

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 **28 July 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

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

Substitutes:

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

Agenda

Open to Public and Press

	Page
1 Apologies for Absence	
2 Minutes	5 - 14
To approve as a correct record the minutes of the Planning Committee meeting held on 30 June 2016.	
3 Item of Urgent Business	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
4 Declaration of Interests	
5 Declarations of receipt of correspondence and/or any meetings/discussions held relevant to determination of any	

planning application or enforcement action to be resolved at this meeting

6 Planning Appeals 15 - 20

7 Public Address to Planning Committee

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

8 15/00579/FUL - Grays Gas Holder Station London Road Grays Essex RM17 5YB 21 - 60

9 16/00458/FUL - Treetops School Dell Road Grays Essex RM17 5JT 61 - 98

Queries regarding this Agenda or notification of apologies:

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

Agenda published on: **20 July 2016**

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

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

Helpful Reminders for Members

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

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

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



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

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

Disclosable Pecuniary Interests shall include your interests or those of:

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

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

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

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

Pecuniary

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

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

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

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

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

Non- pecuniary

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



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

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

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

1. Create a great place for learning and opportunity

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

2. Encourage and promote job creation and economic prosperity

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

3. Build pride, responsibility and respect

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

4. Improve health and well-being

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

5. Promote and protect our clean and green environment

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

Minutes of the Meeting of the Planning Committee held on 30 June 2016 at 6.00 pm

- Present:** Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, John Kent, Tunde Ojetola and David Potter
- Apologies:** Councillors Steve Liddiard, Gerard Rice and Steve Taylor (Co-Opted Member)
- In attendance:** Andrew Millard, Head of Planning & Growth
Janet Clark, Strategic Lead Operational, Resources and Libraries Unit
Matthew Ford, Principal Highways Engineer
Nadia Houghton, Principal Planner
Julian Howes, Highways Engineer
Jonathan Keen, Principal Planner
Leigh Nicholson, Development Management Team Leader
Christine Stevenson Planning Lawyer
Kenna-Victoria Martin, Senior Democratic Services Officer
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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.

154. Minutes

The minutes of the Planning Committee held on the 26 May 2016 were approved as a correct record.

155. Item of Urgent Business

There were no items of urgent business.

156. Declaration of Interests

There were no declarations of interest.

157. 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

The Chair of the Committee declared that he had received correspondence related to application 15/00579/FUL - Grays Gas Holder Station London Road Grays Essex RM17 5YB.

158. Planning Appeals

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

RESOLVED:

The report was noted.

159. 15/01237/FUL - 9 South Road South Ockendon Essex RM15 6NU

The Principal Planner addressed the Committee explaining the previous applications (planning application ref. 14/01377/FUL and 15/00585/FUL) were considered by the Committee. The current application presented to the Committee would involve the conversion and remodelling of the existing frontage building and redevelopment of the remainder of the site to provide a total of 12 dwellings comprising of 8x two bedroom flats and 4x two bedroom mews-style houses.

Once completed the converted building would be two storeys, with a two storey side extension. The rear 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.

Members were advised that proposals were to also include the use of existing access with the provision of 12 parking spaces and landscaping.

During the debate Councillor Wheeler commented that he felt the application would be better for Old Ockendon.

Councillor Ojetola questioned parking spaces on South Road and the process of the refuse collections. The Principal Highways Officer informed the Committee that there was to be 1 parking space per unit. In relation to refuse collections, there was to be a refuse bin accessible for all residents.

The Chair of the Committee stated it was regrettable that parking could not be of better-quality.

It was proposed by Councillor Kelly and seconded by Councillor Wheeler that the application be approved, subject to conditions and completion of section 106 agreement regarding education contributions and affordable housing.

For: Councillors, Tom Kelly, Kevin Wheeler, Chris Baker, John Kent, Tunde Ojetola and David Potter **(6)**

Against: **(0)**

Abstain: **(0)**

RESOLVED:

The application be approved, subject to conditions and completion of section106 agreement.

160. 15/00579/FUL - Grays Gas Holder Station London Road Grays Essex RM17 5YB

The Principal Planner introduced the report and in doing so, highlighted the following:

- The application proposed the redevelopment of the former British Gas gasholder site for 187 dwellings, a mixture of flats and houses.
- The site was effectively in two parts, the developable area in an approximate 'U shape' around the retained woodland area to the northern part of the site. The proposal would include a live frontage to London Road, with the main access point being approximately halfway between the roundabouts with Argent Street and the Aldi supermarket car park.
- In addition the site would contain a mixture of terraced, semi-detached and detached properties. The flatted blocks would be towards the centre of the site creating a focal point and keeping the higher buildings away from the boundaries of the site.

Officers advised the Committee that the site lay close to Grays Town Centre and was a brownfield site. Member were further notified Government guidance and local policy sought to make the best use of existing brownfield land to prevent the need to release Green Belt land for new development.

Committee Members were then advised that neighbours and elected Members had raised concerns about highways and parking provision on the site. The applicant had spent considerable time during the application process working with the Council's highways officer on revisions to the scheme.

Members raised concerns as to the traffic congestion on London Road linked to Argent Street and Wharf Road. Highways Officers informed the Committee that a full Transport Assessment had been carried out within the area which had identified as the proposal would be acceptable.

Councillor Ojetola questioned the amount of school places available as the application proposed 187 dwellings; he commented that the local school would not be able to accept all children from the area.

The Strategic Lead Operational, Resources and Libraries Unit explained that enquires were being made to see if any schools would be happy to expand and increase their class intakes. She assured the Committee that the demand for school places would be met.

Councillor Kent enquired as to the percentage of affordable housing. The Principal Planner explained that 16% would be affordable housing; this was lower than the 35% normally required by policy as the cost to the developer to

redevelop the site would be increased as it was a brownfield site that required decontamination

The Chair invited the Ward Councillor, to make her statement in objection to the Committee.

The Chair invited the agent, to make his statement in support to the Committee.

During the debate Members raised the following points:

1. Access to site would increase traffic congestion along London Road and surrounds roads;
2. School placements within the area were limited, would the Council be able to meet the demand of additional children and;
3. The percentage of affordable housing was felt to be too low.

The Highways Officers commented that it may be possible to relocate the bus stop on London Road and amend the width of the highway under s S.278.

It was proposed by Councillor Kelly that the application be approved, subject to conditions and section106 agreement.

As the proposal was not seconded it was further proposed by Councillor Ojetola that the application be refused. This was seconded by Councillor Kent.

For: Councillors Kevin Wheeler, Chris Baker, John Kent, Tunde Ojetola and David Potter **(5)**

Against: Councillors Tom Kelly **(1)**

Abstain: **(0)**

Members put forward matters 1, 2 and 3 above as reasons or refusal. The Head of Planning and Growth indicated that the reasons put forward were considered to be tentative and that in accordance with the Council's Constitution Officers should be given the opportunity to review the reasons and provide a new report to a subsequent Committee for Members to outline the implications of taking a contrary decision.

RESOLVED:

That the application be deferred to the next meeting of the Planning Committee to allow Officers to put forward a report outlining the implications of refusal.

161. 16/00458/FUL - Treetops School Dell Road Grays Essex RM17 5JT

The Principal Planner presented the report and in doing so, highlighted the following:

- Since the report on the application was written 2 additional neighbour letters had been received echoing the concerns by residents as detailed in the report.
- A petition of 24 signatures had been received from the residents of Dell Road (41-57) & The Barn, Dell Road (109). The petition stated:

“We, the current residents of Dell Road (41-57) & The Barn, Dell Road (109) are petitioning the Council for a permanent Barrier to all Vehicles other than emergency and refuse at a point to be established on Dell Road. The purpose of this petition is to create a ‘cul-de-sac’ for the named properties with entrance and exit via Ward Avenue only.

The demand is being made to the council as a collective response to the proposed development at Treetops School and we make the demand to protect and insulate us from the extra vehicle traffic, which will be created by this development both during and after the build. It is our firm belief that the extra vehicle traffic created will be detrimental to our part of Dell Road and to the health and safety of our families.”

Members were advised the area where the petitioners wished to create the cul-de-sac fell outside of the land within the applicant’s ownership or control and therefore could not be considered as part of the current planning application. This would need to be considered separately by the Council as a Highways Authority.

The Principal Officer explained that the application proposed the redevelopment of the former Treetops school site for 74 dwellings, a mixture of flats and houses. The houses were to be 2-3 storey and the flats would be contained within 3-4 storey blocks.

The woodland area to the south of the site was to be transferred to the Land Trust as part of the Section 106 Agreement, with a viewing platform and access to be provided to allow the public to use and enjoy the area.

Councillor Wheeler sought confirmation that the proposed site was not Green Belt land. Planning Officers confirmed the site was a brownfield site.

Members enquired as to the listed building located on the site boundary and were advised by Officers that it was considered that no harm would be caused to the building should the application be approved.

Councillor Ojetola queried the details of the petition, to which Highway Officers confirmed they would be happy to meet with the lead petitioner to discuss residents’ concerns.

Councillor Kent questioned as to when access works were to be carried out on the site. Highways Officers informed Members that discussions with the developer in relation the accessibility to the site had taken place. The Committee were further advised that the widening of the road and access to the site were covered under the legal agreement and conditions.

The Chair invited a resident, to make his statement in objection to the Committee.

The Chair invited the Ward Councillor, to make his statement in objection to the Committee.

The Chair invited the agent, to make her statement in support to the Committee.

It was proposed by Councillor Ojetola and seconded by Councillor Wheeler that the application be deferred subject to a site visit.

For: Councillors Kevin Wheeler, Chris Baker, Tunde Ojetola and David Potter **(4)**

Against: Councillors Tom Kelly and John Kent **(2)**

Abstain: **(0)**

RESOLVED:

That the application be deferred subject to a site visit.

162. 16/00324/FUL - Fresh Fill 64 Orsett Road Grays Essex RM17 5EH

The Principal Planner addressed the Committee explaining that the application had been presented to the Planning Committee as the application was connected with a relative of a member of staff within the Environment and Place Directorate.

Members were advised that the proposal sought planning approval for a new shop front including entrance doors and new windows.

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

For: Councillors, Tom Kelly, Kevin Wheeler, Chris Baker, John Kent, Tunde Ojetola and David Potter **(6)**

Against: **(0)**

Abstain: **(0)**

RESOLVED:

The application be approved, subject to conditions.

163. 16/00406/TBC - Riverside Business Centre Fort Road Tilbury Essex RM18 7ND

Before Officers presented their report Councillor Kent sought legal advice as to whether he would be able to join in discussions, as he was a member of the previous Cabinet. The legal adviser informed Councillor Kent that if he felt he could hear the application with an open mind then it was satisfactory for him to partake in the discussions of the application.

The Principal Planner presented the application to the Committee informing that it sought planning permission for the construction of a single detached building hosting 20 new business units. The proposal included the reconfiguration of existing parking areas to provide additional parking to meet the requirements of the new and existing business units.

Members were advised 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, were a key part of the Council's Regeneration Strategy which sought to support economic growth and create employment opportunities.

It was proposed by Councillor Kelly and seconded by Councillor Wheeler that the application be deemed granted, subject to conditions.

For: Councillors, Tom Kelly, Kevin Wheeler, Chris Baker, John Kent, Tunde Ojetola and David Potter **(6)**

Against: **(0)**

Abstain: **(0)**

RESOLVED:

That the application be deemed granted, subject to conditions.

164. 16/00580/FUL - Squibb Demolition Wharf Road Stanford Le Hope Essex SS17 0EH

The Principal Planner addressed the Committee raising the following points:

- Since the completion of the report, 4 additional letters had been received, the letters reflected existing concerns about access to the site, vehicle movements and concerns over the use of the site.
- Furthermore, since the publication of the Agenda additional clarification had been received from the Environmental Health and Highways Officers. They were satisfied that the detail submitted in relation to the

Construction Management Plan, wheel washing, lighting, and access were all acceptable.

Members were advised that a similar previous application which gave outline planning permission for the site was considered in October 2015.

The application sought permission for the same use that was currently being carried out and for an office building on the western side of the site and a storage building within the yard area.

The Committee were notified following the approval in October 2015 the applicant had reconsidered the site layout and had decided it would be preferable for operational reasons to have a single building with the office facilities and storage contained within it. The current application therefore comprised a single building with the office facilities located on the western side of the building and the storage facilities within the rest of the building.

Members sought as to the difference between the previous and current applications. Officers explained there had been no material change in circumstances since the time of the previous application and confirmed the office would be incorporated with the main building.

It was proposed by Councillor Kelly and seconded by Councillor Ojetola that the application be deemed granted, subject to conditions.

For: Councillors, Tom Kelly, Kevin Wheeler, Chris Baker, John Kent, Tunde Ojetola and David Potter **(6)**

Against: **(0)**

Abstain: **(0)**

RESOLVED:

That the application be approved, subject to conditions.

165. 16/00566/REM - Squibb Demolition Wharf Road Stanford Le Hope Essex SS17 0EH

The Principal Planner introduced the report notified the Committee since the completion of the report 3 additional letters had been received. The letters reflected existing concerns about the proposed use, the access to the site and HGV movements.

The application sought reserved matters approval for landscaping at the site, however did not involve consideration of any other matters. Members were advised that outline permission was approved at Committee in October 2015.

Members were further advised the proposed landscaping would comprise planting between the main yard area, the office, car park to the west and planting within the car park.

It was proposed by Councillor Kelly and seconded by Councillor Ojetola that the application be deemed granted, subject to conditions.

For: Councillors, Tom Kelly, Kevin Wheeler, Chris Baker, John Kent, Tunde Ojetola and David Potter **(6)**

Against: **(0)**

Abstain: **(0)**

RESOLVED:

That the application be approved, subject to conditions.

166. 16/00497/TBC - Stifford Clays Primary School Whitmore Avenue Stifford Clays Grays Essex RM16 2JA

The application was introduced to the Committee, informing Members that permission was sought to retain an existing classroom, previously granted temporary permission for 3 years, for one additional year.

Members were advised that the applicant advised officers the facilities were required for the continued provision of education whilst future plans were developed to respond to the growing demands upon the school.

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

For: Councillors, Tom Kelly, Kevin Wheeler, Chris Baker, John Kent, Tunde Ojetola and David Potter **(6)**

Against: **(0)**

Abstain: **(0)**

RESOLVED:

That the application be deemed to be granted.

The meeting finished at 8.05 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**

28th July 2016	ITEM: 6
Planning Committee	
Planning Appeals	
Wards and communities affected: All	Key Decision: Not Applicable
Report of: Leigh Nicholson, Development Management Team Leader	
Accountable Head of Service: Andy Millard, Head of Planning and Growth	
Accountable Director: Steve Cox, Director of Environment and Place	

Executive Summary

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

1. Recommendation(s)

1.1 To note the report

2. Introduction and Background

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

3. Appeals Lodged:

3.1 Application No: 16/00058/HHA

Location: The Old Kennels, Kirkham Shaw, Horndon On The Hill
 Proposal: Erection of cart lodge for 2 vehicles

3.2 Application No: 16/00460/HHA

Location: 65 Parkside, Grays
 Proposal: Single storey rear conservatory extension

3.3 **Application No: 16/00005/HHA**
Location: 3 Silverdale East, Stanford Le Hope
Proposal: Two storey side and rear extension

3.4 **Application No: 16/00333/HHA**
Location: Willow Cottage, Southend Road, Corringham
Proposal: Loft conversion and the insertion of 5 roof lights within the roof plan.

4. Appeals Decisions:

The following appeal decisions have been received:

4.1 **Application No: 15/00859/HHA**
Location: 32 Catalina Avenue, Chafford Hundred
Proposal: Retention of replacement raised patio
Decision: Dismissed

Summary of decision:

- 4.1.1 The Inspector considered the main issue to be the effect of the development on the living conditions of neighbouring occupiers at No.34 Catalina Avenue with particular reference to privacy.
- 4.1.2 Given the topography and the height of the patios, there are clear views towards No.34 at close proximity. The Inspector noted that the boundary fencing does little to restrict standing views into the rear garden of No.34. The Inspector considered the appellants offer to increase the boundary fencing but found this to be an unacceptable solution.
- 4.1.3 In dismissing the appeal, the Inspector took the view that the development as built has a significant adverse effect on the living conditions of neighbouring occupiers, contrary to LDF CS policy PMD1 and paragraph 17 of the NPPF.
- 4.1.4 The full appeal decision can be found [here](#)

4.2 **Application No: 15/00041/CWKS**
Location: 32 Catalina Avenue, Chafford Hundred
Proposal: Retention of replacement raised patio
Decision: Dismissed [with Enforcement Notice varied]

Summary of decision:

- 4.2.1 This appeal was made against the Enforcement Notice issued by the Council following the refusal of planning application 15/00859/HHA (summarised above).
- 4.2.2 The Inspector supported the Council's reasons for serving the Enforcement Notice but found the steps to remedy the breach to be excessive. The Inspector found it necessary to vary the Enforcement Notice to ensure that the land is returned to how it was before the breach took place rather than requiring the land to be lowered.
- 4.2.3 The full appeal decision can be found [here](#)

4.3 Application No: 15/01191/FUL

Location: 9 Lyndhurst Road, Corringham

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

Decision: Dismissed

Summary of decision:

- 4.3.1 The Inspector considered the main issue to be the effect of the proposed dwelling on the character and appearance of the area.
- 4.3.2 The proposed dwelling would be attached to No 9, but would be at right angles to it. It would project beyond the front and rear elevations of the host property and the Inspector considered that this aspect of the scheme would be out of character with the surrounding area.
- 4.3.3 The Inspector noted that the appeal site is a prominent, corner plot that is highly visible from the surrounding street scene. The front elevation of the proposed dwelling would breach the building line along Hawthorne Road and would bring the built form to the rear of the existing grass verge that runs along the western side of this street. This would be out of keeping with the existing development in Hawthorne Road and Lyndhurst Road where none of the houses directly abut the verge or footway. It would also introduce a sense of enclosure at the junction with Lyndhurst Road, which the Inspector considered would be harmful to the open character of the estate.
- 4.3.4 The Inspector concluded that the proposed dwelling would be harmful to the character and appearance of the area, contrary to Policies CSTP22 and PMD1 of the Thurrock Core Strategy, which requires high quality design that responds positively to the local context.

4.3.5 The full appeal decision can be found [here](#)

4.4 Application No: 15/00988/OUT

Location: 164 Palmerston Road, South Stifford, Grays

Proposal: Outline application for erection of a two storey 3 bedroom detached house adjacent to current dwelling. Matters to be considered include, access and layout with all other matters reserved.

Decision: Dismissed

Summary of decision:

4.4.1 The Inspector noted that the orientation of the proposed dwelling would result in the rear elevation being very close to the boundary of No 164. The Inspector agreed with the Council's view that the bulk and mass of the building would be oppressive and overbearing, giving rise to a significant and harmful sense of enclosure for the occupants of this adjacent house.

4.4.2 The Inspector concluded that the proposed dwelling would be harmful to the living conditions of the occupants of No 164, arising from visual intrusion and loss of privacy and would be contrary to Policy PMD1 of the Thurrock Local Development Framework Core Strategy.

4.4.3 The full appeal decision can be found [here](#)

5. Forthcoming public inquiry and hearing dates:

5.1 The following inquiry and hearing dates have been arranged:

5.2 None.

6. APPEAL PERFORMANCE:

6.1 The following table shows appeal performance in relation to decisions on planning applications and enforcement appeals.

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	5	2	4	0	0	0	0	0	0	0	0	0	11
No Allowed	2	0	0	0	0	0	0	0	0	0	0	0	2
% Allowed													18%

7. 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. 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: **Rebecca Price**
Community Development Officer

There are no direct diversity implications to this report.

9.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

10. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- All background documents including application forms, drawings and other supporting documentation can be viewed online: www.thurrock.gov.uk/planning. The planning enforcement files are not public documents and should not be disclosed to the public.

11. Appendices to the report

- None

Report Author:

Leigh Nicholson

Development management manager

Agenda Item 8

Reference: 15/00579/FUL	Site: Grays Gas Holder Station London Road Grays Essex RM17 5YB
Ward: Grays Riverside	Proposal: 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.

Plan Number(s):		
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
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PH-201_020	Elevations	9th February 2016
PH-201_021	Elevations	9th February 2016
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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
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PH-201_040	Elevations	9th February 2016

1.0 BACKGROUND

- 1.1 At the meeting of the Planning Committee held on 30th June 2016 Members considered a report on the above proposal. The report recommended that planning permission be approved subject to conditions and a legal agreement.
- 1.2 A copy of the report presented to the 30th June meeting is attached.
- 1.3 During debate on the item the Committee indicated they were minded to refuse the proposal on the basis of 1) Access to the local road network 2) Deficiency in provision children at schools local to the site and 3) Affordable housing below the 35% required by the Core Strategy.
- 1.4 The Head of Planning and Growth stated that the reasons were tentative on planning grounds. In instances where the Committee's reasoning is deemed to be tentative, the constitution requires: *"that the application should be deferred to enable the Planning Officer to draft a further report, outlining the implications of making a decision contrary to the Planning Officer's recommendation"* before a formal decision can be made.

2.0 ASSESSMENT

- 2.1 As required by the Constitution, an outline of the implications of make a decision contrary to the Officer recommendations is provided below. The suggested reasons for refusal are outlined below and the implications are considered subsequently:
- 2.2 PROPOSED REASON 1 – HIGHWAYS ACCESS

Access to the site would increase traffic congestion along London Road and surrounding roads.

- 2.3 The application was accompanied by a Transport Assessment that concludes that the junction will operate well within capacity thresholds in the 2016 and 2020 base and development AM and PM peak assessment scenarios. The London Road/Wharf Road roundabout was also modelled for the assessment and it was found that there would be minimal impact at this location and the flow changes would be comparable with the day-to-day variation in flows at this location.
- 2.4 The Council's Highways Officer has agreed with the assessment made of the site and the resultant impact on the local highways network and raises no objection to the impact on the highways network at this point.
- 2.5 Accordingly, it is not considered to be reasonable to require the developer to carry out works to the roundabout or move the entrance to the site.
- 2.6 Notwithstanding the above, the developer was present at the last meeting and is mindful of Member's concerns in relation to London Road, in particular congestion concerns along London Road in proximity to the site.
- 2.7 To address Member's concerns the developer has proactively looked at the opportunity of relocating the existing bus stop (which is presently to the west of the site and the west of the junction on Meesons Lane) to a dedicated bus lay-by to be formed along the site frontage (to the east of the site entrance). This would provide space off the carriageway of London Road for buses to stop.
- 2.8 At present the bus stop adjacent to Meesons Lane is on the carriageway which results in buses holding up traffic, predominately running from west to east, when passengers are boarding or alighting. In addition, stationary buses cause visibility issues for vehicles wanting to enter or leave Meesons Lane. The provision of a bus stop to the front of the site would allow buses to stop off the main highway and would allow traffic to continue to flow along London Road when buses are picking up or dropping off passengers.
- 2.9 The Highways Officer has been involved in the discussion with the developer and advises that the proposed relocated bus stop would have highways safety benefits and would allow traffic to flow more freely past the site. He is therefore supportive of the proposal. The provision of such a bus stop would need to be covered in the Highways S278 Agreement and would be subject to a separate consultation as part of the works would be on the highway.
- 2.10 In conclusion under this heading, there is no technical objection to the proposals, either in terms of road capacity or safety. Consequently, it is not considered that an objection on the basis of highways access would be justifiable or defensible on appeal. Notwithstanding this position, the proposals set out in paragraphs 2.7 – 2.9 above would represent an enhancement of the scheme and would improve highways safety (subject to separate specific consultation).

2.11 PROPOSED REASON 2 – LACK OF PROVISION AT LOCAL SCHOOLS

School places within the area are limited; would the Council be able to meet the demand of additional children?

2.12 The Council's Education Officer was present at the meeting and involved in discussions with Members in relation to school places. Following the meeting the Officer has reviewed the 'Pupil Place Plan 2016 – 2020'.

2.13 The Officer advises that the number of children forecasted from this development were included in the *Pupil Place Plan* and advises that the S106 contributions could be used towards the new Harris Mayflower Academy School which is under construction in Chafford Hundred or the Thameside School in Little Thurrock (both of which are in the identified schools planning area). The Education Officer advises that the contribution would be most appropriately added to the new Harris Mayflower Academy.

2.14 The closest school, Belmont Academy, is unlikely to be expanded due to highways issues with regards to congestion on Parker Road.

2.15 The proposed pupil numbers arising from this development have therefore been built in to Council forecasts for education provision and can be accommodated in schools within relative proximity to the site.

2.16 Accordingly, given there is planned growth and the development proposes funding to support this growth it is not considered that an objection on the basis of education provision could be substantiated or defended on appeal.

2.17 PROPOSED REASON 3 – PROVISION OF AFFORDABLE HOUSING

The percentage of affordable housing was felt to be too low.

2.18 Core Strategy Policy CSTP2 (The Provision of Affordable Housing) seeks the provision of 35% of the total number of units 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

Further, the wording of the policy identifies that the majority of the land identified in the Local Plan for housing is Previously Developed Land which is often subject to a variety of constraints and that the ability of a site to deliver Affordable Housing that can be supported financially will be determined by open book economic viability assessments.

- 2.19 The application is accompanied by such an assessment, which initially indicated that the site could deliver only 10% of the properties as affordable housing. The Council's independent viability assessor considered that the properties on the site may achieve a greater value than the original assumptions and accordingly the amount of affordable housing offered was increased to 16% via negotiation on the basis of the tenure requirements and mix as put forward by the Council's Housing Officer (this mix was 70% affordable rented and 30% intermediate tenure).
- 2.20 The approved mix comprised 20 affordable rented units and 9 intermediate dwellings comprising 3 x 1 bed flats, 8 x 2 bed flats, 15 x 2 bed houses and 3 x 3 bed houses.
- 2.21 Following Members' discussions at Committee the applicant has looked at the mix of units and has indicated that by changing the mix of units and varying the tenure type (to 60% affordable rented and 40% intermediate tenure) they can increase the number of units by 3, to a total of 32 units (17%).
- 2.22 The proposed mix would therefore be 3 x 1 bed flats, 8 x 2 bed flats, 17 x 2 bed houses and 4 x 3 bed houses.
- 2.23 The costs of providing affordable rented units is higher than intermediate units and accordingly, additional units can be provided where less rented units are provided. The Housing Officer has reviewed the offer and raises no objections to the change in number of units of mix provided.
- 2.24 Although the proposed development cannot support a full policy compliant affordable housing offer the applicant, has listened to Members concerns and increased the level of units to be provided across the site.
- 2.25 Given that requiring the scheme to provide a full complement of affordable housing would render it unviable and undevelopable, it is not considered that a reason for refusal on these grounds could be justified or defended on appeal.

5.0 CONCLUSION

- 5.1 In light of the above, the application remains recommended for approval as detailed in the attached report, subject to amended wording in the Section 106 Agreement requiring the submission of details for the creation of a lay-by on the London Road frontage, subject to such proposal being agreed through the Highways Section 278 process.

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<p>Ward: Grays Riverside</p>	<p>Proposal: 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.</p>

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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 an 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

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)¹

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)³
- CSTP19 (Biodiversity)
- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)²
- CSTP24 (Heritage Assets and the Historic Environment)
- CSTP25 (Addressing Climate Change)²
- CSTP26 (Renewable or Low-Carbon Energy Generation)²

- CSTP27 (Management and Reduction of Flood Risk)²

Policies for the Management of Development:

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

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

5.5 Focused Review of the LDF Core Strategy (2014)

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

5.6 Draft Site Specific Allocations and Policies DPD

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

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

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

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

6.0 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 issues 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

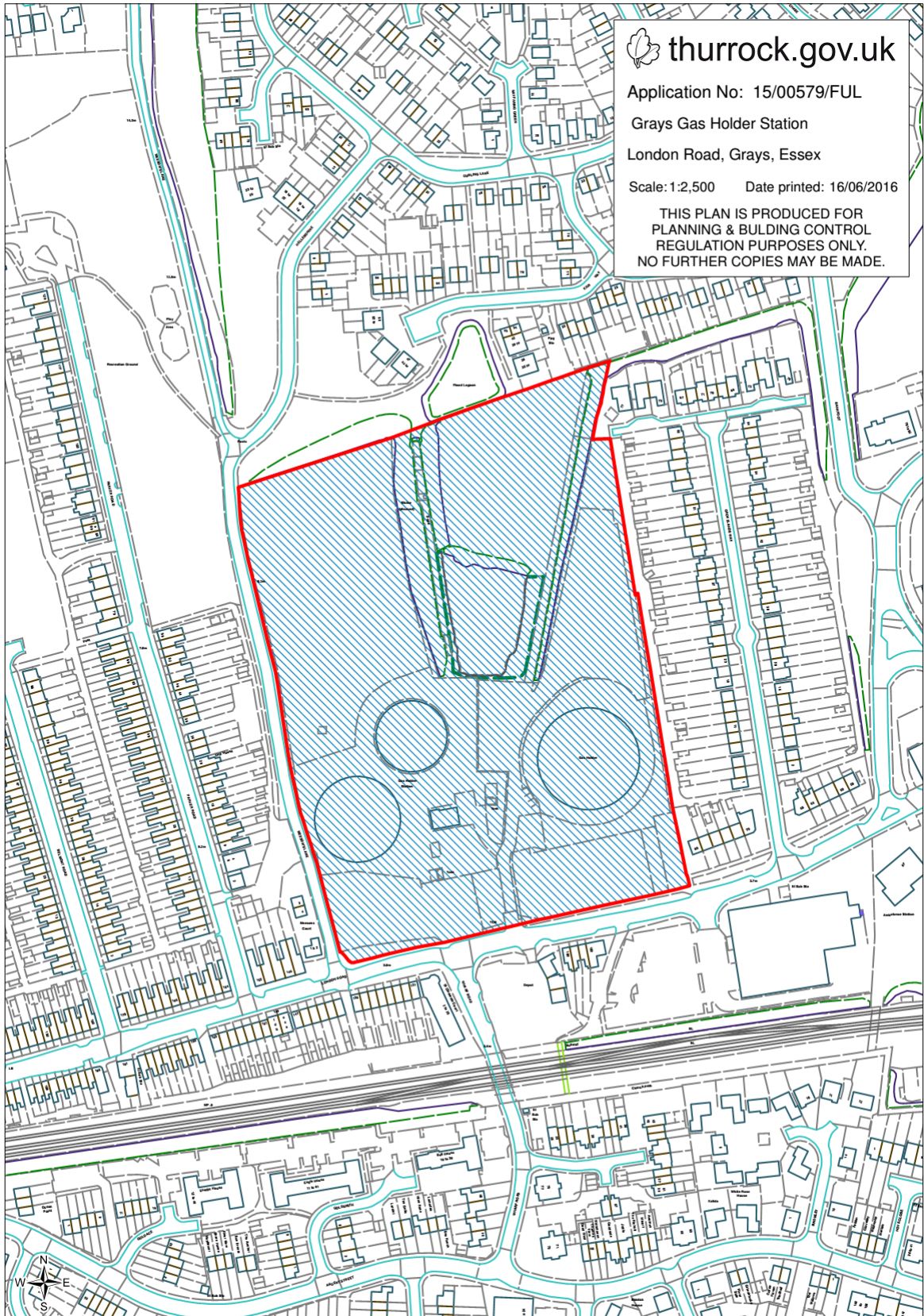
49. None of the dwellings hereby permitted shall be occupied until such time as Hazardous Substances Consent: 02/00788/HSC has been formally revoked.

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



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Reference: 16/00458/FUL	Site: Treetops School Dell Road Grays Essex RM17 5JT
Ward: Grays Thurrock	Proposal: 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.

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.P16	Proposed Site Layout	27 th June 2016
14.042.104 P4	Landscaping	27 th June 2016
14.042.107 P5	Drawing	27 th June 2016
14.042.110 P1	Drawing	22 nd June 2016
400 P1	Proposed Elevations	22 nd June 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 / ALT	Proposed Plans	7 th July 2016
14.042.310	Proposed Plans	6th April 2016
14.042.102.P4	Drawing	27 th June 2016
14.042.103.P4	Drawing	24 th June 2016
14.042.106.P4	Parking Block Plan	24 th June 2016
14.042.108.P4	Drawing	24 th June 2016

14.042.111.P4	Drawing	24 th June 2016
14.042.300M4(3)	Proposed Plans	7 th June 2016
14.042.302 M4(2) P1	Proposed Plans	14 th June 2016
14.042.303 M4(2) P1	Proposed Plans	14 th June 2016
14.042.315	Proposed Plans	6 th April 2016
14.042.319	Proposed Plans	6 th April 2016
14.042.305-M4(3)	Proposed Plans	7 th June 2016
14.042.309-M4(2)	Proposed Plans	14 th June 2016
14.042/sk 100	F – Social 550 alternative windows	
Recommendation: Approve, subject to conditions and legal agreement		

1.0 BACKGROUND

- 1.1 Consideration of this application was deferred at the 30th June Planning Committee meeting to enable a site visit to take place. Members visited the site on 13th July 2016.
- 1.2 A copy of the report presented to the 30th June meeting is attached.
- 1.3 The application remains recommended for approval as detailed in the attached report subject to the revised conditions set out at the end of this update report.

2.0 UPDATE – HIGHWAYS ACCESS ALONG DELL ROAD

- 2.1 At the site visit Members were shown the existing section of Dell Road that is proposed to be widened and the location of the proposed new access to the northern part of site.
- 2.2 The applicant has also provided new plans to clearly show the proposed area where Dell Road would be widened. These will be presented to Members at the meeting.

3.0 UPDATE – IMPACT OF APARTMENT BLOCKS ON NEIGHBOURS

- 3.1 At the meeting on 30th June a further issue raised by Members was the impact on the surrounding area resulting from the provision of the higher apartment blocks. As detailed in the original report, the higher buildings are proposed to be located towards the centre of the site where they are distant from neighbouring properties.
- 3.2 In addition, due to the contours of the land, the properties on Woodward Close are significantly higher than the ground level of the apartment blocks. The applicant has provided plans showing additional sections through and across the site which show that the fourth floor of the closest apartment blocks will be level with highest point of the ridge of the closest property at No 30 Woodward Close, which is a bungalow.

The closest apartment block would be at a distance of 30m (100ft) from the properties on Woodward Close, the other block would be more distant. The Annexe of the 1997 Local Plan indicates that back to back distances should be a minimum of 20m. These plans will be presented to Members at the meeting.

- 3.3 This distance, combined with fencing and landscaping on the boundary, would ensure that there is no adverse impact on the amenities of the adjoining neighbours by reason of the mass and bulk of the apartment building.
- 3.4 Furthermore, the applicant has amended the internal layout of the apartments on the fourth floor by removing windows serving primary rooms (these windows will now be provided on the southern elevation looking into the site) and by obscure glazing remaining windows which would serve kitchen areas.

4.0 RECOMMENDATION

- 4.1 The updates above necessitate various changes to conditions. Subject to those changes (revised schedule set out below) and the completion of a legal agreement, the application remains recommended for approval.

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
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14.042.101	Location Plan	6th April 2016
14.042.100.P16	Proposed Site Layout	27 th June 2016
14.042.104 P4	Landscaping	27 th June 2016
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14.042.308 / ALT	Proposed Plans	7 th July 2016
14.042.310	Proposed Plans	6 th April 2016
14.042.102.P4	Drawing	27 th June 2016
14.042.103.P4	Drawing	24 th June 2016
14.042.106.P4	Parking Block Plan	24 th June 2016
14.042.108.P4	Drawing	24 th June 2016
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14.042.315	Proposed Plans	6 th April 2016
14.042.319	Proposed Plans	6 th April 2016
14.042.305-M4(3)	Proposed Plans	7 th June 2016
14.042.309-M4(2)	Proposed Plans	14 th June 2016
14.042/sk 100	F – Social 550 alternative windows	

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 P2, "Materials Plan" dated 24.06.2016 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

- 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. None of the dwellings hereby permitted shall be occupied 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)

8. 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

9. All trees, shrubs and hedgerows to be retained on the site shall be protected by chestnut paling fencing, or Heras fencing) as detailed in the submitted Arboricultural Method Statement 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

10. The boundary treatments on the site shall be completed in accordance with the details shown on plan 14.042.107 P5, "Boundary Treatment Plan", dated 27.06.2016 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].

Woodland Management (L&EO)

11. 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].

Contaminated Land (Accordance with known details)

12. 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)

13. 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

14. 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 Management Plan (CMP)

- 15. 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 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).

Lifetime Homes

- 16. Unless otherwise agreed in writing by the local planning authority, the dwellings on the site shall meet part M4(2) of the Building Regulations.

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. The development hereby permitted shall be carried out in accordance with the details contained in the archaeology report Evaluation Report HH1 and Treetops Report v1 QUEST report HH01.

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

Bin Storage

18. The bin stores to serve the residential development shall be carried out in accordance with the details submitted in plan No 14.042/102 P5. 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 in accordance with Policy PMD2 of the Core Strategy 2011 and Core Strategy Focused Review 2015 .

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 in accordance with Policy PMD2 of the Core Strategy 2011 and Core Strategy Focused Review 2015

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 for 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 in accordance with the details submitted to 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 in accordance with Policy PMD2 of the Core Strategy 2011 and Core Strategy Focused Review 2015.

Details of Improvements to Dell Road

24. Prior to the first occupation 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 and Core Strategy Focused Review 2015.

Speed Reduction Measures and Sight Splays on Dell Road

25. Prior to the first occupation of the development 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 and Core Strategy Focused Review 2015.

Revised Parking Layout

26. The parking layout shall be provided in accordance with the details shown on plan No 14.042/106 P7. 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 and Core Strategy Focused Review 2015.

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 and Core Strategy Focused Review 2015.

Cycle Parking

28. Provision shall be made for 1 secure 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].

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<p>Reference: 16/00458/FUL</p>	<p>Site: Treetops School Dell Road Grays Essex RM17 5JT</p>
<p>Ward: Grays Thurrock</p>	<p>Proposal: 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.</p>

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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
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14.042.301	Proposed Plans	6th April 2016
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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
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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"> - Design and Access Statement - Arboricultural Survey - Flood Risk Assessment - Construction Management Plan - Transport Statement - Planning Statement - Heritage Assessment 	
<p>Applicant: Mr Paul Edwards</p>	<p>Validated: 8 April 2016 Date of expiry: 8 July 2016</p>
<p>Recommendation: 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-bedoorm 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

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; **Page 77**

- 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)¹

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)³
- CSTP19 (Biodiversity)
- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)²
- CSTP24 (Heritage Assets and the Historic Environment)
- CSTP25 (Addressing Climate Change)²
- CSTP26 (Renewable or Low-Carbon Energy Generation)²
- CSTP27 (Management and Reduction of Flood Risk)²

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²

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

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

5.5 Focused Review of the LDF Core Strategy (2014)

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. 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 CO₂ 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)

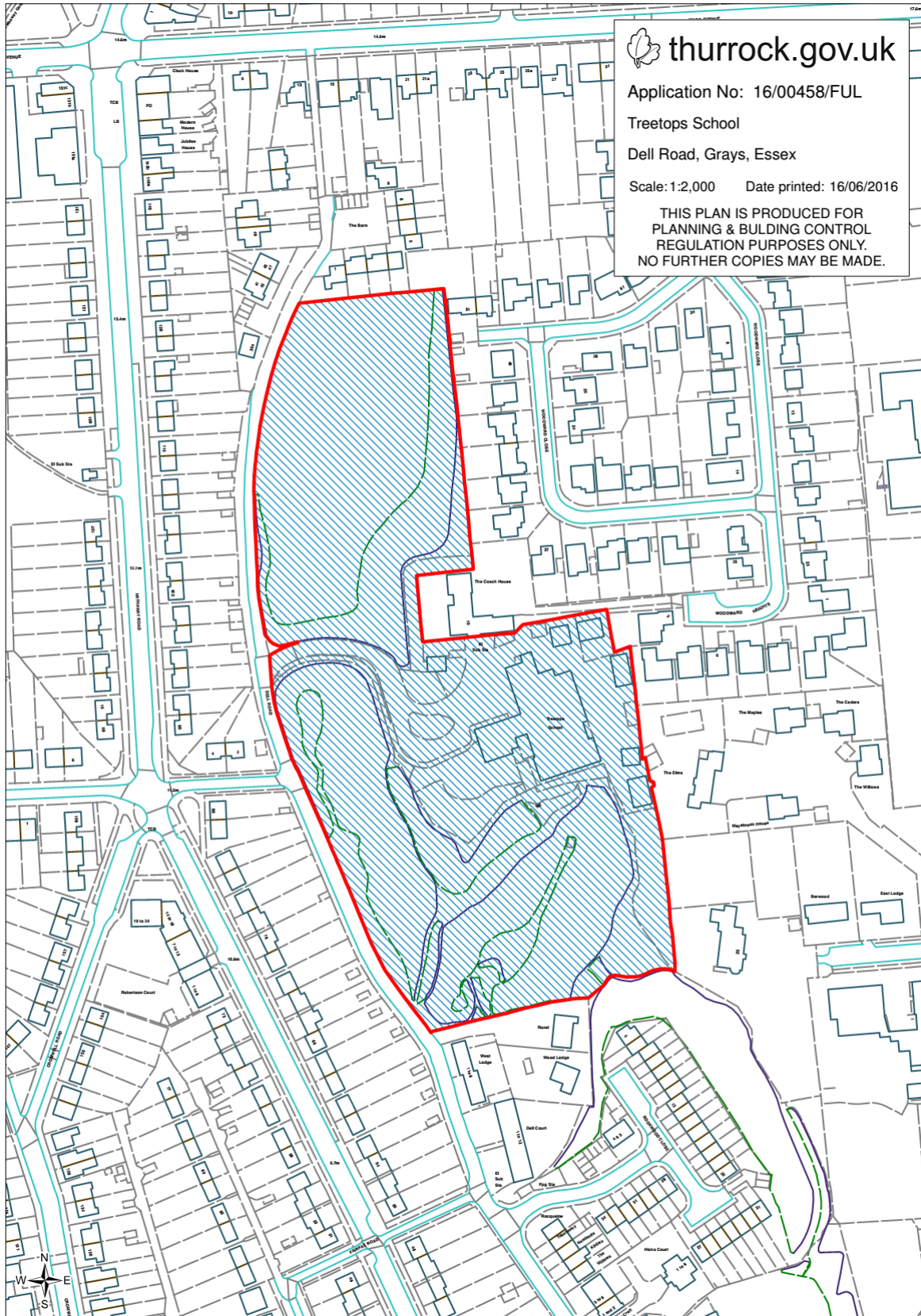
Any works, which are required within the limits of the highway reserve, require the permission of the Highway Authority and must be carried out under the supervision of that Authority's staff. The Applicant is therefore advised to contact the Authority at the address shown below before undertaking such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



 **thurrock.gov.uk**
Application No: 16/00458/FUL
Treetops School
Dell Road, Grays, Essex
Scale: 1:2,000 Date printed: 16/06/2016
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