout)<sup>2</sup>
- PMD4 (Historic Environment)<sup>2</sup>
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)<sup>3</sup>
- PMD7 (Biodiversity, Geological Conservation and Development)<sup>2</sup>
- PMD8 (Parking Standards)<sup>3</sup>
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)<sup>2</sup>
- PMD12 (Sustainable Buildings)<sup>2</sup>
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation); and
- PMD15 (Flood Risk Assessment)<sup>2</sup>
- PMD16 (Developer Contributions)<sup>2</sup>

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

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

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

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

This Consultation Draft "Issues and Options" DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD 'Further Issues and Options' was the subject of a further round of consultation during 2013. Site Allocation Policy SAP1 (Land for Housing Development) identifies the application site as a preferred housing site without permission (ref. AVE05) with an indicative capacity of 110 dwellings. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether

their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

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

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

### 6.0 ASSESSMENT

6.1 The assessment below covers the following areas:

- I. Principle of the Development
- II. Traffic Impact, Access and Car Parking
- III. Impact Upon Ecology and Biodiversity
- IV. Design and Layout
- V. Contamination and Previous Uses
- VI. Energy and Sustainability
- VII. Flood Risk and Site Drainage
- VIII. Affordable Housing and Planning Obligations
- IX. Archaeology and Historic Buildings

#### I. PRINCIPLE OF THE DEVELOPMENT

6.2 The site lies within a residentially allocated area, is previously developed land and is close Grays Town Centre, one of the Borough's Regeneration Hubs. In addition the LDF Site Specific Allocation and Policies Local Plan Further Issues and Options consultation (January 2013) included the land as a potential housing site with an indicative capacity of 73 units. Accordingly, the principle of the development is considered to be sound.

#### II. TRAFFIC IMPACT, ACCESS AND CAR PARKING

6.3 The Council's Highways Officer advises that the principle of the development on this site is supported due to its proximity to local amenities and the town centre.

- 6.4 The Officer has recommended conditions relating to site splays, cycle storage, and traffic calming in the vicinity of the site entrances. In addition, the applicant will need to enter into a Section 278 Agreement with the Highways Authority for improvements to the highway.
- 6.5 Accordingly, subject to conditions, the proposal is considered to comply with Policies PMD8, PMD9, and PMD10 of the Core Strategy.

### III. IMPACT ON ECOLOGY AND BIODIVERSITY

- 6.6 A Preliminary Ecological Assessment was undertaken in 2015 which informed the need for further surveys, including surveys for bats, badgers, reptiles, birds and invertebrates. These surveys were included in an Ecological Impact Assessment.
- 6.7 The main existing habitats within the site are woodland and grassland. The scheme as submitted does not propose any significant changes to the woodland other than the provision of a path and viewing platform.
- 6.8 Natural England notes that development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. The Essex Field Club has objected to the proposals on what they consider to be a lack of information submitted and the way in which the survey data of the Essex Field Club has been used. The Council's Landscape and Ecology Advisor is satisfied with the level of detail provided and that the Council is in a position to be able to determine the application in relation to ecology consideration.
- 6.9 The Council's Landscape and Ecology Advisor notes that many trees to the south are covered by a TPO but indicates that the scheme has sought to minimise the impacts on these trees. He recommends a condition to ensure that any future works to the woodland area are dealt with appropriately.
- 6.10 The Council's Landscape and Ecology Advisor agrees that there would be some impact due to the loss of grassland to the north, although the majority of the area is poor. He suggests that the provision of a wildlife strip and the use of appropriate species within a proposed landscaping scheme would mitigate the impact of the development.
- 6.11 With reference to the woodland area, the applicant recognises that this part of the site is of significant amenity benefit, but is difficult to access due to varying land levels. The Land Trust would manage the area in the long term as part of the Section 106 Agreement accompanying the application. This will ensure access for residents and the public to an area of woodland within the built up area of Grays.
- 6.12 Subject to the conditions proposed, it is concluded that the impacts of the proposals on ecology and biodiversity interests are acceptable.

### IV. DESIGN AND LAYOUT

- 6.13 The application site is in an area, predominantly residential in character, but with surrounding development of different forms. The houses on Hathaway Road to the immediate west are very regular and regimented in form. To the south and north

the properties are of a different character, more modern and more densely built and to the east, predominantly larger detached housing on larger plots.

- 6.14 In addition to the differences in plots and overall form the houses surrounding the site are of different eras and different designs, so it would be difficult to argue that there was a specific character nearby that should be slavishly replicated or preserved in any new development.
- 6.15 The site layout is very much governed by the topographical features of the site which constrains where new development can be located. It is therefore considered to be reasonable and appropriate to locate the dwellings on the northern side of the site in the proposed locations and those on the southern part of the site primarily where the school buildings were located.
- 6.16 Whilst it is accepted that the new dwellings, particularly on the northern part of the site would be a departure from the existing open character of the site, the dwellings would all be provided with suitable back to back distances and would not to lead to result in an unacceptable impact on the amenities of those occupiers through overlooking.
- 6.17 Concern has been raised from neighbours that 3 storey and 4 storey buildings are proposed. The three storey flat block would be 30m from the closest established property in Woodland Close and the 4 storey block would be 32m from the closest established property in Woodland Close. In addition, the land slopes down into the site relative to Woodland Close such that these closest would appear as 2 storeys when viewed from Woodland Close. The taller properties are considered to be suitably distant from Dell Road not to appear dominant within this street scene.
- 6.18 The houses would all be provided with private garden areas and parking would be provided either off street to the side of the dwellings or directly in front of the dwellings. The smaller properties would effectively have shared parking to the front of the dwellings in a communal area. Whilst it is preferred that car parking is more discreet, it is not considered the scheme is objectionable on this basis. It is also noted that there is significant level of planting and screening proposed around the site to soften these areas.
- 6.19 The proposed dwellings are traditionally designed with regular proportions, with pitched roofs and regular shaped window openings. The properties comprise hipped and gable roofs to the front elevations to provide interest and variety. Bay windows and porch canopies also feature on a number of properties. Given the nature of the surrounding development it is considered that the design approach to the houses is appropriate. The submitted plans show a mixture of materials to be used across to the site to add variety to the street scene.
- 6.20 The flatted blocks are proposed where the land rises to the east of the site, and would have communal spaces to the rear and parking adjacent. Again, as with the smaller units the parking is quite obvious next to the buildings, but the landscaping and planting that is shown on the plans should soften the impact of this parking somewhat.
- 6.21 The proposed flat blocks replicate some of the features of the lower level dwellings, picking up on the materials, roof pitches and some of the window details. The buildings would use brick and render finishes which is considered to be appropriate.

It is not considered an objection to the design of the flat blocks could be substantiated.

- 6.22 Accordingly the proposal is considered to satisfy the relevant criteria of Policies PMD1, PMD2 and CSTP22 of the Core Strategy.

#### V. CONTAMINATION AND PREVIOUS USES

- 6.23 The Council's Environmental Health Officer considers that the site will be suitable for residential use provided that a remediation scheme is undertaken. This can be covered by suitably worded planning conditions imposed on any consent granted.

#### VI. ENERGY AND SUSTAINABILITY

- 6.24 Adopted Core Strategy policies PMD12 (Sustainable Buildings) and PMD13 (Decentralised, Renewable and Low Carbon Energy Generation) are relevant to this application. PMD12 required that new dwellings are consistent with Code for Sustainable Homes Level 4 from 2013. However this requirement has since been superseded by Government guidance in March 2015. Policy PMD13 requires that major residential and commercial developments secure 10% of their predicted energy demands from decentralised, renewable or low carbon sources from 2010, increasing to 15% from 2015.
- 6.25 The application is accompanied by a sustainable design and energy statement for the site. The report submitted considers the energy demands of the development and assesses the potential to include renewable energy technologies.
- 6.26 The report concludes that the use of photovoltaic technology would reduce the energy use across the site to achieve the required reduction in CO<sub>2</sub> emissions at the lowest capital costs and provide the greatest benefit to the occupiers in terms of fuel savings and feed in tariff revenue. The report concludes that the policy target will be exceeded.

#### VIII. FLOOD RISK AND SITE DRAINAGE

- 6.27 The Flood Risk Manager raises no objections to the proposals, subject to conditions requiring details of the surface water drainage system to be submitted prior to the commencement of development.

#### IX. AFFORDABLE HOUSING AND PLANNING OBLIGATIONS

- 6.28 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.
- 6.29 The applicant has agreed to a contribution towards education facilities as required by the Councils' Education team and will be completing a 106 Agreement to ensure

that the woodland area to the south of the site is provided to the Land Trust for public access to allow outdoor space is available for residents. The proposal therefore accords with Policy PMD16 in this regard.

- 6.30 In addition to infrastructure, Policy CSTP2: (The Provision of Affordable Housing) seeks the minimum provision of 35% of the total number of residential units built to be provided as Affordable Housing. The applicant has put forward a scheme with a policy compliant 35% affordable housing in accordance with Policy CSTP2 of the Core Strategy.

## X. ARCHAEOLOGY AND HISTORIC BUILDINGS

- 6.31 The response from the Archaeology team at Essex County Council recommends a watching brief in case there is material of any interest. This could be covered by an appropriate condition.
- 6.32 The comments from the Council's Heritage Advisor note that the site adjoins the boundary with The Dell in College Avenue, which is a Grade II Listed building [The Dell was originally constructed in 1871, when its owner, Alfred Russel Wallace purchased the site due to it having views over the treetops to the west]. The Advisor notes that The Dell has lost much of its original setting, but considers that plots no 67 and 68 impact on the setting of the building.
- 6.33 The applicant's Heritage Statement accepts that The Dell is important as a home of notable figure, and is also significant from an architectural perspective as it is an early example of a concrete building. However, the applicant argues that the significance of the building has been eroded by the changes that have been made to it over time. The applicant cites the changes of use that have taken place, the playing courts, hard surfacing surfaces and the Grays Convent school as having a detrimental effect on the original character of the building.
- 6.34 The plots that are closest to the building and referred to by the Heritage Advisor would flank onto the side garden of The Dell. They would be in close proximity to the boundary, however they would be some 20m from the closest point of the existing building at The Dell, and are not located directly behind the building, but at an acute angle. It is also part of the proposal to increase the planting on the boundary between the site and The Dell.
- 6.35 Weighing up the balance between making the best use of the previously development land, considering the existing impact of the present development on that building and the limited impact on the listed building that this scheme would have, it is considered that it would be difficult to sustain an objection on the basis of any negative impact on the heritage asset.

## 7.0 CONCLUSIONS AND REASONS FOR APPROVAL

- 7.1 The site lies within a residentially allocated area, is previously developed land and is in one of the major regeneration hubs in the Borough. In addition the LDF Site Specific Allocation and Policies Local Plan Further Issues and Options consultation (January 2013) included the land as a potential housing site. Accordingly the principle of the development of the site for residential purposes is sound.

- 7.2 The proposal would lead to an increase in vehicles using the highway. However the proposed access points, layout and parking provision is considered to be acceptable and compliant with Council policy.
- 7.3 The design and layout is acceptable. Other matters such as noise, archaeology, ecology, flood risk and contamination could be dealt with by appropriate conditions. Any relatively minor impact of the development upon the Grade II listed building is considered to be outweighed by other considerations.
- 7.4 The applicant is completing a legal agreement to provide a policy compliant level of affordable housing, education contributions and a long term management strategy with the Land Trust to allow public access to managed woodland to the southern part of the site.

**8.0 RECOMMENDATION**

APPROVAL of planning permission, subject to:

- i) the completion and signing of an obligation under s.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:
  - Education Contribution
  - Affordable Housing at 35% of total units
  - Management Strategy for the woodland area with the Land Trust to make it available for public access via a walkway and viewing platform
- ii) the following planning conditions:

**Time Limit**

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

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

**Accordance with Plans**

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

Plan Number(s):		
Reference	Name	Received
14.042.320	Proposed Elevations	6th April 2016
14.042.317	Proposed Floor Plans	6th April 2016
14.042.318	Proposed Floor Plans	6th April 2016

14.042.316	Proposed Elevations	6th April 2016
14.042.313	Proposed Floor Plans	6th April 2016
14.042.314	Proposed Floor Plans	6th April 2016
14.042.101	Location Plan	6th April 2016
14.042.100.P8	Proposed Site Layout	6th April 2016
14.042.104 P1	Landscaping	14th June 2016
14.042.107 P2	Drawing	14th June 2016
14.042.110	Drawing	6th April 2016
400	Proposed Elevations	6th April 2016
401	Proposed Elevations	6th April 2016
14.042.300	Proposed Plans	6th April 2016
14.042.301	Proposed Plans	6th April 2016
14.042.302	Proposed Plans	6th April 2016
14.042.304	Proposed Plans	6th April 2016
14.042.305	Proposed Plans	6th April 2016
14.042.306	Proposed Plans	6th April 2016
14.042.307	Proposed Plans	6th April 2016
14.042.308	Proposed Plans	6th April 2016
14.042.310	Proposed Plans	6th April 2016
14.042.102.P2	Drawing	14th June 2016
14.042.103.P2	Drawing	14th June 2016
14.042.106.P2	Parking Block Plan	14th June 2016
14.042.108.P2	Drawing	14th June 2016
14.042.109.P1	Drawing	14th June 2016
14.042.111.P2	Drawing	14th June 2016
14.042.300M4(3)	Proposed Plans	14th June 2016
14.042.302 M4(2)	Proposed Plans	14th June 2016
14.042.303 M4(2)	Proposed Plans	14th June 2016
14.042.315	Proposed Plans	6th April 2016
14.042.319	Proposed Plans	6th April 2016
14.042.305-M4(3)	Proposed Plans	14th June 2016
14.042.309-M4(2)	Proposed Plans	14th June 2016

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

### Materials

- The development hereby permitted shall be carried out in accordance with the materials and details shown on plan No 14.042/111 P1, "Materials Plan" dated 06.06.2016 unless otherwise agreed in writing by the local planning authority.

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

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

#### **No extensions or roof alterations without permission**

4. Notwithstanding the provisions of Schedule 2 Part 1 Classes A, B, and C of the Town & Country Planning [General Permitted Development] Order 2015 [or any order revoking and re-enacting that Order with or without modification] no extensions or roof alterations shall be carried out to the building[s] hereby permitted.

REASON: In the interests of amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings and does not impact on the amenities of neighbours in accordance with Policies PMD1 and PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD [2011].

#### **Communal TV Aerials/Satellite**

5. Notwithstanding the provisions of the Town & Country Planning [General Permitted Development] Order 2015 [or any order revoking or re-enacting that Order with or without modification] the flats hereby permitted shall be equipped with a communal satellite dishes. Details of the number, size, external appearance and the positions of the satellite dishes shall be submitted to and agreed in writing by the local planning authority prior to the installation of such systems. The agreed communal satellite dish systems shall be installed prior to the residential occupation of the flats and thereafter retained. Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 1995 [or any Order revoking or re-enacting that Order with or without modification] other than those agreed by way of the above scheme, no additional satellite dishes or aerials shall be fixed to the building comprising the flats hereby permitted without the prior written approval of the local planning authority.

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

#### **Drainage Strategy (FRM)**

6. No development shall take place until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Where a sustainable drainage system 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 discharge from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters
  - II. Include a period for its implementation; and
  - III. Provide a management and maintenance plan of the development which shall include the arrangements for adopted by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

REASON: To prevent environmental and amenity problems arising from flooding.

### **Landscaping (L&EO)**

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

This scheme should ensure that the mitigation requirements of the Ecological Impact Assessment are fully integrated. The submitted scheme shall also include details of the ongoing management responsibilities for the separate areas within the site.

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).

### **Landscape Protection**

8. All trees, shrubs and hedgerows to be retained on the site shall be protected by chestnut paling fencing, or Heras fencing (as agreed in writing with the Local Planning Authority) for the duration of the demolition and construction period at a distance equivalent to not less than the spread from the trunk. Such fencing shall be erected prior to the commencement of any works on the site. No materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside this fencing; no changes in ground level may be made or underground services installed within the spread of any tree or shrub [including hedges] without the previous written consent of the local planning authority.

REASON: To ensure that all existing trees are properly protected, in the interests of visual amenity and to accord with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Woodland Management (L&EO)**

9. Prior to the first occupation of any of the units within the site, a Woodland Management Plan for the woodland area to the south of the site shall be submitted to and approved in writing by the Local Planning Authority. This Management Plan shall include details of all elements of public access, including the management of the walkway and viewing platform.

Thereafter, development shall be carried out strictly in accordance with the details approved.

REASON: To ensure that all existing trees are properly protected, in the interests of visual amenity and to accord with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **Boundary Treatments**

10. The boundary treatments on the site shall be completed in accordance with the details shown on plan 14.042.107 P1, "Boundary Treatment Plan", dated 06.06.2016 before the occupation of the buildings and thereafter retained strictly in accordance with the details approved.

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

### **Contaminated Land (Accordance with known details)**

11. The development of the site shall take place in accordance with the methodology and recommendations set out in the "Ground Investigation Report Proposed residential development, Off Dell Road, Grays, Soiltechnics Ltd, Report No STL2980R-G01, Revision 04, April 2016".

REASON: To ensure the development is suitable for human habitation in accordance with Policies PMD1 and PMD2 of the Core Strategy 2011.

### **Contaminated Land (Watching brief)**

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 and Principal aquifers 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.

### **Decentralised, Renewable & Low Carbon Energy**

13. Prior to the first occupation of any of the units on site, details of the measures to demonstrate that the development has achieved the generation of at least 10% of its energy needs through the use of decentralised, renewable or low carbon

technologies shall be submitted to and approved in writing by the local planning authority. The approved measures 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).

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

14. The development hereby permitted shall be carried out strictly in accordance with the details contained in the document titled "Construction Management Plan: Land at Treetop School Dell Road Grays unless previously agreed in writing with the Local Planning Authority.

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]

### **Demolition & Construction Working Hours**

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

Monday to Fridays 0800 – 1900 hours and  
Saturdays 0080 – 1300 hours

unless the prior written approval of the local planning authority has been obtained.

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).

### **Lifetime Homes**

16. Unless otherwise agreed in writing by the local planning authority, the dwellings on the site shall meet Lifetime Homes standards.

REASON: In order to produce flexible, accessible and adaptable homes appropriate to diverse and changing needs in accordance with Policy CSTP1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

### **Archaeology (Trial Trenching)**

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

REASON: In the interests of the historical integrity of the site.

### **Bin Storage**

18. Prior to any development above ground level plans detailing the number, size, location, design and materials of bin stores to serve the residential development together with details of the means of access to bin stores shall be submitted to and agreed in writing with the local planning authority. The agreed bin storage shall be provided prior to the first occupation of any of the dwellings and shall be permanently retained in the form agreed.

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

### **Roads and footpaths prior to occupation**

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

REASON: In the interests of highway safety and amenities of the occupiers of the proposed residential development.

### **Sight Splays (Individuals Plots)**

20. Before any dwelling vehicle access is first used, clear to ground level sight splays of 1.5 metres x 1.5 metres from the back of the footway shall be laid out either side of the proposed access within the site and maintained at all times.

REASON: In the interests of highway safety.

### **Garages for parking of cars only**

21. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 and Section 55 of the Town and Country Planning Act 1990, any garage hereby approved/permitted shall only be used for the parking of cars in connection with the residential use of that dwelling and for no other purposes whatsoever.

REASON: To ensure that satisfactory off-street car parking provision is made in accordance with the Local Planning Authority's standards and in the interests of highway safety.

### **Travel Plan**

22. None of the units hereby permitted shall be occupied until such time that a Travel Plan the whole development has been submitted to and approved by the local planning authority. The approved measures shall be permanently kept in place

unless otherwise agreed in writing by the local planning authority. Upon written request, the applicant or their successors in title shall provide the local planning authority with written details of how the agreed measures contained in the Travel Plan are being undertaken at any given time.

REASON: To reduce reliance on the use of private cars in the interests of Sustainability, highways safety and amenity in accordance with Policy PMD10 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

### **Highways Access Construction Specification**

23. Details shall be submitted showing the layout, dimensions and construction specification of the proposed access to the highway, such details shall be approved and implemented on site to the satisfaction of the Local Planning Authority before occupation of the development hereby permitted. This information should include the layout, dimensions and construction specification of any temporary access to the highway to be used during the construction period.

REASON: In the interests of highway safety and efficiency.

### **Details of Improvements to Dell Road**

24. Prior to the commencement of development, details of the proposed improvements to Dell Road shall be submitted to the Local Planning Authority for approval. These details should illustrate the layout and dimensions and construction specification and thereafter once approved development shall be carried out, and strictly retained, in accordance with the details approved.

REASON: In the interests of highway safety and efficiency in accordance with Policy PMD2 of the Core Strategy 2011.

### **Speed Reduction Measures and Sight Splays on Dell Road**

25. Prior to the commencement of development, details of the sight splays and speed reduction measures to be provided to both junctions on Dell Road shall be submitted to the Local Planning Authority for approval. Thereafter once approved the development shall be carried out, and strictly retained, in accordance with the details approved. The sight lines shall be provided such that no obstruction is present within the splays above the level of the adjoin highways carriageway and maintained accordingly.

REASON: In the interests of highway safety and efficiency in accordance with Policy PMD2 of the Core Strategy 2011.

### **Revised Parking Layout**

26. Prior to the commencement of development, details of a revised parking layout for Plots 9 – 22 shall be submitted to the Local Planning Authority for approval. This layout shall address the requirement to provide between 1.5 and 2 spaces per 2 bedroom house. Thereafter once approved the development shall be carried out, and strictly retained, in accordance with the details approved.

REASON: In the interests of highway safety and efficiency in accordance with Policy PMD2 of the Core Strategy 2011.

### **Construction Traffic Routing**

27. Prior to the commencement of development, details of the Construction Traffic Routing for vehicles entering the site shall be submitted to the Local Planning Authority for approval. This layout shall address the requirement for larger vehicles to access the site and should take into account any weight limits on that route.

REASON: In the interests of highway safety and efficiency in accordance with Policy PMD2 of the Core Strategy 2011.

### **Cycle Parking**

28. Prior to the first occupation of the development hereby approved details of the cycle parking facilities for each unit shall be submitted to and agreed in writing with the local planning authority. Provision shall be made for 1 cycle parking space per unit. The agreed facilities shall be installed on site prior to the first occupation of the dwellings and shall thereafter be permanently retained for sole use as cycle parking for the users and visitors of the development.

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].

### **Informative(s)**

Any works, which are required within the limits of the highway reserve, require the permission of the Highway Authority and must be carried out under the supervision of that Authority's staff. The Applicant is therefore advised to contact the Authority at the address shown below before undertaking such works to apply for a Section 278 Agreement.

Chief Highways Engineer,  
Highways Department,  
Thurrock Council,  
Civic Offices,  
New Road,  
Grays Thurrock,  
Essex. 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](http://www.thurrock.gov.uk/planning)





This page is intentionally left blank

<b>Reference:</b> 16/00497/TBC	<b>Site:</b> Stifford Clays Primary School Whitmore Avenue Stifford Clays Grays Essex RM16 2JA
<b>Ward:</b> Stifford Clays	<b>Proposal:</b> Retention of a single storey demountable classroom (originally approved under 13/00282/TBC for 3 years) for a further 1 year period.

Plan Number(s):		
Reference	Name	Received
(No Nos.)	Location Plan	8th April 2016
E131409.02 A	Proposed Floor Plans	8th April 2016

The application is also accompanied by:  – S&R - Design Access Statement	
<b>Applicant:</b> Stifford Clays Primary School c/o Thurrock Council	<b>Validated:</b> 8 April 2016  <b>Date of expiry:</b> 7 <sup>th</sup> July 2016
<b>Recommendation:</b> Deemed to be granted.	

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

## 1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks planning permission to retain an existing classroom, previously granted temporary permission for 3 years, for one additional year.

## 2.0 SITE DESCRIPTION

2.1 The application site consists of a variety of school buildings on a site located on the eastern side of Whitmore Avenue. There is a church located adjacent to the southern boundary of the site. The wider area is characterised by residential properties.

- 2.2 The applicant advises that the facilities are required for the continued provision of education whilst future plans are developed to respond to the growing demands upon the school.

### 3.0 RELEVANT HISTORY

Reference	Description	Decision
13/00282/TBC	Provision of a single storey demountable classroom (Infants)	Approved (Temporary 3 year permission expiring on 6th June 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/16/00173/TBC](http://www.thurrock.gov.uk/planning/16/00173/TBC)

#### PUBLICITY:

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

### 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. Promoting Healthy Communities
  4. Promoting sustainable transport
  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 subtopics. 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:

- CSTP12 – (Education and Learning)
- CSTP22 – (Thurrock Design)<sup>1</sup>

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)<sup>1</sup>
- PMD2 (Design and Layout)<sup>1</sup>
- PMD8 Parking Standards
- PMD9 Road Network Hierarchy

<sup>1</sup>: Wording of LDF-CS Policy and forward amended either in part or in full by the Focused Review of the LDF Core Strategy.

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

## **6.0 ASSESSMENT**

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

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

- 6.2 The land to which the application relates has no designation within the Core Strategy Interim Proposals Map and in such cases it is expected that the land will continue within the existing use(s). The proposal involves the provision of additional pupil accommodation associated with the existing use of the site as a school and as such there are no land use objections to the proposal.
- 6.3 The proposal would result in the retention of facilities required for the continued provision of education whilst future plans are developed to respond to the growing demands upon the school. In this regard the development would accord with the aims of Policy CSTP12 which aims to enhance educational achievement and skills in the Borough and ensure that facilities meet the current and future needs.

## II. DESIGN AND RELATIONSHIP OF DEVELOPMENT WITH SURROUNDINGS

- 6.4 The existing 86 sqm temporary classroom is of a simple modular form measuring 7.3m by 9.3m and with a maximum height of 3.5m. There are no proposed changes to the existing temporary classroom structure on the site. The classroom is situated behind the main school building and adjacent to a playground.
- 6.5 Policy PMD2 of the Core Strategy encourages high quality design and the design and appearance of this temporary building would not comply with Council policy if it was to be retained on a permanent basis. However, given the classroom is intended to remain on site for a temporary period of one year whilst proposals for permanent extensions are progressed, it is considered that this structure would be acceptable.

## III. RESIDENTIAL IMPACTS

- 6.6 The temporary classroom is located 27m from the rear boundaries of the nearest Houses on Whitmore Avenue to the North. The temporary classroom has limited impact upon the privacy or outlook of adjacent occupiers. The proposal would comply with Policy PMD2 with respect to the impact upon neighbour amenity.

## IV. ACCESS AND PARKING

- 6.7 The current application would not result in any increase in existing pupil or staffing numbers. There have been no changes to access or parking on the site since the temporary classroom was originally approved. The Council's Highway Officer previously raised no objections and the application continues to accord with Policy PMD8.

## 7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 The facility is required to provide educational benefit to pupils attending the school. The retention of the building for a further one year period would not cause significant harm to the character of the surrounding area or the amenity of surrounding occupiers in accordance with the policies identified above.

## 8.0 RECOMMENDATION

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

**Condition(s):**

**TEMPORARY TIME LIMIT**

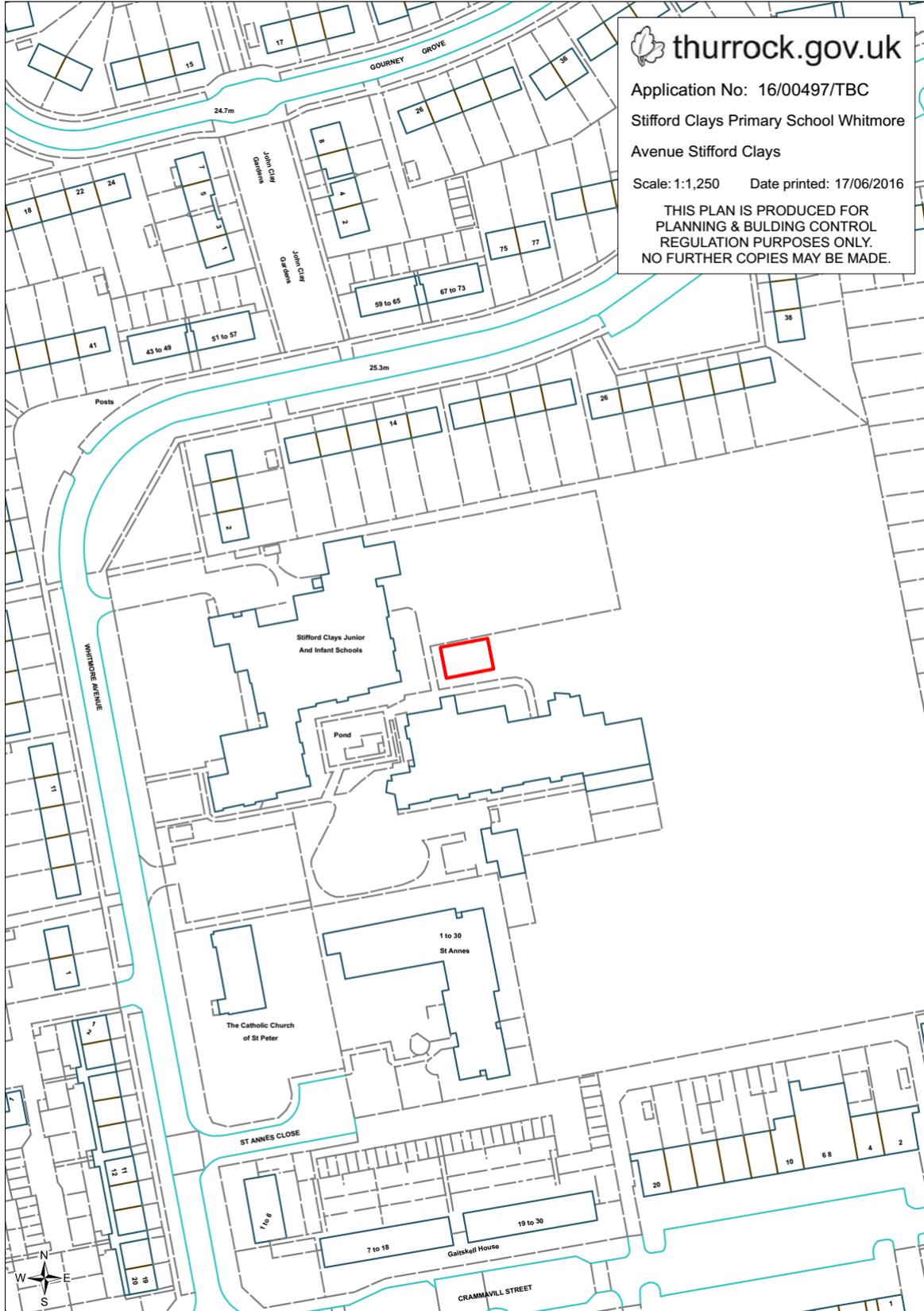
- 1 The use of the development hereby permitted shall cease by 30<sup>th</sup> June 2017 and the temporary accommodation, together with all associated works hereby approved, shall be removed from the site and the land restored to its previous condition.

Reason: The design of this temporary building is such that it is considered to be unacceptable for permanent retention on this site. Planning permission is granted on a temporary basis to enable the construction of permanent accommodation in accordance with Policy PMD2 of the Core Strategy.

**Documents:**

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

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



 **thurrock.gov.uk**

Application No: 16/00497/TBC

Stifford Clays Primary School Whitmore

Avenue Stifford Clays

Scale: 1:1,250 Date printed: 17/06/2016

THIS PLAN IS PRODUCED FOR  
PLANNING & BUILDING CONTROL  
REGULATION PURPOSES ONLY.  
NO FURTHER COPIES MAY BE MADE.

© Crown copyright and database rights 2016 Ordnance Survey 100025457



This page is intentionally left blank