

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 **25 August 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, Terry Piccolo 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, and Graham Snell

Agenda

Open to Public and Press

	Page
1 Apologies for Absence	
2 Minutes	5 - 8
To approve as a correct record the minutes of the Planning Committee meeting held on 28 July 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 9 - 12

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 16/00729/OUT - Land Adjacent Martins Farmhouse, Church Lane, Bulphan, Essex 13 - 28

9 16/00271/FUL - Barn To North East Of St Cleres Hall, Stanford Road, Stanford Le Hope, Essex, SS17 0LX 29 - 44

10 16/00630/REM - Pieris Place, Brentwood Road, Bulphan, Essex, RM14 3TL 45 - 58

11 16/00434/CV - Bruyns Court, Derry Avenue, South Ockendon, Essex 59 - 70

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: **17 August 2016**

Information for members of the public and councillors

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- Access the modern.gov app
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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

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

Helpful Reminders for Members

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

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

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



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

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

Disclosable Pecuniary Interests shall include your interests or those of:

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

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

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

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

Pecuniary

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

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

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

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

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

Non- pecuniary

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



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

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

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

1. Create a great place for learning and opportunity

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

2. Encourage and promote job creation and economic prosperity

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

3. Build pride, responsibility and respect

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

4. Improve health and well-being

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

5. Promote and protect our clean and green environment

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

Minutes of the Meeting of the Planning Committee held on 28 July 2016 at 6.00 pm

Present: Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, John Kent, Tunde Ojetola, David Potter and Terry Piccolo

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillors Steve Liddiard and Gerard Rice

In attendance: Andrew Millard, Head of Planning & Growth
Matthew Ford, Principal Highways Engineer
Jonathan Keen, Principal Planner
Leigh Nicholson, Development Management Team Leader
Janet Clark, Strategic Lead Operational, Resources and Libraries Unit
Jessica Feeney, Senior Democratic Services Officer

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

25. Minutes

The minutes of the Planning Committee held on the 30 June 2016 were approved as a correct record.

26. Item of Urgent Business

There were no items of urgent business.

27. Declaration of Interests

There were no declarations of interest.

28. 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 the whole committee received correspondence related to application 15/00579/FUL and 16/00458/FUL.

Councillor Kent received correspondence related to application 16/00458/FUL, as a resident attended his surgery.

29. Planning Appeals

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

RESOLVED:

The report was noted.

30. 15/00579/FUL - Grays Gas Holder Station London Road Grays Essex RM17 5YB

Application 15/00579/FUL was deferred from the Planning Committee on the 30 June 2016.

The Principal Planning Officer provided an update for Members with the following information presented:

- The same number of dwellings were proposed, although an additional 3 dwellings were proposed to be affordable homes.
- Improvements to the public highway were being proposed, Members were informed that the developer was proposing to move the bus stop from its previous location at the west of Meesons Lane to land to the eastern side of the proposed site access which would allow 2 buses to stop off the public highway so vehicles on London Road could continue to move freely
- The school pupil numbers arising from the development had been planned for and school provision would be available at the new Mayflower Harris Academy and/or the Thameside Academy.

Councillor Ojetola questioned if school transport would be provided for children living in the development to attend the Mayflower Academy and Thameside Academy. The Strategic Lead Operational, Resources and Libraries Unit explained that there will be a school bus for the pupils living within the new development.

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

For: Councillors Tom Kelly, Kevin Wheeler, Chris Baker, Tunde Ojetola and David Potter.

Against: Councillor John Kent

Abstain: (0)

RESOLVED:

That the application be approved.

31. 16/00458/FUL - Treetops School Dell Road Grays Essex RM17 5JT

The Committee was informed that the application was deferred at the 30 June 2016 Planning Committee to enable Members to visit the site. The site visit took place on Wednesday 13 July 2016. Members were informed that the application remained recommended for approval subject to revised conditions.

The Principal Planner informed the committee that the applicant had provided additional plans which included:

- Sections through the site showing the levels of the new dwellings and the properties on Woodward Close and Hathaway Road
- Improved details showing the new access to the northern part of the site
- Amended layout of the fourth floor flats which removed a habitable window looking towards Woodward Close and included an obscure glazed window as a replacement for another window – the result would be no overlooking of Woodward Close.

Discussion related to HGV access to the site during construction, Officers advised that a Management Plan would restrict the routing of larger vehicles to the site and that the hours of HGV movements could be restricted to times outside of school hours.

Councillor Ojetola questioned what would be the consequences if the restriction was not adhered to. Members were informed by the Planning Lawyer that breaching the restrictions could lead to financial penalties and the possibility of a criminal record.

Councillor Kent highlighted his concerns to the committee stating that Dell Road was a dangerous road for the public at this current time. He considered that the proposed dwellings were out of character in comparison to the surrounding area.

Councillor Baker stated that he had received many complaints relating to the developers of the proposed application and their bathroom and kitchen fittings at other properties in the Borough. The Head of Planning and Growth explained that this was not a material planning ground to refuse an application.

Councillor Ojetola queried if there would be a difference in transport movements on the site compared to when it was a school. Members were informed that Treetops was a specialised school therefore did not have as many students, although it was highlighted that a transport assessment revealed that the new development would not cause a significant increase in traffic.

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

For: Councillors Tom Kelly, Kevin Wheeler, Tunde Ojetola and David Potter.

Against: John Kent

Abstain: Chris Baker

RESOLVED:

That the application be approved.

The meeting finished at 7.05 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

25 August 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

2.0 Introduction and Background

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

3.0 Appeals Lodged:

3.1 Application No: 15/00093/CWKS

Location: Woodside, Kirkham Road, Horndon On The Hill

Proposal: Dwelling has doubled in size without the benefit of planning permission

4.0 Appeals Decisions:

4.1 The following appeal decisions have been received: None.

5.0 Forthcoming public inquiry and hearing dates:

5.1 The following inquiry and hearing dates have been arranged: None.

6.0 APPEAL PERFORMANCE:

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

	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%

7.0 Consultation (including overview and scrutiny, if applicable)

7.1 N/A

8.0 Impact on corporate policies, priorities, performance and community impact

8.1 This report is for information only.

9.0 Implications

9.1 Financial

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

There are no direct financial implications to this report.

9.2 Legal

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

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

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

9.3 **Diversity and Equality**

Implications verified by: **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 Team Leader

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Agenda Item 8

Planning Committee 25.08.2016

Application Reference: 16/00729/OUT

Reference: 16/00729/OUT	Site: Land Adjacent Martins Farmhouse Church Lane Bulphan Essex
Ward: Orsett	Proposal: Development of 52 assisted living apartments (in 4 blocks) with cafe/restaurant facilities, separate building housing convenience store and doctors surgery with living accommodation above, separate dwelling for doctor, separate building for changing rooms/ club room with outdoor sports pitch and ancillary parking and landscaping with two access points to Church Lane (Outline application with all matters reserved)

Plan Number(s):		
Reference	Name	Received
112	Location Plan	23rd May 2016
113	Block Plan	23rd May 2016
114	Floor Layout	23rd May 2016
115	Elevations	23rd May 2016
116	Elevations	23rd May 2016

The application is also accompanied by:	
<ul style="list-style-type: none"> - Design and Access Statement - Flood Risk Assessment - Planning Statement 	
Applicant: Mr D. MacDonald	Validated: 30 June 2016 Date of expiry: 29 September 2016
Recommendation: To Refuse	

The application has been scheduled for determination by the Council's Planning Committee because a recent proposal for a similar development on the same site was considered by Members.

1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks planning permission for the development of the site for a 52 assisted living units and associated development. The application has been submitted Page 13 form, with all matters reserved.

1.2 The indicative plans submitted with the application illustrate the following parameters:

- Two access from Church Lane [one to the northern end of the site and one in the centre of the site];
- Assisted living units within four blocks; two separate from one another and two linked by a single storey building;
- A detached building providing a convenience store ground floor level and a doctors surgery with a separate flat at first floor level;
- A detached dwellinghouse to provide accommodation for a doctor;
- A detached building providing changing facilities and clubroom for outdoor sports;
- A sports pitch to provide an all-weather surface for hockey, football and tennis;
- 44 dedicated car parking for the clubhouse building, 10 spaces for the shop / doctors surgery and 50 spaces for the residential element of the development.

2.0 SITE DESCRIPTION

2.1 The application site is an approximately L -shaped area of land on the eastern side of Church Lane, close to where it joins Parkers Farm Road.

2.2 The site lies to the south of Martin’s Farm. The site lies outside of the village of Bulphan on an agricultural field. The site is in the Green Belt.

3.0 RELEVANT HISTORY

Reference	Description	Decision
60/00297/FUL	Residential	Refused
68/00042/FUL	House, Garages	Refused
14/01063/FUL	Erection of 5 dwellings	Refused
15/00092/OUT	Erection of 50 bed care home (Outline application with matters of Access, Appearance, Layout and Scale being sought)	Refused

4.0 CONSULTATIONS AND REPRESENTATIONS

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

www.thurrock.gov.uk/planning

4.2 This application has been advertised by way of individual notification letters and the display of public site notices. A press notice has also been publicised. At the time of drafting this report, ten responses had been received objecting to the proposals on the following grounds:

- MUGA facilities already exist in the village;
- A new shop is already to be provided in the village;
- Principle of development in the Green Belt;
- Not a suitable road for development;
- Not an appropriate location for such a development;
- Noise pollution and access during construction;
- Increased noise activity when constructed;
- Development is outside the village envelope;
- Impact of vehicle movements on the village;
- Lack of suitable public transport;
- The site is in close proximity to Thurrock Airfield;
- The application is for outline consent only and the eventual type and density if therefore unknown;
- Parkers Farm Road is very narrow and is used, especially by cyclists;
- Site is on a flood plain.

A letter from the local Ward Councillor has also been received making the following comments:

- Site is Green Belt;
- Development will be visible across the fields to Orsett;
- There is already an approved scheme for village shop;
- The site is down a narrow country road;
- Access for emergency services would be difficult;
- An isolated location for assisted living units;
- Extra traffic movements associated;
- Will destroy the street scene and the ambience of Bulphan;
- Height of the buildings is too great.

One letter of support has been received raising no objections provided that the Council are satisfied the road is adequate to handle the extra volumes of traffic.

ENVIRONMENT AGENCY:

4.3 No objections.

ENVIRONMENTAL HEALTH:

4.4 No objections (conditions recommended).

FLOOD RISK MANAGER:

4.5 Objection (lack of detailed information).

HIGHWAYS:

4.6 Objection (principle and detailed reasons for refusal).

LANDSCAPE AND ECOLOGY OFFICER:

4.7 Objection (landscape impact).

HEALTH AND WELLBEING GROUP:

4.8 No reason to support the proposals.

NHS ENGLAND:

4.9 No objections (subject to developer contributions)

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework

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

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

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

- 4. Promoting sustainable transport
- 7. Requiring good design
- 8. Promoting healthy communities
- 9. Protecting Green Belt land
- 10. Meeting the challenge of climate change, flooding and coastal change
- 11. Conserving and enhancing the natural environment

5.4 Detailed below are in an extracts from the NPPF with regards to housing need and Green Belt Policy;

5.5 'Do housing and economic needs override constraints on the use of land, such as Green Belt?

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

The Framework is clear that local planning authorities should, through their Local Plans, meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when

assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies include those relating to sites protected under the Birds and Habitats Directives, and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park or the Broads; designated heritage assets; and locations at risk of flooding or coastal erosion.

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

5.6 Planning Practice Guidance (PPG)

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

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

5.7 Local Planning Policy

Thurrock Local Development Framework

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

SPATIAL POLICIES

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

THEMATIC POLICIES

- CSTP1: Strategic Housing Provision
- CSTP22: Thurrock Design

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

POLICIES FOR MANAGEMENT OF DEVELOPMENT

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

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

5.8 Focused Review of the LDF Core Strategy

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

5.9 Draft Site Specific Allocations and Policies DPD

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

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

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

6. ASSESSMENT

PROCEDURAL MATTERS

With reference to process, this application has been advertised as being a major development and as a departure from the Development Plan. Any resolution to grant planning permission would need to be referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009 with regard to the proposed quantum of development within the Green Belt. The Direction allows the Secretary of State a period of 21 days (unless extended by direction) within which to 'call-in' the application for determination via a public inquiry. In reaching a decision as to whether to call-in an application, the Secretary of State will be guided by the published policy for calling-in planning applications and relevant planning policies.

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

- I. Plan designation and principle of development
- II. Harm to Green Belt and other harm
- III. Whether the harm to the Green Belt, and any other harm is clearly outweighed by other considerations, so as to amount to very special circumstances
- IV. Highways and access
- V. Design and layout, relationship of development with surroundings and amenity impacts
- VI. Flood and drainage

I. PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

6.2 The application site is located within the Green Belt. Policy PMD6 applies and states that permission will not be given, except in very special circumstances, for the construction of new buildings, or for the change of use

of land or the re-use of buildings unless it meets the requirements and objectives of National Government Guidance. Paragraph 89 of the NPPF states that *'a local planning authority should regard the construction of new buildings as inappropriate in Green Belt'*. The NPPF sets out a limited number of exceptions however the construction of an assisted living scheme and associated development does not fall into any of the exceptions. Consequently it is a straightforward matter to conclude that the proposal constitute inappropriate development in the Green Belt.

- 6.3 Paragraph 87 of the NPPF states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 88 goes on to state *'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'*.

II. HARM TO GREEN BELT AND 'OTHER' HARM

- 6.4 Having established that the proposal constitutes inappropriate development in the Green Belt, it is necessary to consider the matter of harm. Inappropriate development is, by definition, harmful to the Green Belt, but it is also necessary to consider whether there is any other harm to the Green Belt and the purposes of including land therein.
- 6.5 At paragraph 79, the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 6.6 With regards the impact on openness, the proposals would comprise a substantial amount of new building in an area which is entirely free from built development. It is considered that the amount and scale of development proposed would considerably reduce the openness of the site. It is considered that the loss of openness, which is contrary to the NPPF, should be accorded significant weight in consideration of this application.
- 6.7 Paragraph 80 of the NPPF sets out five purposes which the Green Belt serves:
- i. to check the unrestricted sprawl of large built-up areas;
 - ii. to prevent neighbouring towns from merging into one another;
 - iii. to assist in safeguarding the countryside from encroachment;
 - iv. to preserve the setting and special character of historic towns; and
 - v. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.8 It is considered that the development proposed would be contrary to purposes (iii), and (v) detailed at paragraph 80 of the NPPF. In addition, there would be substantial harm by reason of loss of openness.

III. WHETHER THE HARM TO THE GREEN BELT, AND ANY OTHER HARM IS CLEARLY OUTWEIGHED BY OTHER CONSIDERATIONS, SO AS TO AMOUNT TO VERY SPECIAL CIRCUMSTANCES

6.9 The Planning Statement submitted with the application contains the applicant's case in favour of the proposed development. The applicant sets out the following in support of the proposals:

- (i) The significant need for older persons housing which is not provided for elsewhere in the Borough;
- (ii) The design is simple and with a simple pallet of materials and large areas of landscaping.

6.10 The matters are analysed below:

(i) The significant need for older persons housing which is not provided for elsewhere in the Borough;

6.11 The Council's Health and Wellbeing Housing and Planning Advisory Group (HWBHPAG) advise that the site is relatively isolated and given the availability of land to meet the housing needs of older adults elsewhere in the Borough there is no reason to support the development of the site for this purpose. Accordingly, in the absence a demonstrable need for this type of development in this location, this factor can be attributed very little weight in favour of the development.

(ii) The design is simple and with a simple pallet of materials and large areas of landscaping

6.12 The buildings housing the assisted living units are bulky and dominate the centre of the site. The design of the buildings is monotonous and unduly 'urban' in design terms, failing to reflect the rural character of the wider location. In addition, large areas of the site are shown to be laid out for parking and hard surfacing. This provides no weight in favour of the development.

6.13 In conclusion under this heading, the development of the site constitutes inappropriate Green Belt development. The development is therefore harmful by definition and substantial weight should be attributed in this regard. The matters put forward by the applicant do not clearly outweigh the harm that would be caused and as such do not represent very special circumstances. As such, it is considered that the proposal is contrary to PMD6 of the Core Strategy and guidance contained in the NPPF and PPG.

IV. HIGHWAYS AND ACCESS

6.14 Parkers Farm Road is categorised as a Level 2 Rural Road where an intensification of use would normally only be accepted for small scale uses, permissible within the Green Belt. In addition, the road is a typical country lane, with no designated footpaths on either side of the road. The road edge is defined by the highway verge or hedgerow on both sides of the road. The road

is primarily used by agricultural vehicles.

- 6.15 The Council's Highway officer objects to the principle of intensifying the use of the central access of the site and the provision of a new access to the northern side of the site. The proposal is considered to be contrary to LDF CS Policy PMD9 in this regard.
- 6.16 The proposed northern access is adjacent to Martins Farm and visibility to the north is limited. This land lies outside of the control of the applicant and the Council's Highway Officer is not satisfied that appropriate visibility splays could be achieved. The applicant has failed to demonstrate how access could be safely achieved, contrary to LDF CS Policy PMD2. In addition the HWBHPAG have raised concern that residents would be reliant upon the private motor car, there being no footpaths to support or encourage pedestrian trips.
- 6.17 Finally, the application proposes facilities [such as a doctor's surgery, shop and clubhouse] which would attract visitors from the wider area, potentially resulting in high volumes of traffic. The applicant has not detailed the number of employees expected on the site or taken into account the potential for the increased trips associated with visitors. As the application does not detail the number of staff members it is not possible to indicate whether adequate parking provision is being made on site. Accordingly the proposal also fails to comply with highways requirements on the basis of a lack of information relating to staff numbers, contrary to LDF CS Policy PMD8.

V. DESIGN, LAYOUT, RELATIONSHIP OF DEVELOPMENT WITH SURROUNDINGS AND AMENITY IMPACTS

- 6.18 LDF CS Policy PMD2 requires that all design proposals should respond to the sensitivity of the site and its surroundings and must contribute positively to the character of the area in which it is proposed and should seek to contribute positively to local views, townscape, heritage assets and natural features and contribute to the creation of a positive sense of place.
- 6.19 LDF CS Policy CSTP22 of the Core Strategy indicates that development proposals must demonstrate high quality design founded on a thorough understanding of, and positive response to, the local context.
- 6.20 Section 7 of the NPPF sets out the need for new development to deliver good design. Paragraph 57 specifies that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic consideration.
- 6.21 The application has been submitted in outline form with all matters reserved; however it is important nonetheless to consider the design and layout parameter plans accompanying the application. The 4 main buildings proposed for the assisted living apartments are two storey blocks. These are proposed to be located more to less within the centre of the site, two running north to south and two running east to west. The illustrative plans suggest a design that is of a style more normally associated with regimented design forms found in urban

areas. The design and appearance of these buildings is therefore considered to be wholly unacceptable for the proposed location. In addition the single storey link between two of the main buildings is poorly articulated.

- 6.22 Illustrative design details for the other buildings have not been provided, other than indications of the storey heights of these buildings. No specific comments are therefore raised on the design of these buildings.
- 6.23 The Council's Landscape Advisor has been consulted on the proposal. He notes that the whole field is bounded by hedges but that they are not in a good condition and provide little screening across the site. He further advises that the site lies within the Bulphan Fenlands landscape character area which is defined in the Thurrock Landscape Capacity Study as an open and exposed rural landscape. The Advisor warns that there would be little opportunity to mitigate the visual impacts of the scheme due to the location of the buildings and their extent, orientation, layout and location within the site. The Bulphan Fenlands would be significantly adversely impacted upon by development of this size and design.
- 6.24 Accordingly, it is considered that the development would have a significant adverse impact on the local landscape character.

VI. FLOOD AND DRAINAGE

- 6.25 LDF CS Policy PMD15 relates to flood risk and indicates that the management of flood risk should be considered at all stages of the planning process. The policy also states that in accordance with the Water Resources Act 1991 the prior written consent of the Environment Agency will be required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated main river.
- 6.26 The site lies within Flood Risk Zone 2. In addition the site lies adjacent to a watercourse. The Council's Flood Risk Manager indicates that the applicant has failed to provide adequate details of a surface water strategy in their submitted Flood Risk Assessment as required by the NPPF. Accordingly, at this time the Council cannot be satisfied that a suitable solution drainage solution exists and that the proposal would be able to mitigate its impact on the local area or that existing surface water issues have been fully considered.
- 6.27 The proposal is therefore contrary to Policy PMD15 as the Council cannot be satisfied at this time that the proposal would not lead to increased flooding of the area.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The proposals would comprise a substantial amount of new building on a rural site which is entirely free from built development. The development proposed does not fall within any of the exceptions set out in Policy PMD6 or the NPPF and as a consequence, the proposal constitutes inappropriate development in the Green Belt, which is harmful by definition. The loss of openness, which is contrary to the NPPF, should be afforded significant weight in consideration of this application.

- 7.2 Having established the nature and extent of the harm to the Green Belt the key consideration is whether this harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the inappropriate development. In this case, the applicant has promoted a number of considerations which have been considered in detail above. In light of the analysis contained within this report it is concluded that the benefits of the scheme do not clearly outweigh the harm that would be caused.
- 7.3 Furthermore, the proposal raises concern in relation to highways safety due to the formation of a number of new accesses, contrary to Policy PMD9 of the Core Strategy. Furthermore, the site lies within Flood Risk Zone 2 and the site is at high risk of flooding due to the adjacent watercourse. The applicant has failed to address how the risk of flooding from this source would be mitigated or how site drainage and run off would be managed. The proposal is contrary to Policy PMD15 in this regard.
- 7.4 Additionally, the development would have a significant adverse impact upon the Bulphan Fenlands, contrary to Policy PMD2 and CSTP22.
- 7.5 There is also concern in relation to scale, design and overall appearance of the development which fails to meet the high standards of design that would be required and the impact of the large structures on the character and appearance of the area.

8.0 RECOMMENDATION

To Refuse for the following reasons:

Reason(s):

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

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

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

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

- 2 Policy PMD9 of the Thurrock Local Development Framework Core Strategy states that the Council will only permit the development of new vehicular accesses or increased use of existing accesses onto the road network where, amongst other things, there is no possibility of a safe access being taken from an existing or lower category road, the development minimises the number of accesses required and the development makes a positive contribution to road safety or road safety is not prejudiced. Development onto Level 2 Rural Road will only be permitted where they are small scale developments that are permissible in the Green Belt.

Policy PMD2 of the Thurrock Local Development Framework Core Strategy indicates that all development should allow safe and easy access while meeting appropriate standards.

Policy PMD8 requires off street parking to be provided to meet the Council's standards.

The intensified use of an access onto Parkers Farm Road is objectionable in principle as it does not make a positive contribution to road safety; and the provision of a new access is also considered unacceptable; the proposal is contrary to Policy PMD9 in this regard.

The proposed northern access is adjacent to Martins Farm and visibility to the north is limited. This land lies outside of the control of the applicant and the Council is not satisfied that appropriate visibility splays could be achieved. The applicant has failed to demonstrate how access could be safely achieved via either access and the proposal is contrary to Policy PMD2 in relation to appropriate design and layout.

The applicant has also failed to provide details of disabled spaces, the number of staff that would be working at the premises, or how these staff would travel to the site. Without this information the Council cannot be satisfied that the level of parking provision on the site would be acceptable. The proposal is therefore contrary to Policy PMD8 in this respect.

- 3 Policy PMD15 of the Core Strategy relates to Flood Risk and indicates that the management of flood risk should be considered at all stages of

the planning process.

The site lies within Flood Risk Zone 2 and the site is at high risk of flooding due to the adjacent watercourse. The applicant has failed to address how the risk of flooding from this source would be mitigated or how site drainage and run off would be managed. The proposal is contrary to Policy PMD15 in this regard.

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

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

Section 7 of the NPPF sets out the need for new development to deliver good design. Paragraph 57 specifies that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic consideration.

The application site lies within the Bulphan Fenlands Landscape which is characterised and defined by its open character and exposed agricultural nature.

- i) The proposed development by reason of its location within open Fenland landscape would have a significant impact on the open local landscape character. In addition, by reason of their height, location, mass and layout the proposed buildings would have significant harmful effects that could not be mitigated. Accordingly in principle, and mass and layout terms the proposal would have a harmful impact on local landscape character contrary to the above policies and guidance.
- ii) Furthermore, the indicative elevations submitted illustrate a design approach which would be wholly unacceptable for the rural location in which they would be located. Accordingly the proposal would have a detrimental impact on the character and visual amenities of the area, contrary to the above policies and guidance.

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

Reference: 16/00271/FUL	Site: Barn To North East Of St Cleres Hall Stanford Road Stanford Le Hope Essex SS17 0LX
Ward: Stanford Le Hope West	Proposal: Demolition of existing car storage building and erection of a residential terrace of 5no. three bedroom dwellings

Plan Number(s):		
Reference	Name	Received
12210-P002B	Elevations	29th February 2016
2285.D	Drawing	29th February 2016
12210-P003A	Location Plan	4th May 2016
12210-P001C	Site Layout	4th May 2016

The application is also accompanied by: <ul style="list-style-type: none"> - Design and Access Statement - Tree Survey Arboricultural Implication Assessment and Method Statement 	
Applicant: Dr M Valente	Validated: 10 March 2016 Date of expiry: 5 May 2016 (EoT until 5 September 2016)
Recommendation: Approve, subject to conditions	

This application has been Called-In for determination by the Council's Planning Committee by Councillor Hebb, Councillor Halden, Councillor Stewart, Councillor Roast and Councillor Tolson in order to assess the proposal alongside the Council's design and layout Policy PMD2.

1.0 DESCRIPTION OF PROPOSAL

1.1 The proposed development would involve the erection of a terrace of five, three-bedroom dwellings in place of the existing car storage building.

1.2 Planning approval for the erection of 14 dwellings was approved under planning

application ref. 11/50268/TTGFUL and the build is well underway. It is the applicant's intention to construct 12 of the 14 dwellings consented; the siting of the final pair of semi-detached dwellings is occupied by the existing car storage building, and remains undeveloped. This current application seeks permission to erect a terrace of five, three-bedroom dwellings in place of the existing car storage building, making a total of 17 dwellings on site.

2.0 SITE DESCRIPTION

- 2.1 The application site is situated within the Green Belt to the West of Stanford-le-Hope. The site, which is located on the south side of Stanford Road, forms part of a redundant farmyard and is currently occupied by a large car storage building. Access to the site is provided from a driveway that is shared with St Clere's Hall Golf Club. The eastern and western site boundaries are characterised by mature landscaping. The area immediately surrounding the application site forms part of the St Clere's Golf Club site and also where residential development (subject to planning approval ref. 11/50269/TTGFUL) is being constructed.
- 2.2 The site is adjoined to the East by residential development fronting London Road and the cul-de-sac of Oxford Road, and to the West by St Clere's Hall, which is a Grade II* listed building. This building was once a farmhouse but is now used as the club house for St Clere's Hall Golf Club.

3.0 RELEVANT HISTORY

Reference	Description	Decision
10/50230/TTGFUL	Erection of 14 dwellings	Withdrawn
11/50268/TTGFUL	Erection of 14 dwellings	Approved
14/00547/CONDC	Discharge of conditions 2,3,4,8,9,10,21,22 and 23 on previous planning application 11/50268/TTGFUL.	Advice Given
14/00654/CONDC	Discharge of Conditions 5, 6, 12, 15, 18 and 19 against approved planning application 11/50268/TTGFUL	Advice Given
14/01009/CV	Variation of conditions 3,4,8,10,19 and 21	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 web-site at:

www.thurrock.gov.uk/planning

4.2 PUBLICITY:

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

4.3 Three letters of representation have been received objecting to the proposal on the following grounds:

- The site is located within the Metropolitan Green Belt;
- The proposal seeks to provide 5 terraced dwellings on the site of the 2 semi-detached dwellings previously approved under 11/50265/TTGFUL;
- Potential overlooking and loss of amenity;
- Landscaping.

4.4 LANDSCAPE AND ECOLOGY:

No objections, subject to condition.

4.5 HIGHWAYS:

No objections.

4.6 ENVIRONMENTAL HEALTH:

No objections, subject to conditions.

4.7 HERITAGE:

No objection.

4.8 EDUCATION:

There will be no education contributions sought for this development as the scheme is below the threshold.

5.0 POLICY CONTEXT

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.

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

7. Requiring good design

5.2 Planning Practice Guidance (PPG)

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

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

5.3 Local Planning Policy

Thurrock Local Development Framework (2011)

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

The following Core Strategy policies apply to the proposals:

THEMATIC POLICIES

- CSSP1: Sustainable Housing and Locations
- CSSP3: Sustainable Infrastructure
- CSSP4: Sustainable Green Belt
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness
- CSTP24 - Heritage Assets and the Historic Environment

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD4 - Historic Environment
- PMD6: Development in the Green Belt
- PMD8: Parking Standards

- PMD16: Developer Contributions

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

5.4 Focused Review of the LDF Core Strategy (2014)

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

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

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

6.0 ASSESSMENT

6.1 This application has been submitted following the granting of full planning permission under reference 11/50268/TTGFUL. The main issues for consideration are as follows:

- I. Principle of Development in the Green Belt
- II. Layout and Design
- III. Amenity and Heritage Impacts
- IV. Landscaping
- V. Other Matters
- VI. Infrastructure

I. PRINCIPLE OF DEVELOPMENT IN THE GREEN BELT

- 6.2 The NPPF states that a Local Planning Authority should regard the construction of new buildings in the Green Belt as ‘inappropriate’ unless the proposal involves (amongst other things) limited infilling or the partial or complete redevelopment of previously development sites (Brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 6.3 The NPPF defines "Previously developed land" to be: *Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.*
- 6.4 The principle of the re-development of the car storage building for residential purposes has already been established by the granting of full planning permission under reference 11/50268/TTGFUL. Essentially the applicant could continue to develop the site of the car storage building to create two, semi-detached dwellings in accordance with 11/50268/TTGFUL but is seeking to develop it to create five terraced dwellings. The primary consideration here is whether the development of five terraced dwellings would have a greater impact upon the openness and rural character of the area than the consented scheme.
- 6.5 A calculation of the floor space and volume of the existing building with a comparison of the proposed development has been undertaken so that a comparison of the impact upon the Green Belt can be demonstrated.

	Area (Footprint)	Area (Space)	(Floor Volume)
Current car storage building	345 sqm	345 sqm	3,795 cubic metre
Proposed terrace of five dwellings	225 sqm	620 sqm	1,784 cubic metre
Difference between existing car storage building and proposed development	120 sqm reduction	275 sqm increase	2,011 cubic metre reduction

- 6.6 As can be viewed in the above table, whilst the proposed total floor area for the proposal would increase [a consequence of additional internal floor levels within the dwellings], the overall volume and mass of building on the site would decrease significantly. The proposal would be located on broadly the same footprint as plots 13 and 14 for the previously approved residential development. The proposed change in the design and scale of the building would be acceptable and would not appear out of character with the remainder of the development or the location.
- 6.9 In conclusion under this heading, despite increasing the number of properties, the proposed development would result in a reduction of building on the site compared with the existing situation, thereby improving the openness of the Green Belt at this point. Consequently, no objection is raised under LDF CS Policy PMD 6 or the guidance within the NPPF.

II. LAYOUT AND DESIGN

- 6.10 The additional dwellings would be positioned within the courtyard of the previously approved housing scheme. Access would be achieved through the existing access serving the wider development. The development would result in units 1-5 of the previously approved scheme having slightly smaller gardens in order to accommodate the revised car parking spaces for the current proposal. Plots 1 to 5 of the previously approved scheme would each have a reduction of 25.6 sqm of private amenity area (a total reduction of 128.12 sqm) resulting in rear garden areas ranging between 58.5 sqm to 97 sqm and with garden depths of 10 to 15m. However, the plots would continue to benefit from an adequate level of private amenity area consistent with the other properties in the wider development and would not appear out of character with the layout previously approved. This change would not be so significant as to warrant refusal as it would have minimal impact upon the overall appearance of the residential development. The Council's Highway Officer has raised no objections to the parking layout.
- 6.11 The design of the proposed terrace would feature pitched gabled roofs constructed using brick and tile with extensive sections of glazing. The applicant proposes to use the same materials as agreed for the previous approval which would be reflected in a suitable planning condition. The fenestration and fine detailing of the scheme is considered acceptable.
- 6.12 The proposed layout would be considered acceptable and would comply with LDF CS Policies PMD1, PMD2 and PMD8.

III. AMENITY AND HERITAGE IMPACTS

- 6.14 There have been three letters of objection received from neighbours primarily concerned about the loss of amenity to properties on Oxford Road to the immediate

East. The development would be positioned on the same footprint as the previously approved residential scheme and the resulting built form would be moved 8m further away from the neighbours on Oxford Road than the existing car storage building.

- 6.15 The proposed development would have bedroom and bathroom windows in the first floor rear elevations and a roof light in the rear roof slope serving an ensuite bathroom in the roof space. These windows would be located 31.5m away from the closest neighbouring property at 22 Oxford Road. The proposal would comply with Council policies with regards to minimum overlooking distances.
- 6.16 There is a change in ground levels with land gradually sloping away to the East, however, it is not considered that the elevated position of the development would be likely to result in any unacceptable levels of overlooking or loss of amenity to the neighbours on Oxford Road. Furthermore, trees are to be retained on the eastern boundary of the site and additional landscaping is proposed. The proposal would comply with LDF CS Policies PMD1, PMD2 and Annexe 1.1 of the Local Plan with regards neighbour amenity impacts.
- 6.17 Turning to the impact of the proposal upon the nearby Grade II* listed building, the Council's Heritage Advisor has been consulted on the proposal; the Heritage Advisor has commented that the new housing would be seen in the context of the approved layout and given the visual separation from the listed building there would be no greater impact on its setting than the approved scheme. The proposal therefore complies with Policy PMD4 with regard to impacts upon the setting of the listed building.

IV. LANDSCAPING

- 6.18 The proposal would not have any greater effect upon the existing trees on site than the previously approved semi-detached properties. Neighbour letters received have raised the matter of landscaping along the boundary of the site with properties on Oxford Road. The proposal includes additional planting close to the eastern boundary as a result of the layout revisions. Such planting indicated goes beyond what was approved under the previous scheme. The Council's Landscape Advisor has commented that the proposal would not have any additional landscape or visual effects compared to the previously approved scheme.
- 6.19 The Landscape Advisor is content for the detailed tree and planting scheme to be dealt with via condition. The proposed landscaping proposed complies with Policies PDM1 and PMD2 and is acceptable.

V. OTHER MATTERS

- 6.20 The Council's Environmental Health Officer has commented that it is not anticipated that the proposal would generate any contaminative issues affecting the proposed development but due to the past history of car storage, however, it is recommended

that a condition requiring a watching brief for any unforeseen contamination be included. Other standard conditions are also recommended.

VI. INFRASTRUCTURE

- 6.21 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development; the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The Policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal. Changes to Government policy in April 2015 mean that the Council can no longer use a tariff based approach to s106 (as was the case with the former Planning Obligation Strategy). Consequently, the Council has developed an Infrastructure Requirement List (IRL) that identifies specific infrastructure needs on an area basis.
- 6.22 The responses from the Council's Highway and Education teams do not identify the need for any requirement for contributions towards items on the Infrastructure Requirement List arising from this proposal. It is not therefore necessary to secure financial contributions to mitigate the impact of this development.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 It is considered that the proposed redevelopment of the car storage building on site to provide a terrace of 5 dwellings as part of the larger residential scheme would be in accordance with local and national planning policies. It is recommended that the application is approved.

8.0 RECOMMENDATION

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

STANDARD TIME

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

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

MATERIALS

- 2 The development hereby approved shall be constructed using the following materials:
- All gutters and downpipes to be black finished aluminium;

- Roof tiles – Imerys Chartwell Clay Plain Tile – Hermitage;
- Brickwork to be Medium Surrey Blend Brick with mortar and texture of 1 part white cement, 1 part lime, 3 parts sharp sand and 3 parts soft washed sand, with a flush joint finished with a brush;
- Windows and doors are to be made of timber and have simple detailing.

Reason: To reflect and be in accordance with the materials agreed under discharge of condition application 14/00654/CONDC (relating to planning approval 11/503268/TTGFUL) and to ensure that the proposed development does not prejudice the appearance of the locality in accordance with Policy PMD2 of the Thurrock LDF Core Strategy and Policies for Management of Development 2011.

ACCORDANCE WITH PLANS

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

Plan Number(s):		
Reference	Name	Received
12210-P002B	Elevations	29th February 2016
2285.D	Drawing	29th February 2016
12210-P003A	Location Plan	4th May 2016
12210-P001C	Site Layout	4th May 2016

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

CONSTRUCTION MANAGEMENT PLAN

- 4 Prior to the commencement of the works subject to this consent hereby approved, a Construction Management Plan and Waste Management Plan shall be submitted to and agreed in writing prior to the commencement of the works hereby approved. The details shall include;
- i. Details of measures to minimise fugitive dust during construction demolition and stockpiling of materials;
 - ii. A Waste Management Plan;
 - iii. Details of any security lighting or flood lighting proposed including mitigation measures against light spillage outside the site boundary;
 - iv. Details of crushing and/or screening of demolition and excavation materials including relevant permits;
 - v. Contingency plan, remediation scheme and risk assessment for any unforeseen contamination found at the site including asbestos;
 - vi. Details of measures to minimise noise and vibration during construction and demolition to comply with the recommendations (including those for monitoring) set out in Parts 1 and 2 of BS5228:2009 'Code of Practice for Noise and Vibration Control on Construction and Open Sites'.
- Once submitted to and agreed in writing by the Local Planning Authority the works shall be undertaken in strict accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

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

WATCHING BRIEF FOR CONTAMINATION

- 5 If, during development, contamination not previously identified is found to be present at the site then no further development [unless otherwise agreed in writing with the local planning authority] shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. Such agreed measures shall be implemented and completed prior to the first occupation of any parts of the development.

Reason: To protect the water environment in accordance with policy PMD1 of the Thurrock Core Strategy and Policies for the Management of Development DPD [2011].

HOURS OF WORK

- 6 No demolition, building work or deliveries shall be carried out before 8am or after 6pm on Mondays to Fridays or before 9am or after 1pm on Saturdays and not at all on Sundays or Bank Holidays.

Reason: In the interests of the amenity of surrounding occupiers

LANDSCAPING PLAN

- 7 No construction works in association with the erection of the dwellings hereby permitted shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
- (a) All species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
 - (b) Finished levels and contours;
 - (c) Means of enclosure;
 - (d) Minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units including any private cycle store, signs and lighting);
 - (e) External surface material for parking spaces, pedestrian accesses.
 - (f) Tree protection measures and details of the proposed management of the retained trees and hedges
 - (g) Any preserved trees which it is proposed to remove and their suitable replacement elsewhere within the site

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

landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

LANDSCAPE PROTECTION

- 8 All trees, shrubs and hedgerows to be retained on the site shall be protected by chestnut paling fencing for the duration of the [demolition and / or 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

- 9 No occupation 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 building[s] are occupied / 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].

PARKING AREAS

- 10 The areas shown on the approved plan [drawing no. 12210-P001C] as car parking space[s] shall be provided prior to the first occupation of the dwelling[s] they serve and thereafter kept available for such use. Notwithstanding the Town & Country Planning [General Permitted Development] Order 1995 [or any order revoking and re-enacting that Order with or without modification] no permanent development shall be carried out on the site so as to preclude the use of these parking space[s] or garage[s].

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

REMOVAL OF PD RIGHTS

- 11 Notwithstanding the provisions of [Schedule 2, Part 1, Classes A, B, C, D and E] the Town & Country Planning [General Permitted Development] Order 1995 [or any order revoking and re-enacting that Order with or without modification] no extensions, alterations or outbuildings shall be erected to the building[s] or development hereby permitted.

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

NO ADDITIONAL WINDOWS

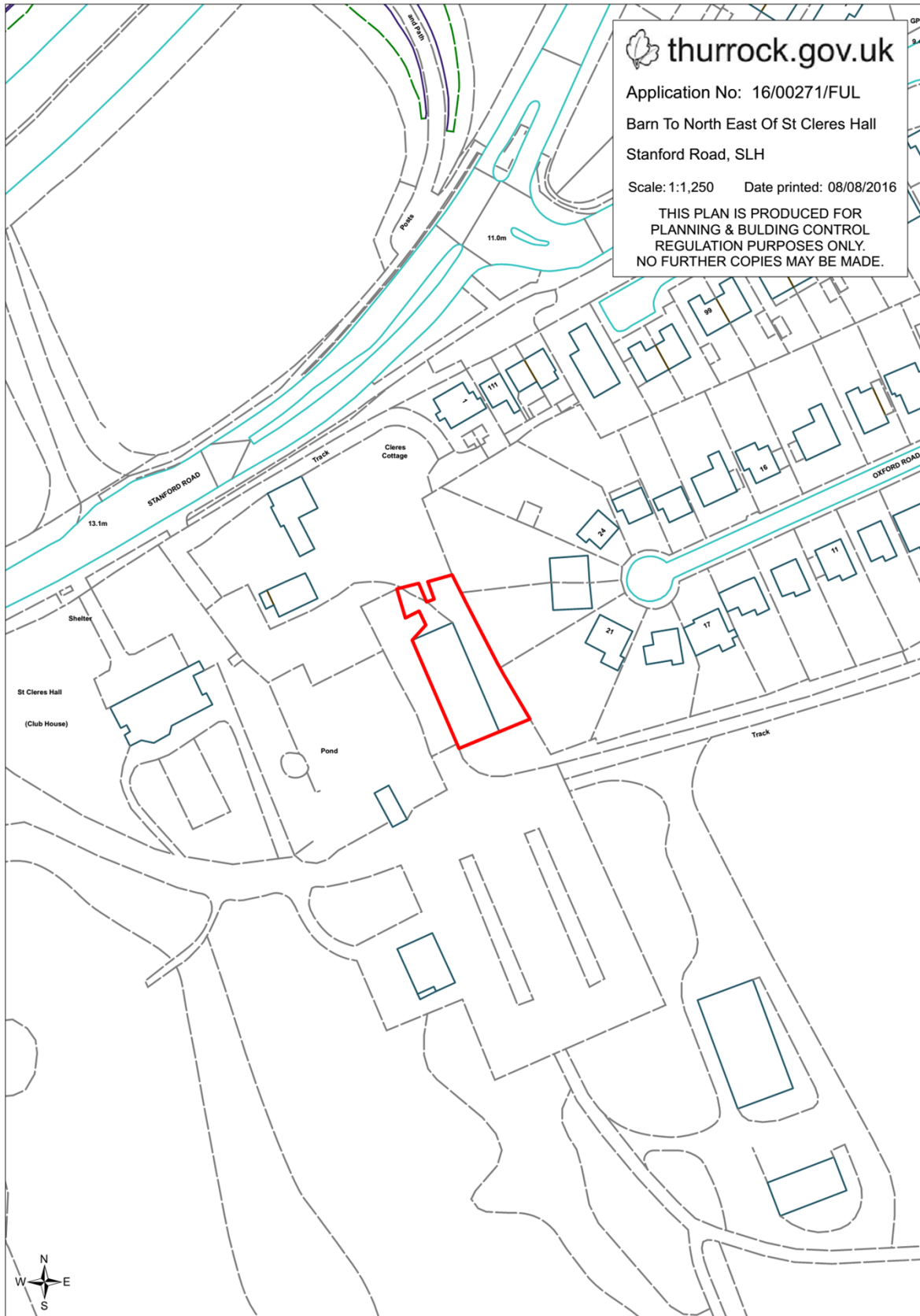
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting those provisions, no additional windows or openings shall be inserted in to the roofs or elevations of the five dwellings hereby approved.

Reason: To protect the privacy and amenities of neighbours and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings in accordance with Policies PMD2 and PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD [2011].

Documents:

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

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Reference: 16/00630/REM	Site: Pieris Place Brentwood Road Bulphan Essex RM14 3TL
Ward: Orsett	Proposal: Reserved matters application for residential development of land for 19 units including access, appearance, landscaping, layout and scale following approval under outline application 14/01406/OUT

Plan Number(s):		
Reference	Name	Received
L0370SK06A	Sections	10th May 2016
L0370SK07B	Sections	10th May 2016
L0370SK08B	Sections	10th May 2016
L0370SK09A	Sections	10th May 2016
L0370L02A	Other	10th May 2016
L0370L03	Other	10th May 2016
L0370L04	Other	10th May 2016
L0370L05A	Other	10th May 2016
PL02A	Elevations	10th May 2016
PL03A	Elevations	10th May 2016
PL05A	Elevations	10th May 2016
PL07A	Elevations	10th May 2016
PL09A	Elevations	10th May 2016
PL10A	Elevations	10th May 2016
PL12A	Elevations	10th May 2016
PL13A	Elevations	10th May 2016
PL14A	Elevations	10th May 2016
PL15A	Elevations	10th May 2016
PL17A	Elevations	10th May 2016
12732-1	Other	10th May 2016
PL18A	Elevations	10th May 2016
PL19A	Elevations	10th May 2016
15.3261	Site Layout	10th May 2016
15.3261	Site Layout	10th May 2016
PL01A	Elevations	10th May 2016
PL04A	Elevations	10th May 2016

PL06A	Elevations	10th May 2016
PL08A	Elevations	10th May 2016
PL11A	Elevations	10th May 2016
PL16A	Elevations	10th May 2016
L0370L01A	Landscaping	10th May 2016
M006U-200	Other	10th May 2016
M006U-002	Other	5th July 2016

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> - Lighting and Columns Specification - Design Code Final – Part 1 - Design Code Final – Part 2 - Design Code Final – Part 3 - Drawing register 1 of 2 - Drawing Register 2 of 2 - Noise Mitigation Scheme Final 	
<p>Applicant: Smart Planning</p>	<p>Validated: 10 May 2016</p> <p>Date of expiry: 9 August 2016 EoT until 2 September 2016)</p>
<p>Recommendation: Approve, subject to conditions.</p>	

This application is scheduled for determination by the Council’s Planning Committee because the outline application to which this proposal relates (14/01406/OUT) was considered and determined by the Planning Committee.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This is an application for the approval of reserved matters, following the grant of outline planning permission for the residential development of land for 19 units (with all matters reserved) including strategic landscape/noise attenuation buffer.
- 1.2 The application seeks approval for the reserved matters of access, appearance, landscaping, layout and scale.

Access

- 1.3 For the purposes of considering this application for the approval of reserved matters, the term access refers to the way in which the development would be accessed from the highway network. The proposed access would be from Church Road at the northern end of the site, in accordance with the indicative plan submitted with the outline application.

Layout

- 1.4 For the purposes of considering this application for the approval of reserved matters, the term layout refers to the way in which buildings, routes and open spaces are provided in relation to each other within the site and to buildings and spaces outside the site. The proposed layout of the site broadly follows the indicative layout plan which accompanied the outline planning application. Dwellings would be arranged in a semi-Arcadian layout with dwellings set within generous sized plots.

Scale

- 1.5 For the purposes of considering this application for the approval of reserved matters, the term scale refers to the height, width and length of buildings in relation to their surroundings. All of the proposed dwellings would be two-storey in height.

Appearance

- 1.6 Matters of appearance comprise the external built form of the development including architecture, materials, colour and texture. Four main house types are proposed, with variations across the development. All of the dwellings would be substantial, traditionally designed, two storeys houses with integral / detached garages.

Landscaping

- 1.7 For the purposes of considering this application for the approval of reserved matters, landscaping includes screening by fences, walls etc., planting of trees, shrubs etc., and the laying out of gardens etc. A planning condition of the outline planning permission requires the submission, approval and implementation of the precise details of all boundary treatments on-site. The applicant is not seeking discharge of this condition via the reserved matters submission and this condition remains to be discharged.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises 3.2 Ha and is found immediately east of the village of Bulphan. The site is located to the east of the A128 Bulphan Bypass and is bordered to the immediate north by Church Road and east by Brentwood Road. A telecommunications mast is situated to the immediate south of the application site.
- 2.2 The site is occupied by a metal clad barn and polytunnels, the latter of which are in a poor state of repair. A modular / portable building is also found in the northern

portion of the site. There is existing vegetation on the majority of all boundaries.

2.3 The site is located within the Metropolitan Green Belt.

3.0 RELEVANT HISTORY

Reference	Description	Decision
14/01406/OUT	Residential development of land for 19 units (Outline Application with all matters reserved) including strategic landscape/noise attenuation buffer	Approved
16/00393/CONDC	Discharge of condition 4 [Construction and Waste Management Plan] from approved application 14/01406/OUT	Advice Given (Discharged)
16/00631/CONDC	Discharge of conditions 3 [Materials]; 9 [Noise and Window Specification]; 14 [Surface Water] and 15 [Foul Water Drainage] from approved planning application 14/01406/OUT	Advice Given (Condition 15 not discharged)
16/00927/CONDC	Discharge of condition 7 [Ecological Management Plan] from application 14/01406/OUT	Advice Given (Discharged)

4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council’s web-site at:

www.thurrock.gov.uk/planning

4.2 PUBLICITY:

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

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

- The loss of landscaping and hedgerow;
- Potential overlooking;
- Access into and out of the site and into Bulphan

4.4 LANDSCAPE AND ECOLOGY:

No objections, subject to conditions.

4.5 HIGHWAYS:

No objections, subject to conditions.

4.6 ENVIRONMENTAL HEALTH:

No objections, subject to conditions.

4.7 FLOOD RISK MANAGER:

No objections, subject to condition.

5.0 POLICY CONTEXT

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.

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

7. Requiring good design

5.2 Planning Practice Guidance (PPG)

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

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

5.3 Local Planning Policy

Thurrock Local Development Framework (2011)

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

The following Core Strategy policies apply to the proposals:

THEMATIC POLICIES

- CSSP1: Sustainable Housing and Locations
- CSSP3: Sustainable Infrastructure
- CSSP4: Sustainable Green Belt
- OSDP1: Promoting Sustainable Growth and Regeneration in Thurrock
- CSTP1: Strategic Housing Provision
- CSTP2: The Provision of Affordable Housing
- CSTP19: Biodiversity
- CSTP20: Open Space
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness
- CSTP25: Addressing Climate Change
- CSTP26: Renewable or Low-Carbon Energy Generation
- CSTP27: Management and Reduction of Flood Risk
- CSTP33: Strategic Infrastructure Provision

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD6: Development in the Green Belt
- PMD8: Parking Standards
- PMD9: Road Network Hierarchy
- PMD7: Biodiversity and Development
- PMD10: Transport Assessments and Travel Plans
- PMD12: Sustainable Buildings
- PMD13: Decentralised Renewable and Low Carbon Energy Generation
- PMD14: Carbon Neutral Development
- PMD15: Flood Risk Assessment
- PMD16: Developer Contributions

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

5.4 Focused Review of the LDF Core Strategy (2014)

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

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

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

6.0 ASSESSMENT

6.1 The principle of the use of the site has been established by the grant of outline planning permission under reference 14/01406/OUT. Accordingly, the use of the site for residential purposes cannot be revisited through consideration of this application for the approval of reserved matters.

6.2 The principal issues to be considered in this case are the appearance, landscaping, layout and scale of the development with reference to the outline planning permission, the parameters of which were set by the outline permission.

- I. Access
- II. Layout
- III. Scale
- IV. Appearance
- V. Landscaping

I. ACCESS

6.3 The access to the site would be from Church Road at the northern end of the site. This was shown on the indicative layout submitted with the outline application.

- 6.4 The Council's Highway Officer has raised no objection to the siting of the access in this location subject to adequate visibility sight lines being provided.
- 6.5 Each dwelling would have access to a large garage and driveway which would provide adequate off street parking provision in accordance with LDF CS Policy PMD8. No objection is therefore raised under this heading.

II. LAYOUT

- 6.6 The proposed layout is broadly similar to that which was submitted as an indicative layout at the outline stage. The proposal continues to seek to provide a main access point from Church Road providing a sweeping estate road running North-South with short cul-de-sacs branching off to the West and East. The layout is "landscape-led" and all plots would be set within well-defined private curtilages. The noise attenuation buffer and substantial area of landscaping continues to be proposed along the boundary with the A128, and an enlarged amenity area is proposed to the southern end of the site.
- 6.7 The proposed layout complies with Council policies with regards to minimum overlooking distances and provision of private amenity space.
- 6.8 In light of the above, the proposed layout is considered acceptable, in accordance with LDF CS Policies PMD1, PMD2 and PMD8. No objection is raised under this heading.

III. SCALE

- 6.9 The outline application indicated that there would be 19 dwellings which would be at a scale of two or two and a half storeys in height. The indicative layout showed traditional pitched roof dwellings with integral and detached garages. The current application details the same number of dwellings, all two storeys in height. All dwellings would be 5 bedroom detached properties, traditionally built with pitched roofs, and each positioned within relatively large and spacious plots. The scale of the development would reflect that which was agreed at outline stage and is considered acceptable.
- 6.10 The proposed scale of the development accords with LDC CS Policies PMD1 and PMD2. No objection is raised under this heading.

IV. APPEARANCE

- 6.11 At the outline stage, weight was given to the applicant's commitment to deliver high quality housing. This is reflected in the detailed proposal. Four primary house types are proposed with variations, forming 19 substantial detached dwellings; all of the dwellings would be constructed using high quality materials and attention to detail is

apparent from the submitted plans. The dwellings would be finished using quality facing brickwork and tile, the properties would also include hardwood window frames, stone lintels, feature brick detailing and coursing, oak post and beam canopies and hardwood panelled garage doors. The proposed high quality detailed design and use of materials proposed is considered acceptable and would comply with the outline consent and LDF CS PMD1, PMD2 and CSTP22.

- 6.12 Members are advised that the applicant has submitted a discharge of condition application pursuant to condition 3 of the outline consent relating to the proposed materials to be used. The materials proposed are considered to be appropriate for the location and have been agreed. As a consequence the recommended condition relating to the materials and detailed design proposed is worded to reflect the materials previously agreed as part of the outline consent.

V. LANDSCAPING

- 6.13 The Council’s Landscape Advisor has commented that the detailed scheme has addressed issues raised during the outline application stage. The Landscape Advisor has commended the proposed provision of a 5m planting buffer within the gardens to help screen the proposed acoustic fence. The wildflower area has been increased to cover the whole of the southern amenity green. The overall landscape masterplan is considered appropriate for the site in principle. The Landscape Advisor is content for the detailed planting scheme and materials specification to be dealt with via condition. The proposed landscaping proposed complies with LDF CS Policies PDM1 and PMD2 and is acceptable.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 It is considered that the details submitted would ensure satisfactory access, layout, scale, appearance and landscaping, as required by local and national planning policies. Therefore, subject to planning conditions which relate specifically to the reserved matters, it is recommended that the reserved matters are approved.

8.0 RECOMMENDATION

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

APPROVED PLANS

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

Plan Number(s):		
Reference	Name	Received
L0370SK06A	Sections	10th May 2016
L0370SK07B	Sections	10th May 2016
L0370SK08B	Sections	10th May 2016

L0370SK09A	Sections	10th May 2016
L0370L02A	Other	10th May 2016
L0370L03	Other	10th May 2016
L0370L04	Other	10th May 2016
L0370L05A	Other	10th May 2016
PL02A	Elevations	10th May 2016
PL03A	Elevations	10th May 2016
PL05A	Elevations	10th May 2016
PL07A	Elevations	10th May 2016
PL09A	Elevations	10th May 2016
PL10A	Elevations	10th May 2016
PL12A	Elevations	10th May 2016
PL13A	Elevations	10th May 2016
PL14A	Elevations	10th May 2016
PL15A	Elevations	10th May 2016
PL17A	Elevations	10th May 2016
12732-1	Other	10th May 2016
PL18A	Elevations	10th May 2016
PL19A	Elevations	10th May 2016
15.3261	Site Layout	10th May 2016
15.3261	Site Layout	10th May 2016
PL01A	Elevations	10th May 2016
PL04A	Elevations	10th May 2016
PL06A	Elevations	10th May 2016
PL08A	Elevations	10th May 2016
PL11A	Elevations	10th May 2016
PL16A	Elevations	10th May 2016
L0370L01A	Landscaping	10th May 2016
M006U-200	Other	10th May 2016
M006U-002	Other	5th July 2016

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

MATERIALS

- 2 Only the materials shown on plan 16-04-25 External Materials Schedule and approved under application ref. 16/00631/CONDC are to be used for the development hereby approved.

Reason: In the interests of the visual amenities of the locality and in due to the site's location within the Metropolitan Green Belt.

NOISE MITIGATION

- 3 All noise mitigation measures including the installation of the glazing and ventilation shall be carried out in accordance with the specification detailed in the noise mitigation report (Integral Acoustics Ltd. date: 28th April 2016 Reference: 12441215).
Reason: In the interests of the amenities of the future occupiers of the site.

REFUSE STRATEGY AND BIN STORES

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

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

HIGHWAYS LAYOUT

- 5 Prior to the occupation of any dwelling, the proposed estate roads, 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.

PARKING

- 6 Adequate turning space and parking accommodation, all in accordance with the standards adopted by the Local Planning Authority, shall be constructed within the curtilage of the site to the satisfaction of and in accordance with details to be previously submitted to and approved in writing by the Local Planning Authority and shall be implemented before the development hereby approved is brought into use and thereafter permanently retained for such purposes to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety.

BOOKING SYSTEM FOR CONSTRUCTION VEHICLES AND DELIVERIES

- 7 Notwithstanding the Construction Management Plan previously conditioned and discharged, prior to the commencement of any development on site details shall be submitted and agreed in writing by the Local Planning Authority regarding the

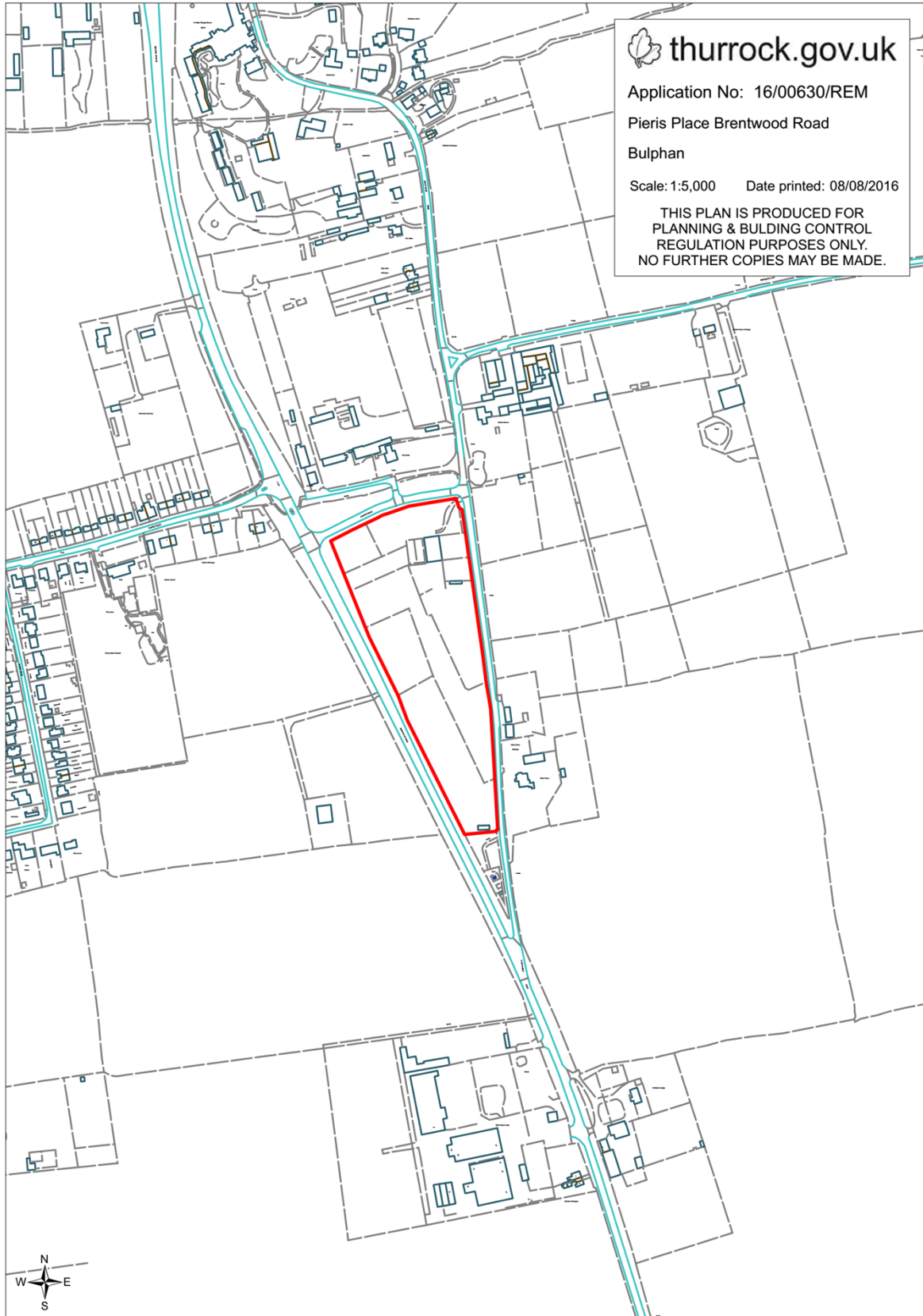
provision of booking system for construction vehicles and deliveries during the construction phase. Such a booking system, as agreed, shall be maintained throughout the construction period for the development.

Reason: In the interests of highways safety and the amenities of the locality.

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: 16/00434/CV	Site: Bruyns Court Derry Avenue South Ockendon Essex
Ward: Ockendon	Proposal: Variation of condition 14 of approved application: 13/00989/TBC (relating to the occupancy of the residents by persons over the age of 55 years)

Plan Number(s):		
Reference	Name	Received
0317	Location Plan	1st October 2013

The application is also accompanied by: - Supporting Statement	
Applicant: Thurrock Council	Validated: 31 March 2016 Date of expiry: 30 June 2016 (EoT until 2 September 2016)
Recommendation: Approve, subject to conditions.	

The application is scheduled for determination by the Council's Planning Committee because the Council is the applicant, in accordance with Part 3 (b) Section 2 2.1(b) of the Council's Constitution.

1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks to vary condition 14 attached to planning permission ref: 13/00989/TBC (subsequently varied by application refs: 14/00878/CV and 15/00687/CV). Condition 14 requires the development to be occupied only by persons over the age of 55 years. The approved condition reads as follows:

The development shall be occupied by persons over 55 years of age only and shall not at any time be occupied by persons under 55 without obtaining planning permission from the Local Planning Authority.

REASON: To ensure the development is used for the purposes specified within the development documents submitted in the interests of residential amenity.

- 1.2 The applicant [in this case, the Council’s Housing Team] seeks to vary the condition to allow the occupation of the premises by persons aged under 55 years where they meet the Council’s housing allocations criteria, in accordance with the Council’s recently adopted housing allocations policy [agreed at Cabinet on 9th March 2016]. The proposed variation is as follows:

Condition as approved	Proposed amended wording
<p><i>The development shall be occupied by persons over 55 years of age only and shall not at any time be occupied by persons under 55 without obtaining planning permission from the Local Planning Authority.</i></p> <p><i>REASON: To ensure the development is used for the purposes specified within the development documents submitted in the interests of residential amenity.</i></p>	<p><i>The development shall be occupied by persons 60 years and over or aged 55 to 59 years and in receipt of Higher Rate Disability Living Allowance (Mobility or Care element) or single or joint applicants with no children in need of the housing support provided by the scheme only.</i></p> <p><i>REASON: To ensure the property is let out under the same terms as other Council housing stock and in the interests of residential amenity.</i></p>

2.0 SITE DESCRIPTION

- 2.1 The development has recently been constructed on the former car park, which is located to the west of the sorting office at the western end of Derwent Parade.

3.0 RELEVANT HISTORY

Application Reference	Description	Decision
13/00989/TBC	Construction of twenty-five flats for older residents (over-55’s) including associated landscaping, highway works and car-parking.	Approved
15/00687/CV	Variation of condition 4 (replacement parking provision) of approved application: 13/00989/TBC, providing a total of 57 parking spaces at the Eastern end of Derwent Parade and in Easington Way.	Approved
14/00878/CV	Variation of planning condition 10 (Sustainable Homes Code 4) to application ref: 13/00989/TBC (as varied by 15/00687/CV)	Approved

4.0 CONSULTATIONS AND REPRESENTATIONS

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

PUBLICITY:

- 4.2 The application has been advertised by neighbour letters, a site notice and a press notice. One written response has been received on behalf of 8 neighbours living in Deveron Gardens and raises the following objection:

- Amenity concerns from lowering the age of occupiers living on the site.

5.0 POLICY CONTEXT

National Planning Policy Framework (NPPF)

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

Planning Practice Guidance (PPG)

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

- Determining planning applications;
- Flexible options for planning permissions;
- Use of Planning Conditions.

Local Planning Policy

Thurrock Local Development Framework

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

Thematic Policies:

CSSP1: Sustainable Housing

CSTP1: Strategic Housing Provision

Focused Review of the LDF Core Strategy

- 5.4 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.

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

- 5.5 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

PROCEDURAL MATTERS

- 6.1 This is an application submitted pursuant to s.73 of the Town and Country Planning Act 1990. Where an application submitted under s.73 of the 1990 Act is approved, the legal effect is to issue a new grant of planning permission whilst leaving the original planning consent unaffected. Any remaining conditions on the previous consent should be re-imposed on any new permission granted, unless already discharged by agreement of details submitted and agreed by the Council.
- 6.2 The principle of the redevelopment, specifically the provision of 25 flats for older persons and provision of parking and landscaping has been established by the approval of planning application 13/00989/TBC (subsequently varied by application refs: 14/00878/CV and 15/00687/CV). The planning permission has been implemented and the development is complete.
- 6.3 The consideration of this application is therefore limited to the acceptability or otherwise of the proposed amendment to condition 14.

IMPACT OF AMENDED CONDITION

6.4 The applicant seeks to amend condition 14 to ensure that the property can be available for allocation to people who meet the following criteria;

- Persons 60 years and over;
- Persons aged 55 to 59 years and in receipt of Higher Rate Disability Living Allowance (Mobility or Care element);
- Single or joint applicants with no children in need of the housing support provided by the scheme.

6.5 Given that the proposed changes would bring the premises in-line with the Council's recently amended housing allocation policy and would have no negative impact upon local residents, no objection is raised. The comments raised by local residents have been taken into account however it is not considered that the matters raised could form a sustainable reason for refusal.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

7.1 The proposed amended wording is considered acceptable and the development would continue to comply with relevant development plan policies. Third party comments have been taken into account but none are sufficient to outweigh the considerations that led to the recommendation to approve.

7.2 Because the application has been submitted under s.73 of the Town and Country Planning Act 1990 it is recommended that condition 14 be amended and the remaining conditions from the previous consent reattached [amended where previously discharged] where necessary.

8.0 RECOMMENDATION

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

Condition(s):

- 1 Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from 7th October 2014.

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

- 2 The materials to be used in the construction of the development hereby approved shall be in accordance with the details below, unless otherwise agreed in writing by the Local Planning Authority:

BRICK CLADDING:

Brick Type: London Weathered Yellow

RAINSCREEN CLADDING:

Vincent Timber 'SIVALBP, Mountain Larch' Square profile

Colour new age gris 102

Vertical orientation

ROOF:

Standing seam zinc: VMZINC 'VMZINC PLUS' on slopes ranging from 3 to 60 degrees Colour 'pigmento red', fixing type and frequency to be calculated by supplier

REASON: To ensure that the works harmonise with the existing building and that it accords with Policy PMD2 of the Thurrock LDF Core Strategy and Policies for Management of Development.

- 3 The servicing to the site shall be implemented in strict accordance with the details on plans C82817-D-108 Rev B (rev dated 21.11.14); C82917-D-109 Rev A (rev dated 21.08.14) and C82917-D-108 Rev B (rev dated 21.11.14) prior to the first occupation of the development hereby approved and retained in the approved form without modification.

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

- 4 In accordance with the details required under condition 4 regarding replacement parking provision, the development shall only be carried out as shown on plans TBC-DP-01 Existing, TBC-DP-01 Proposed and ORDNANCE SURVEY 100025457 as approved under application 15/00687/CV together with surface water strategy that prevents surface water flooding outside the proposed parking areas shall be implemented. Once provided the parking areas as approved shall be made available for the parking for the general public and retained as such in perpetuity.

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

- 5 In accordance with the details required under condition 5 regarding the surfacing and drainage of the proposed footways, footpaths and existing/proposed parking areas within the site, the works shall only be carried out as annotated in Plans S278 A, C82917-D-102, C82917-D-107, C82917-D-110, C82917-D-111, C82917-D-112, C82917-D-100 and as agreed via discharge of condition 14/00904/CONDC and retained and maintained in the approved form, without modification.

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

- 6 The construction works on the site together with any works required pursuant to any condition attached to this consent shall be in strict accordance with the details contained within the Construction and Environment Management Plan (CEMP) submitted on 6 November 2014 unless otherwise agreed in writing by the Local

Planning Authority.

REASON: In the interests of highway safety and efficiency and the amenity of surrounding occupiers.

- 7 In accordance with the details required under condition 7 regarding the hard and soft landscaping, the development shall only be carried out as per the information contained in the following drawings as approved under application 14/00910/CONDC:

C82917-D-107	General	1st May 2014
064-PL-002	Other	9th July 2014
064-PL-003	Other	9th July 2014
A 8001	Landscaping	1st March 2014
A 8002	Landscaping	1st March 2014
A 8003	Landscaping	1st March 2014
A 8004	Landscaping	1st March 2014
A 8005	Landscaping	1st May 2014
A 8006	Landscaping	1st March 2014
A 8007	Landscaping	1st March 2014
C82917-D-100	Other	1st May 2014
064-PL-001	Other	9th July 2014
A 1010	Landscaping	1st March 2014
C829917-D-105	Other	1st February 2014
C829917-D-104	Other	1st February 2014
C829917-D-103	Other	1st February 2014
C829917-D-102	Other	1st May 2014

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

REASON: To ensure that the development plans for adequate landscaping within the site in accordance with Policy PMD2 of the Thurrock LDF Core Strategy and Policies for Management of Development.

- 8 The trees located adjacent to the western boundary shall be protected in accordance with the details contained within the Arboricultural Impact Assessment DFCP 2503 Rev A dated 9th October 2013 by Graham Underhill for the duration of the construction works on the application site. All works shall be in accordance with

the report unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the works do not harm existing trees of the site in accordance with Policy PMD2 of the Thurrock LDF Core Strategy and Policies for Management of Development.

- 9 In accordance with the details required under condition 7 and approved under application 14/00878/CV the development hereby permitted shall achieve Level 4 of the Code for Sustainable Homes (or any guidance revoking, renewing or updating the provisions within the Code). No dwelling shall be occupied until a Code for Sustainable Homes design stage assessment has been submitted along with a letter from a certified Code assessor stating that Code Level 4 has been achieved at post completion testing. The final Code certificate shall be submitted to the Local Planning Authority within 6 months from the date of first occupation.

REASON: In the interests of sustainable development.

- 10 In accordance with the details required under condition 11 and discharged under application 15/00486/CONDC, the following windows on plans P 103, P104 and P105 shall be fitted with louvered screens, in accordance with the details on Plan 0317 A4036 Rev C;

- Unit 1.8 and 2.8 West facing windows serving bedrooms
- Unit 1.4 and 2.4 West facing window serving a bedroom
- Unit 3.3 West facing windows serving a bedroom

Once installed the louvered screens shall be permanently retained and maintained in the approved form without modification.

REASON: In the interests of the amenity of surrounding occupiers.

- 11 In accordance with the details required under condition 12 and discharged under application 15/00599/CONDC the following balconies on plans P 103, P104 and P105 shall be permanently retained and maintained in the approved form without modification in accordance with the louvered screens detailed on Plans 0317 A4035 Rev A and 0317 A4034 Rev A ;

- The West facing opening of the balcony serving Units 1.5, 2.5, 1.8, 2.8, and 3.3
- The northernmost section for a length of 2.5 metres of the West facing balcony of Units 1.6 and 2.6

REASON: In the interests of the amenity of surrounding occupiers.

- 12 Notwithstanding any provision to the contrary there shall be no insertion of additional windows within the development hereby approved unless additional planning permission is obtained from the Local Planning Authority.

REASON: In the interests of the amenity of surrounding occupiers.

- 13 The development shall be occupied by persons 60 years and over or aged 55 to 59 years and in receipt of Higher Rate Disability Living Allowance (Mobility or Care

element) or single or joint applicants with no children in need of the housing support provided by the scheme only.

REASON: To ensure the property is let out under the same terms as other Council housing stock and in the interests of residential amenity.

- 14 The development hereby permitted shall be carried out in accordance with the following approved plans, unless otherwise agreed by details contained within conditions attached to this consent:

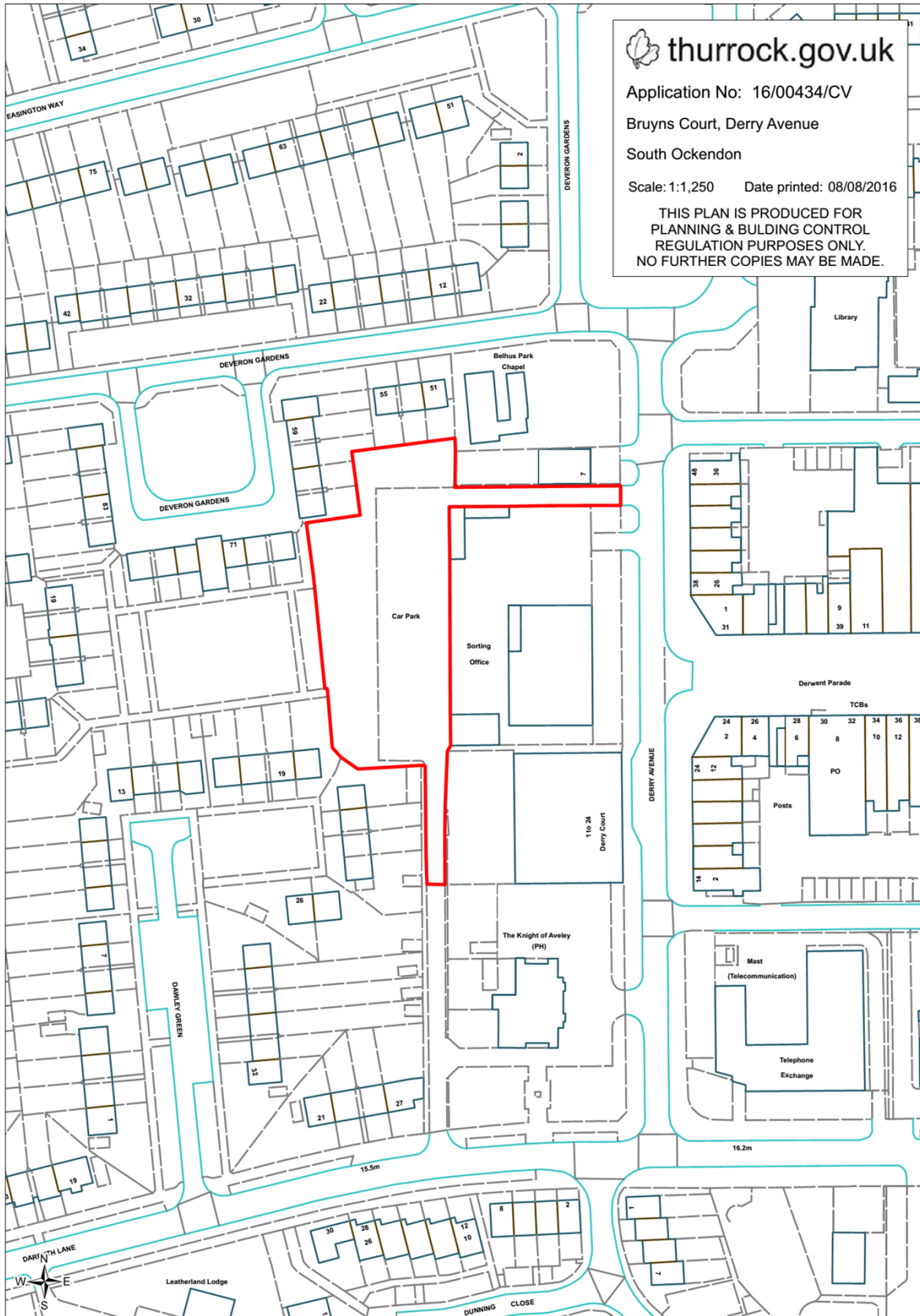
Plan Number(s):		
Reference	Name	Received
0317	Location Plan	1st October 2013
P001 Rev A	Proposed Location Plan	1st June 2015
P102 Rev A	Proposed Ground Floor Plan	1st June 2015
P103	Proposed First Floor Plan	1st June 2015
P104	Proposed Second Floor Plan	1st June 2015
P105	Proposed Third Floor Plan	1st June 2015
P106	Proposed Roof Plan	1st June 2015
P201 Rev A	Proposed East Elevation	1st June 2015
P202 Rev A	Proposed South Elevation	1st June 2015
P203 Rev A	Proposed West Elevation	1st June 2015
P204 Rev A	Proposed North Elevation	1st June 2015
P205	Proposed Section AA	1st June 2015
P206 Rev A	Proposed Section BB	1st June 2015
P207	Proposed Section CC	1st June 2015

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

Documents:

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

www.thurrock.gov.uk/planning



 **thurrock.gov.uk**
Application No: 16/00434/CV
Bruyns Court, Derry Avenue
South Ockendon
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