

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 **20 October 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, Terry Piccolo, David Potter and Gerard Rice

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

Substitutes:

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

Agenda

Open to Public and Press

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1 Apologies for Absence	
2 Minutes	5 - 8
To approve as a correct record the minutes of the Planning Committee meeting held on 22 September 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 16/00412/OUT- Star Industrial Estate, Linford Road, Chadwell St Mary, Essex 13 - 40

9 15/00379/OUT - Land Adjacent 39 And 41 And To The South Of St Johns Road, Chadwell St Mary, Essex 41 - 66

10 16/01035/TBC - The Tops Social Club, Argent Street, Grays, Essex, RM17 6JU 67 - 94

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: **12 October 2016**

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

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

Helpful Reminders for Members

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

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

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



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

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

Disclosable Pecuniary Interests shall include your interests or those of:

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

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

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

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

Pecuniary

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

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

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

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

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

Non- pecuniary

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



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

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

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

1. Create a great place for learning and opportunity

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

2. Encourage and promote job creation and economic prosperity

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

3. Build pride, responsibility and respect

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

4. Improve health and well-being

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

5. Promote and protect our clean and green environment

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

Minutes of the Meeting of the Planning Committee held on 22 September 2016 at 6.00 pm

Present: Councillors Tom Kelly (Chair), Kevin Wheeler (Vice-Chair), Chris Baker, John Kent, Steve Liddiard, Terry Piccolo and Gerard Rice

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillors Tunde Ojetola and David Potter

In attendance: Andrew Millard, Head of Planning & Growth
Leigh Nicholson, Development Management Team Leader
Nadia Houghton, Principal planner
Curtis Smith, Highways Engineer
Vivien Williams, Planning Lawyer
Jessica Feeney, Senior Democratic Services Officer

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

41. Minutes

The minutes of the meeting held on the 25 August 2016 were approved as a correct record.

42. Item of Urgent Business

There were no items of urgent business.

43. Declaration of Interests

Councillor Piccolo declared a non-pecuniary interest in respect of application 16/00593/FUL was employed by the voluntary sector although has no dealing with this site. It was confirmed that an open mind would be maintained.

44. 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

There were no declarations.

45. Planning Appeals

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

RESOLVED:

The report was noted.

46. 16/00729/OUT - Land Adjacent Martins Farmhouse, Church Lane, Bulphan, Essex

The application was withdrawn prior to the committee.

47. 16/00275/FUL - International Timber, London Road, Purfleet, Essex, RM19 1RE

The Principal Planner informed the committee that the application sought planning permission for the construction of a warehouse development (Class B8) with associated access, car parking and servicing areas and installation of a new footpath.

Members were informed of the relationship between the application and the Purfleet Centre Regeneration Project. Outline planning permission was granted in May 2013 under planning reference 11/50401/TTGOUT for the large scale redevelopment of Purfleet, totalling some 58 hectares including land within the site subject to this application. The Purfleet Centre Regeneration Project permission had not been implemented but remained a live consent with a 15 year time period for the submission of the reserved matters

The current application was submitted in advance of any future reserved matters applications being made at the Purfleet Centre Regeneration Project and an objection had been received on the basis that the development of this site could prejudice the wider regeneration of Purfleet.

However, the land subject of this application was owned by the applicant to this current application and not the applicant of 11/50401/TTGOUT. Progression of the outline permission through to reserved matters stage will require the Council and/or a developer to purchase this land to allow for the development subject to the outline permission to be implemented in the future.

Councillor Piccolo questioned if the development would create new employment opportunities, the Planning Officer confirmed that there would be 15/20 vacancies on site for phase 1 of the building which is half of the warehouse building but this number did not including HGV drivers employed by the proposed end user. It was also explained that there is no end user for

the second half of the building (phase 2) at this stage but the permission can attract a storage and distribution business to the site.

It was proposed by Councillor Kelly and seconded by Councillor Liddiard that the application be approved as per the Officer recommendation.

For: Councillors Chris Baker, Tom Kelly, John Kent, Steve Liddiard, Terry Piccolo, Gerrard Rice and Kevin Wheeler

Against: (0)

Abstain: (0)

48. 16/00593/FUL- Church Hall, Rigby Gardens, Chadwell St Mary, Essex, RM16 4JJ

Members were informed that the application sought planning permission for the redevelopment of the former church hall site to provide 4 three bedroom houses and 2 two bedroom houses with associated car parking and landscaping.

The Principal Planner highlighted that the recommendation for refusal was on the basis that the applicant had not provided sufficient evidence to demonstrate that the church hall was reasonably and robustly advertised and marketed for D1 use purposes since it became vacant in May 2016.

Councillor Rice questioned if the applicant had shown evidence of D1 advertisement would the application be deemed recommended for approval. The Principal Planner explained that the proposal was within the planning policy subject to insufficient evidence of demand through marketing and advertising.

Councillor Liddiard highlighted that there was a large number of community halls in Chadwell St Mary. The Principal Planner explained that the issue was not about the level of existing provision in the overall area, as community facilities would rarely operate unless there was a demand for them, but it is about this site and whether there is a demand for a D1 use on this particular site.

Councillor Piccolo questioned what was seen as a reasonable amount of time for advertising was 6 months sufficient. The Principal Planner assured the committee that 6 months' worth of advertisement would be unlikely to be considered adequate; it was about the robust and meaningful evidence that the applicant could submit with an application which would demonstrate whether there was a demand. The Principal Planner offered an example of other recent cases considered by Members where the site has been vacant for over 18 months but the applicant was unable to demonstrate any meaningful marketing had been carried out. It was added that there had been no evidence provided of the site advertised for D1 uses for the church hall.

The Committee welcomed Trudi Patience a resident to make her statement of objection.

The Committee welcomed James Ware the agent to make his statement of support.

Members expressed concerns regarding overdevelopment and parking.

It was proposed by Councillor Rice and seconded by Councillor Liddiard that the application be refused as per the Officer recommendation.

For: Councillors Chris Baker, Tom Kelly, John Kent, Terry Piccolo, Gerrard Rice and Kevin Wheeler

Against: (0)

Abstain: Councillor Liddiard

Councillor Rice proposed that an additional reason for refusal was on the grounds of overdevelopment and lack of parking, this was seconded by Councillor Kent.

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

Against: Councillors Tom Kelly

Abstain: (0)

The meeting finished at 6.37 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**

20 October 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.

1.0 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:

None.

4.0 Appeals Decisions:

The following appeal decisions have been received:

4.1 **Application No:** 16/00197/HHA

Location: 56 Scratton Road, Stanford Le Hope

Proposal: Two storey side and rear extension, loft conversion and removal of the chimney stack.

Decision: Allowed

Summary of decision:

- 4.1.1 The Inspector considered the main issues to be the effect of the proposal on the character and appearance of the area, and upon the living conditions at 54 Scratton Road with particular reference to daylight and visual impact.
- 4.1.2 The Inspector considered the impacts of the development and found there to be sufficient space around the property to protect the amenities of the nearby resident. The Inspector also found no particular regimentation or uniformity to the streetscene to reject the appeal proposal on design ground. The Inspector took into account the Council's reasons for refusal but found no grounds to dismiss the appeal.
- 4.1.3 The full appeal decision can be found [here](#)

5. Forthcoming public inquiry and hearing dates:

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

6. APPEAL PERFORMANCE:

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

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	5	2	4	0	0	4	1	0	0	0	0	0	16
No Allowed	2	0	0	0	0	4	1	0	0	0	0	0	7
% Allowed													43%

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

Reference: 16/00412/OUT	Site: Star Industrial Estate Linford Road Chadwell St Mary Essex
Ward: East Tilbury	Proposal: Outline application for proposed residential redevelopment, with all matters reserved apart from principle and access (Indicative layout provided indicates up to 203 dwellings)

Plan Number(s):		
Reference	Name	Received
5435 – SK06	Star Coward Boundary Plan	4 th April 2016
5435 – SK05 Rev C	Feasibility Site Layout	26 th September 2016
5435 – SK04 Rev A	Proposed Elevations and Floor Plans	22 nd March 2016
5435 – SK08	Site levels and Cross Sections	4 th April 2016

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> – S&R - Traffic Impact Assessment R4 – S&R - Foul & Surface Drainage Assessment R2 – S&R - Design and Access Statement – S&R – Flood Risk Assessment – S&R – Travel Plan – S&R - Flood Risk Assessment – S&R - Site allocations 	
Applicant: Apex Properties Ltd	Validated: 11 July 2016 Date of expiry: 31 October 2016 (EoT)
Recommendation: Refuse	

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks outline planning permission for the residential redevelopment of the site for up to 203 dwellings, with all matters reserved apart from access. Matters of appearance, landscaping, layout and scale are reserved for subsequent approval.
- 1.2 A number of indicative drawings are provided in the Design and Access Statement and application plans suggesting how the residential development could be accommodated. An indicative site layout shows a potential arrangement of building blocks and a road network through the site. Dwellings are indicatively arranged in short terraces, semi-detached pairs and detached blocks. The indicative site layout suggests that a back-to-back relationship would be achieved between proposed dwellings and existing dwellings to the north and west of the site. A drawing illustrating dwelling types shows an indicative arrangement of two-bedroom flatted blocks and three and four-bedroom houses throughout the site. The scale and massing is indicated as comprising predominantly two-storey development, with two flatted blocks over three-storeys. The indicative site layout suggests a schedule of accommodation as follows:

Site Area:	3.94 hectares
No. of Dwellings:	96 x 2 bedroom 3 person units (flats) 97 x 3 bedroom 5 person units (houses) 10 x 4 bedroom 6 person units (houses) Total 203 dwellings (96 flats and 107 houses)
Amenity Space:	Private gardens for houses with private amenity areas averaging at approximately 83 sqm. Communal amenity area for flats, approximately 1,300 sqm. Landscaped setting for flats, approximately 2,300 sqm
Building Height:	3 storey flat blocks with a maximum height of 12m and 2 storey housing [some with rooms in roof for the 4 bedroom units] with a maximum height of 8.9m
Car Parking:	184 off street parking spaces within the curtilage of each dwelling or in parking courts near flat blocks

2.0 SITE DESCRIPTION

- 2.1 The application site comprises 3.94 Hectares of land currently occupied by two commercial estates known as the Star Industrial Estate and the Cowards Industrial Estate. The Star estate is located to the south of the Cowards estate. Both Star and Cowards Industrial sites are accessed south of St John’s Road. The application site is bordered by established residential development to the north on Hill House Drive with Linford Road beyond. Sandy Lane runs north-south to the immediate east of the site with Green Belt land beyond featuring some residential plots.

2.2 The Star estate comprises open storage and industrial units arranged in a roughly linear form running north-south with a further unit to the west of the estate. The industrial units are of a relatively low height. The Cowards Estate comprises larger warehouses and an office unit.

2.3 To the south of the Cowards estate and to the west of Star Estate is a former sand pit of varying land levels. The sand pit forms part of the Green Belt which flanks the application site.

3.0 RELEVANT HISTORY

Reference	Description	Decision
12/30090/PMAJ	Change of use of secondary industrial land and sand pit to residential use.	Pre-application advice given

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 This application has been advertised by way of individual neighbour notification letters, press advert and public site notice which has been displayed nearby.

Three letters of representation have been received objecting to the proposals. The letters object to the proposals on the following grounds:

- Access;
- Additional traffic;
- Amenity impacts including noise, litter and smells;
- Environmental pollution.

4.3 ENVIRONMENT AGENCY:

No objection, subject to Council being satisfied regarding foul and surface water drainage and detailed conditions.

4.4 NHS ENGLAND:

The proposal would be likely to have an impact upon the provision of local GP practices and a contribution towards local facilities is recommended (and a contribution of £69,680 will be required)..

4.5 ANGLIAN WATER:

No objection subject to conditions.

4.6 ESSEX AND SUFFOLK WATER:

No objections.

4.7 ENVIRONMENTAL HEALTH:

No objections, subject to conditions.

4.8 FLOOD RISK MANAGER:

Objection. Further information required regarding surface water management of the site.

4.9 HIGHWAYS:

Objection. Recommend refusal.

4.10 LANDSCAPING:

No objection, subject to conditions.

4.11 PUBLIC RIGHTS OF WAY:

Recommendations made regarding improvements to the suggested realignment of Public Footpath 116 linking to the public open space via the footpaths rather than between the previously approved housing development and the industrial estate.

4.12 HOUSING:

The proposal will need to provide 35% affordable housing units to comply with policy.

4.13 EDUCATION:

The proposal will generate a requirement for education contributions at nursery, primary and secondary levels (and a contribution of £1,336,126.16 will be required).

4.14 PUBLIC HEALTH:

Advised the proposal would put pressure on local health care services, particularly the two local GP practices.

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:

1. Building a strong, competitive economy
4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
10. Meeting the challenge of climate change, flooding and coastal change

5.2 Planning Practice Guidance (PPG)

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

- Climate change
- Design
- Determining a planning application
- Flood Risk and Coastal Change
- Land affected by contamination

- Noise
- Planning obligations
- Renewable and low carbon energy
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions

5.3 Local Planning Policy

Thurrock Local Development Framework (2011)

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

The following Core Strategy policies apply to the proposals:

SPATIAL POLICIES

- CSSP1: Sustainable Housing and Locations
- CSSP2: Sustainable Employment Growth
- CSSP3: Sustainable Infrastructure
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock¹

THEMATIC POLICIES

- CSTP2: The Provision of Affordable Housing
- CSTP6: Strategic Employment Provision
- CSTP22: Thurrock Design
- CSTP25: Addressing Climate Change²
- CSTP26: Renewable or Low-Carbon Energy Generation²
- CSTP27: Management and Reduction of Flood Risk²

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD8: Parking Standards³
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans²
- PMD12: Sustainable Buildings²
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment²
- PMD16: Developer Contributions²

[Footnote: ¹New Policy inserted by the Focused Review of the LDF Core Strategy.

²Wording of LDF-CS Policy and forward amended either in part or in full by the

Focused Review of the LDF Core Strategy. ³Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

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.

Draft Site Specific Allocations and Policies DPD

5.6 The 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. In this document the site is detailed as a "Housing Site Without Permission - EAT01 St John's Road/West of Sandy Lane, East Tilbury)". The indicative housing density of the site is 176 and the likely phasing 6-10 years.

5.7 The Planning Inspectorate has advised 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.

6.0 ASSESSMENT

6.1 The issues to be considered in this case are:

1. Plan Designation and Principle of Development;
2. Layout and Design Issues;
3. Amenity Impacts;
4. Highways Issues;
5. Landscape Issues;
6. Flood Risk;
7. Planning Obligations.

1. PLAN DESIGNATION AND PRINCIPLE OF RESIDENTIAL DEVELOPMENT

- 6.2 Both the Coward and Star industrial estates are designated within the Interim LDF Proposal's Map as forming a Secondary Industrial and Commercial Area in Chadwell St Mary. However, both sites have also been identified in the Council's Site Specific Allocations and Policies Development Plan (Issues and Options) as a housing site with the potential capacity of 176 units [ref EAT01].
- 6.3 Before work paused in favour of the production of the Local Plan, the DPD reached 'Preferred Option' state prior to formal submission, before examination in public. The Council has previously accepted that those sites identified within this DPD would be carried forward into the new Local Plan. Therefore, considering the current lack of a more up-to-date development plan document, the allocation of both sites as a single, comprehensive housing site within the DPD should be considered to support the development proposal.
- 6.4 It is necessary however to also consider the impact of the loss of two commercial estates. Policy CSTP 6 is relevant in this case and stipulates that existing commercial land in such areas should be safeguarded where it is required to maintain a sufficient supply of employment land within the plan period.
- 6.5 The applicant has stated that both estates are not viable for long term retention; owing to the close proximity of the estates to the residential area, access [which is achieved through residential streets to the north] is restricted to 6am to 6pm with no working or access on Sundays or Bank Holidays. The applicant has argued that this restriction has severely limited the commercial options available to the estates because modern commercial operators seek 24 hour operation. It is apparent that both estates are declining and only one long term client is presently secured [at Cowards estate].
- 6.6 The loss of the estates would clearly result in a reduction of employment land in the Borough however given the restricted nature and declining condition of the estates it is clear that they are unlikely to meet the requirements of modern commercial operators going forward. In this respect, the estates are not considered viable for long term retention. The comprehensive redevelopment of both sites would accord with the requirements of Policy CSTP1 and contribute towards the Council's housing supply in the urban area, reducing development pressure upon the Green

Belt. In addition, the removal of the commercial estates from the residential area would improve the amenities of local residents by removing the movement of HGVs and other commercial vehicles from the locality.

- 6.7 Members are also advised that an earlier iteration of a proposal incorporating just the Star industrial estate and the sand pit was considered at pre-application stage and subject to a Design Review hosted by Design Council CABE. The Design Review warned against the redevelopment of the single estate and made recommendation that the applicant should consider the comprehensive development of both Star and Coward Industrial estates, in the interests of quality place making.
- 6.8 In conclusion under this heading, the proposal to redevelop both commercial estates in a comprehensive manner is compelling. Whilst it would reduce the amount of commercial land from the Borough, the comprehensive redevelopment of both sites would bring about positive change to the location and provide much needed housing in the Borough. On balance it is considered that the principle of the development is sound.

2. LAYOUT AND DESIGN ISSUES

- 6.9 The application has been submitted in outline form with all matters except access (appearance, landscaping, layout and scale) reserved for subsequent approval. Members will therefore need to be satisfied that the site can accommodate the quantum of development proposed without harm to character or amenity and in compliance with relevant adopted Core Strategy policies.
- 6.10 An indicative site layout plan has been prepared which shows an illustrative arrangement for road layout, built form and garden areas across the site. Vehicular and pedestrian access into the site is proposed to be taken from the access road south of St John's Road serving the estates. The highways considerations associated with the re-use of this access are assessed elsewhere in this report. With reference to layout, the access would link the development to the remainder of the residential areas south of Linford Road via St John's Road.
- 6.11 Public Footpath 116 runs to the immediate west of the application site. The Council's Rights of Way Officer has indicated that it would be preferable to realign the footpath linking it to the public open space via the footpaths along the access road into the recently approved housing development to the west of the site, rather than between the previously approved housing development and the Cowards Estate. The applicant has agreed to this realignment and this matter would need to be included within the s106 legal agreement.
- 6.12 The indicative site layout plan also suggests how building blocks could be arranged to achieve back-to-back or back-to-flank relationships with existing properties to the west and north and properties under construction to the east.
- 6.13 The indicative site layout shows the access leading to a loop road across the northern half of the application site which then leads to an internal road running north-south into the southern half of the site. Dwellings would be orientated so that

they would be back-to-back with recently approved housing development under construction to the immediate west. The indicative layout also shows the main building blocks within the site would be laid out with back-to-back relationships. This approach is generally supported.

- 6.14 The buildings blocks on the indicative site layout to the south and south western half of the site are shown to have rear aspects looking out over the sand pit. It would be preferable if the dwellings which overlook the sand pit were orientated to make best use of the open views across the sandpit and down towards river terrace of the Thames; this is one of the finest views from Chadwell and it would be unfortunate if the development did not make the most of this open vista and look outwards rather than inwards on this part of the site.
- 6.15 As noted above, the indicative arrangement of building blocks shows a clear definition between private amenity space and public realm. The indicative site layout suggests that adjoining rear gardens would be adjoined by the proposed rear garden areas. This indicative approach to the layout is supported.
- 6.16 The application proposes a development of up to 203 dwellings on a site comprising 3.94 hectares, resulting in a development of 51.5dph. This density is generally compatible with surrounding residential density including the site adjacent currently under construction and the application further west of St John's Road also under consideration on this agenda (planning application ref. 15/00379/OUT). Based on this single measure, the quantum of development proposed for the site will be generally compatible with the context of surrounding development. Policy CSTP1 of the adopted Core Strategy sets out the Council's policy approach to residential density and states that development should be both design-led and should seek to optimise the use of land compatible with local context. A density range of 30-70dph will generally be sought for locations such as the current site. The proposal is within the range of appropriate densities referred to by CSTP1.
- 6.17 The applicant states that it is intended that parking will be provided in close proximity to dwellings and courts and enclosures would be formed for this purpose.
- 6.18 The indicative mix of dwellings suggests that the majority of units would be houses, 97 (48%) three-bedroom houses and 10 (5%) four-bedroom houses, with 96 two-bedroom flats making up the remainder of the development (47%). Policy CSTP1 requires that new residential developments provide a range of dwelling types and sizes to reflect, inter-alia, local context. The proposed ratio of flats (47% of the total) is less than the total number of houses (53%) and in the context of Chadwell St Mary as a whole the introduction of 96 additional flats would have no discernable impact on the prevailing form of family housing.
- 6.19 As this is an outline application, the layout and design proposals are indicative at this stage although the applicant states that an Essex Design Guide vernacular housing redevelopment is proposed. However, there is no prevailing style or consistency in finishing materials in areas surrounding the site. The detailed appearance of the proposed dwellings can be considered at the reserved matters stage and through the use of planning conditions.

- 6.20 Existing residential development to the west and north of the site is predominantly two-storey in scale, although there are three storey flatted blocks to the immediate north on Hill House Drive, and there is a mix of terraced, semi-detached and detached housing. There is also a detached dwelling, The Gables, to the north east corner of the application site. The indicative site layout and content of the Design and Access Statement suggest that the development will be mainly two-storey in scale, with the potential for some three-storey elements along the northern boundary, and on the southern boundaries overlooking the sand pit. It is considered that a two-storey development with limited three-storey elements would be compatible with local context. However, as the scale of the development is a reserved matter, a planning condition would need to be imposed.
- 6.21 With regards to the visual impact of the proposal, the indicative layout suggests that the built form would be most visible when viewed from Chadwell Hill and across the sand pit. The existing sand pit fringe of the site has some trees and shrubs which would help mitigate the effects however it recognised that the sites are presently occupied by large, bulky commercial warehouse buildings and the introduction of 2-3 storey residential properties would be likely to have less of a visual impact on the landscape.
- 6.22 Nonetheless, any detailed application would need to include a high quality landscaping scheme given the site's raised position on the boundaries with the Green Belt. Furthermore, the proposed provision of the public open space immediately west of the built form would help provide a landscape character, context and fringe for the residential development. The visual impact of the development when viewed from the south and west could be controlled via suitable planning conditions.

3. AMENITY IMPACTS

- 6.23 As noted above, the existing properties in Hill House Drive are two storey houses and three storey flatted blocks. These properties have amenity areas and rear gardens adjoining the site. Houses at the site under construction to the west will either have rear gardens backing onto the site or residential flank walls in relative close proximity to the site boundary. The indicative site layout accompanying this application suggests a layout with a back-to-back relationship between existing and proposed dwellings. This approach to layout should, subject to detail, ensure that the privacy and outlook of neighbouring properties are protected.
- 6.24 The application proposes a main point of access serving the site which re-uses the access road serving the industrial estates from St John's Road. The route of this access passes along the frontages of existing residential dwellings and dwellings in the new development. Although morning and evening peak activity from vehicles entering and leaving the site could be expected, any noise and disturbance from vehicles using the access should be seen in the context of use of the existing access by commercial vehicles accessing the industrial estates. It is considered that disturbance associated with vehicle movement on the access road would not be significant.

4. HIGHWAYS ISSUES

- 6.25 As set out above, the application has been submitted in outline form with all matters reserved except access. It therefore follows that the access to the development must be carefully considered and the impact of the proposal fully understood and mitigation introduced where appropriate and necessary.
- 6.26 Notwithstanding the land-use principle of the development, the Council's Highway Officer has raised serious objections to the proposal based upon the lack of information provided by the applicant relating to traffic flows to and from the development. The Highway Officer is concerned that without data to evidence the impact of the development it is not possible to advise Members on the likely impact of the development on the local road network, in particular, the Cross Keys Junction.
- 6.27 A Transport Assessment (TA) has been submitted but the Council's Highway Officer has advised that it does not adequately assess the impact of the development at the Cross Keys junction and does not cover any alternative modes of transport. At this time, the Cross Keys junction is over capacity at peak times and on occasion, traffic queues extend along the Linford Road towards St. Johns Road in the morning peak. Similarly queues extend along River View with queues back towards Wood View in the evening peak.
- 6.28 The PICADY assessment for the development shows that the junction of Linford Road and St. John's Road would operate within capacity however the Council's Highway Officer does not consider that the assessment adequately reflects the existing conditions at the Cross Keys junction. This is particularly with regard to some traffic movements, especially large vehicle traffic, which would be taken off the network and this may impact on how the Cross Keys junction operates. It also does not take account of the current physical layout of the junction, being contrived, and therefore not having sufficient capacity on some junction approaches to incorporate likely traffic flows and distribution; which will be different to the current HGV prescribed route.
- 6.29 The development would also necessitate alterations to the junction of Linford Road and St John's Road, to remove the large radii and to bring the road design in line with residential estate road standards. This junction is currently designed for large vehicle movements and it would be appropriate to reduce the size of this junction to be more reflective of the proposed use of the development, and to ensure that highway safety is not prejudiced. Additionally, the access road would need to be designed for a residential classification, rather than as its current design as an industrial estate road.
- 6.30 It is clear that the development will impact on a Level 1 Urban Distributor and as set out in Policy PMD9 the development cannot be supported where severe impacts are identified. It is possible that the impacts of the development could be mitigated however the TA provided by the applicant provides insufficient detail to allow a package of measures to be agreed.

- 6.31 On this basis a recommendation of refusal is substantiated on PMD9 Road Network Hierarchy and PMD10 Transport Assessments and Travel Plans Policies of the LDF Core Strategy.
- 6.32 Turning to parking standards, this Council's Highway Officer has advised that the application site lies within an area of low accessibility. For these areas, the Council's draft parking standard recommends parking of 2 spaces for dwellings with two or three bedrooms and 3 spaces for dwellings of 4 bedrooms or more. For all types of dwelling 0.25 spaces per dwelling in addition to the above should be provided for visitors.
- 6.33 The indicative site layout indicates 184 car parking spaces would be provided for the proposal. Parking provision should reflect draft parking standards described above and giving an overall requirement of 467 spaces.
- 6.34 Members are reminded this is an outline planning application with the detail of site layout reserved for future approval. The indicative site layout could provide further off-street car parking provision and this should be considered at detailed planning stage. It is considered that a planning condition could be imposed to address final parking provision.

5. LANDSCAPE ISSUES

- 6.35 The Council's Landscape and Ecology Advisor has no objections to the proposal on landscape or ecology grounds and has commented that the existing commercial site is not considered to have any significant landscape or ecological value and its loss would bring about an opportunity to strengthen the landscaping and boundary of the site against sand pit and wider Green Belt boundaries.
- 6.36 As previously raised, the application site is at the top of the escarpment and therefore any buildings on the southern boundary are likely to be prominent against the skyline unless carefully sited. Existing commercial buildings are already visible from Chadwell Road however their effects are partially softened by existing vegetation. New planting along this fringe would provide additional mitigation. It would be beneficial to future occupiers of the site if the development could link to the proposed public open space via the existing public rights of way as it would help improve and regularise access to this area.
- 6.37 It is therefore considered that the southern boundaries of the site would need to be carefully landscaped to ensure that it respects the site topography and the existing character of the location. As this is an outline application only indicative detail has been provided regarding landscaping. It is considered that a planning condition would be required to address the landscaping of the site and the visual effects of the siting of the buildings to ensure that the visual impacts of the development are acceptable.

6. FLOOD RISK

- 6.38 Core Strategy Policies CSTP27 and PMD15 require new developments to demonstrate that they would be compliant with regards flood risk and drainage.

The Environment Agency has advised that it raises no objections subject to the Council being satisfied that the development would provide adequate foul and surface water drainage. The Council's Flood Risk Manager has objected to the application because the applicant's Flood Risk Assessment and Surface and Foul Water Drainage Strategy do not provide adequate information to satisfactorily assess the foul and surface water impacts of the development.

- 6.39 In light of the above, the Council cannot be satisfied that the development would not lead to adverse conditions in relation of surface water drainage and flood risk. As a consequence the application is not considered to be compliant with Core Strategy Policies CSTP27 and PMD15 and as a direct consequence the proposal is recommended for refusal for this reason.

7. PLANNING OBLIGATIONS

- 6.40 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The Policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.41 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.
- 6.42 The IRL therefore provides an up to date list of physical, social and green infrastructure to support new development in Thurrock. This list is bi-annually reviewed to ensure it is up to date. The IRL applies a number of different development scenarios.
- 6.43 From the IRL the proposal would fall within the category H3 scenario for housing development. The IRL identifies a requirement for major applications in the Chadwell St Mary Ward to contribute toward local education provision (at nursery, primary and secondary level) and local healthcare facilities. It is likely that highway mitigation would also be required to make the development acceptable in planning terms and it follows that a package of highway measures would also form part of a s.106 agreement. However, as discussed above, it is not presently possible to define what the package of measures would include.
- 6.44 As the site seeks to provide in excess of 10 units, the Council would expect 35% of the total number of dwellings to be provided as affordable units.
- 6.45 At the time of drafting this report the applicant has agreed to the above requirements however it has not been possible to agree a package of highway mitigation measures owing to the lack of information contained in the TA.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The proposal to redevelop both commercial estates in a comprehensive manner is compelling. Whilst it would reduce the amount of commercial land from the Borough, the comprehensive redevelopment of both sites would bring about positive change to the location and provide much needed housing.
- 7.2 However, notwithstanding the support for the principle of the development, the applicant has failed to provide adequate information to alleviate the Council's concern regarding traffic generation and foul and surface water drainage rates for the development. As neither the Council's Highway Officer nor the Flood Risk Manager is satisfied with the degree of information provided, it can only be concluded that the application does not comply with Core Strategy Policies CSTP27, PMD15, PMD9 and PMD10 in relation to transport assessments, travel plans, flood risk and drainage.

8.0 RECOMMENDATION

It is recommended that the application be **REFUSED** for the following reasons:

1. Core Strategy Policy PMD9 Road Network Hierarchy states that the Council will only permit new accesses or the increased use of existing access where (amongst other requirements):
 - the development avoids causing congestion as measured by link and junction capacities;
 - the developments will minimise adverse impacts on the quality of life of local residents, such as noise, air pollution, and the general street environment;
 - the development will make a positive contribution to accessibility by sustainable transport.

Core Strategy PMD10 Transport Assessments and Travel Plans, states that the Council will expect Travel Plans and Transport Assessments to accompany planning applications in accordance with guidance in Guidance on Transport Assessments (March 2007).

The submitted Transport Assessment does not adequately assess the impact of the development at the Cross Keys junction and does not cover any alternative modes of transport. The submitted Transport Assessment is particularly inadequate with regard to large vehicle traffic, which would be taken off the network and impact on how the Cross Keys junction operates. The Transport Assessment also fails to take account of the current physical layout of the junction.

It is clear that unless adequately mitigated any intensification of use will be likely to increase queuing traffic in the location and impact severely on a Level 1 Urban Distributor Road. The Transport Assessment fails to quantify the level of impact and as such a package to mitigate the impacts of the development cannot be agreed. On this basis the application is contrary to Policy PMD9 and PMD10 of the Council's Adopted LDF Core Strategy.

2. Core Strategy Policies CSTP27 and PMD15 require new developments to demonstrate that they would be compliant with regards flood risk and drainage.

Based upon the submitted Flood Risk Assessment and Surface and Foul Water Drainage Strategy, the Council is not satisfied that the applicant has adequately demonstrated that the proposal would not result in flood risk and foul and surface water drainage problems, contrary to guidance contained with Adopted LDF Core Strategy Policies CSTP 27 and PMD15.

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: 16/00412/OUT	Site: Star Industrial Estate Linford Road Chadwell St Mary Essex
Ward: East Tilbury	Proposal: Outline application for proposed residential redevelopment, with all matters reserved apart from principle and access (Indicative layout provided indicates up to 203 dwellings)

Plan Number(s):		
Reference	Name	Received
5435 – SK06	Star Coward Boundary Plan	4 th April 2016
5435 – SK05 Rev C	Feasibility Site Layout	26 th September 2016
5435 – SK04 Rev A	Proposed Elevations and Floor Plans	22 nd March 2016
5435 – SK08	Site levels and Cross Sections	4 th April 2016

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> – S&R - Transport Assessment Rev 6.1 – S&R - Foul & Surface Drainage Assessment R2 – S&R - Design and Access Statement – S&R – Travel Plan – S&R - Flood Risk Assessment – S&R - Site allocations 	
Applicant: Apex Properties Ltd	Validated: 11 July 2016 Date of expiry: 31 October 2016
Recommendation: To Approve, subject to conditions and s106 Legal Agreement	

1.0 UPDATE

- 1.1 At the time of drafting the committee report, the applicant was working to resolve the objections raised by the Council’s Flood Risk Manager and Highway Officer. The surface water drainage concerns have now been addressed and there are no flood risk objections to the proposal.

- 1.2 The applicant has been working closely with the Highway Officer regarding the Transport Assessment which demonstrates the level of traffic generation of the proposal and its likely impact. The applicant has submitted a revised version of the Transport Assessment which identifies that the current Cross Keys junction works within capacity with the inclusion of the traffic generated from development. The Transport Assessment shows that additional traffic flows from the development at the junction is shown to worsen the capacity at the junction; however, the traffic flows would not impact severely on the operation of the junction. This is not entirely agreed by the Highway Officer who still has concerns over the analysis and considers that there would likely be some harm at the junction as a result of the proposal. Nonetheless, taking a balanced judgement, it is considered that the harm will likely not be so severe as to sustain a recommendation of refusal, subject to the agreement on a mitigation package at the Cross Keys junction.
- 1.3 As a consequence, the Highway Officer raises no objections in principle to the proposals, subject to mitigation measures regarding impact upon the Cross Keys junction. A feasibility design for junction improvements is being advanced by the Council with a projected design and build cost of £100,000.00. The applicant has indicated he is willing to provide the necessary mitigation which can be secured via the s106 Legal Agreement.
- 1.4 It is therefore recommended that the application be **APPROVED** subject to:
- A.** The completion and signing of a planning obligation under S.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:
- the payment of a financial contribution of £1,336,126.16 towards education provision at nursery, primary and secondary levels (as identified by ref. H3 of the IRL);
 - the payment of a financial contribution of £69,680 towards local GP practices via NHS England (as identified by ref. H3 of the IRL);
 - the payment of a financial contribution of £100,000.00 towards highway improvements at the Cross Keys junction to be provided prior to commencement of the development in accordance with the Planning Obligations Strategy;
 - 35% affordable housing provision;
 - The realignment of Public Footpath 116;
 - To reconstruct the access road from the development site to Linford Road with a flexible road construction within footpaths on both sides of the carriageway and street lighting;
 - To realign the junction of Linford Road and St. Johns Road.
- B.** The following planning conditions:

TIME LIMIT OUTLINE

1. All applications for approval of reserved matters shall be made not later than the expiration of two years beginning with the date of this permission and the development must be begun not later than the expiration of one year from the final approval of reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

DETAILS TO BE SUBMITTED

2. No development shall commence until full details of the following reserved matters have been submitted to and approved in writing by the local planning authority:
 - appearance;
 - landscaping;
 - layout; and
 - scale

REASON: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

MAXIMUM NUMBER OF UNITS

3. The development shall not exceed a maximum of 203 dwellings. Unless otherwise agreed in writing by the local planning authority, the mix of dwellings to be delivered by the totality of the development shall not exceed 47% flats.

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

MAXIMUM HEIGHT OF BUILDINGS

4. No building on any part of the development hereby permitted shall exceed three-storeys in height.

REASON: In order to comply with the terms of the application and to ensure that the development is integrated into its surroundings in accordance with Policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

BOUNDARY TREATMENTS

5. No development shall take place until there has been submitted to and approved in writing by the local planning authority details of the locations, heights, designs, materials and types of all boundary treatments to be erected

on site. The boundary treatments shall be completed in strict accordance with the approved details before the buildings are first occupied.

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

SAMPLES OF MATERIALS

6. Prior to the commencement of development samples of the materials to be used in the construction of the external surfaces of buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

BIN STORES

7. Detailed plans submitted pursuant to condition 2 above shall provide full details of the number, size, location, design and materials of bin and recycling stores to serve the development, together with details of the means of access to bin and recycling stores for residents and refuse operatives, including collection points if necessary. The development shall make provision for:

- 1 x 180 litre container for refuse, 1 x 240 litre container for recycling and 1 x 240 litre container for kitchen and garden waste per residential dwelling.
- Flats containing more than 4 units shall be provided with communal bins. The calculation used for refuse and recycling provision shall be as follows:
 - o Number of households x 180-litre capacity [residual waste]
 - o Number of households x 240-litre capacity [dry recycling]

The bin and recycling stores as approved shall be provided prior to the first occupation of any of the residential units they serve and shall be constructed and permanently retained in the form agreed.

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

PARKING PROVISION

- 8.. Detailed plans submitted pursuant to condition 2 above shall show at least 2

parking spaces per house, 1.5 parking spaces per flat and 0.25 parking spaces for visitors to ensure that adequate land is provided for the parking and / or garaging of private cars, motorcycles and other powered two-wheeled vehicles in accordance with the details contained within the Transport Assessment (ref. S16-287/TA October 2016 Revision 6.1) and the Council's draft Parking Standards and Good Practice document (March 2012)

REASON: To ensure that adequate provision is made for the parking of vehicles in the interests of highways safety, in accordance with Policy PMD8 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

CYCLE STORAGE

9. Detailed plans submitted pursuant to condition 2 above shall provide full details of the number, size, location, design and materials for secure and weather-protected cycle parking facilities to serve the development. One secure and covered cycle parking space shall be provided per dwelling. Such details shall be agreed in writing with the Local Planning Authority and shall be installed on site prior to first occupation and shall thereafter be permanently retained for sole use for cycle parking.

REASON: In the interests of highway safety and in order to promote more sustainable modes of transport.

TRAVEL PLAN

10. Prior to occupation of the development hereby approved, a Travel Plan shall be submitted to and approved by the Local Planning Authority and retained and updated periodically for the entire time the development is in use.

REASON: To promote sustainable travel choices for staff and visitors, in the interests of highway safety, efficiency and amenity in accordance with Policy PMD10 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

CEMP

11. No demolition or construction works shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority in writing, which should contain the following:
 - i. a Site Waste Management Plan;
 - ii. details of measures to minimise fugitive dust during demolition, construction, demolition and stockpiling of materials (including a wheel wash for vehicles);
 - iii. details of measures to minimise noise during demolition and construction 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';
- iv. details of security lighting layout and design;
 - v. a procedure to deal with any unforeseen contamination, should it be encountered during development;
 - vi. proposed HGV numbers and movement plan;
 - vii. ALV number and proposal plan;
 - viii. site offices and temporary hard stand for materials, plant and car parking for site operatives;
 - ix. wheel washing facilities;
 - x. temporary access

Works on site shall only take place in accordance with the approved Construction Environmental Management Plan.

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

HOURS OF OPERATION

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

Monday to Friday	0800 – 1800 hours
Saturdays	0800 – 1300 hours.

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

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

LEVELS

13. No development shall take place until details of existing and finished site levels and finished external surface levels have been submitted to, and approved by, the local planning authority. The development shall be implemented in accordance with the agreed details.

REASON: In order to protect the amenities of surrounding occupiers and to ensure the satisfactory development of the site.

SURFACE WATER MANAGEMENT STRATEGY

14. Prior to the commencement of development a surface water management strategy shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the agreed measures within the strategy, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that adequate measures for the management of surface water are incorporated into the development.

RENEWABLE ENERGY

15. Prior to the construction above ground level of any of the buildings, details of measures to demonstrate that the development will achieve the generation of at least 10% of its energy needs through the use of decentralised, renewable or low carbon technologies shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented and operational upon the first use or occupation of the buildings hereby permitted and shall thereafter be retained in the agreed form unless otherwise agreed in writing by the local planning authority.

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

HARD AND SOFT LANDSCAPING

16. No part of the development hereby permitted shall be occupied until a scheme of hard and soft landscaping for the site has been submitted to, and approved in writing by, the local planning authority. The submitted scheme shall include details of all existing trees and shrubs on the site, and details of any to be retained, together with measures for their protection in the course of development and details of the management and maintenance arrangements for new planting. All planting, seeding or turfing comprised within the landscaping scheme shall be carried out in the first planting season following completion of that stage or phase of development. Any trees or plants which within a period of 5 years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other specimens of a similar size and species, unless otherwise agreed in writing by the local planning authority.

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

HIGHWAY LAYOUT AND ACCESS

17. No part of the development hereby permitted shall be occupied until full details of the proposed highway works in St John's Road and a detailed design and layout of the proposed access from St John's Road, have been submitted to and approved in writing by the local planning authority. The development shall then be constructed in accordance with the approved details with

implementation being provided prior to the first occupation of the development unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of highway safety.

GARAGES FOR PARKING ONLY

18. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 and Section 55 of the Town and Country Planning Act 1990, the garages hereby approved/permitted shall only be used for the parking of cars in connection with the residential use of the site and for no other purposes whatsoever. The garage space shall be a minimum internal dimension of 3m in width and 7m in depth per vehicle space.

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

SERVICE ROADS

19. The carriageway[s] within the development hereby permitted [apart from the wearing surface] and footways shall be constructed prior to the occupation of any residential units detailed to have access from such road[s] or footways and the proposed road[s] and turning space[s] shall be constructed in such a manner as to ensure that each dwelling before it is residentially occupied is served by a properly consolidated and surfaced carriageway and footway between the dwellings and existing highway. Furthermore, the footways and footpaths commensurate with the frontage of each dwelling shall be constructed and completed within six months from the date of the first occupation of that dwelling. The wearing surface shall be completed prior to the residential occupation of the 50th residential unit.

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

INFORMATIVE:

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

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

Documents:

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

www.thurrock.gov.uk/planning

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Reference: 15/00379/OUT	Site: Land Adjacent 39 And 41 And To The South Of St Johns Road Chadwell St Mary Essex
Ward: Chadwell St Mary	Proposal: Outline application (with all matters reserved for a subsequent application apart from access) for proposed residential redevelopment of land between 39 and 41 St John's Road consisting of up to 43 dwellings, landscaping and new access.

Plan Number(s):		
Reference	Name	Received
5435 SK05 rev. C	Site Layout	20 th April 2016
5435 SK07	Location Plan	12 th May 2016
5435 SK04 rev. A	Proposed Elevations	22 nd March 2016
5453 SK08	Other	4 th April 2016

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> – Photographs – Flood Risk Assessment – Foul and Surface Water Drainage Strategy – Design and Access Statement – Statement of Special Circumstances – Transport Assessment – Highways Management Plan – Construction Management Plan – Control of Dust Method Statement – Waste Management Plan – Noise Report – Arboricultural Report – Travel Plan Assessment – Protected Species and Habitat Survey
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Applicant: Apex Properties Ltd	Validated: 7 July 2015 Date of expiry: 31 October 2016 (EoT)
Recommendation: Refuse	

This application is scheduled for determination by the Council's Planning Committee because it has been called in by Councillors G Rice, B Rice, L Worrall, J Kent and J Potheary.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks outline planning permission (with all matters reserved for a subsequent application apart from access) for the proposed residential redevelopment of land between and to the rear of 39 and 41 St John's Road, consisting of up to 43 dwellings, landscaping and new access.
- 1.2 This application was originally submitted for 133 units across a much larger site area encompassing the land to the rear of 39 and 41 St John's Road and an area of Green Belt land to the immediate south which would link to the Star Industrial Estate to the south east. The application has subsequently been significantly reduced in scale and size to that which is now being considered.
- 1.3 The proposals involve the re-use of the existing access into the site from recently approved residential development at St John's Road currently under construction. An additional access on to the site from the existing St John's Road to the immediate north is also proposed. The application also includes an area of Green Belt land to the south as publicly accessible open space for the benefit of local residents.
- 1.4 A number of indicative drawings are provided suggesting how the quantum of residential development could be accommodated. An indicative site layout shows a potential arrangement of building blocks and a road network through the site. Dwellings are indicatively arranged in short terraces, semi-detached pairs and detached blocks. The indicative site layout suggests that a back-to-back relationship would be achieved between proposed dwellings and existing dwellings to the north, east and west of the site. A drawing illustrating dwelling types shows an indicative arrangement of two-bedroom flatted blocks and three and four-bedroom houses throughout the site. The scale and massing is indicated as comprising predominantly two-storey development, with two flatted blocks over three-storeys. The indicative site layout suggests a schedule of accommodation as follows:

Site Area:	1.1 hectares
No. of Dwellings:	24 x 2 bedroom 3 person units (flats) 7 x 3 bedroom 5 person units (houses)

	12 x 4 bedroom 6 person units (houses) Total 29 dwellings (24 flats and 19 houses)
Amenity Space:	Private gardens for houses with private amenity areas averaging at approximately 73 sqm. Communal amenity area for flats, approximately 273 sqm. Landscaped setting for flats, approximately 100 sqm.
Building Height:	3 storey flat blocks with a maximum height of 12m and 2 storey housing [with rooms in roof for the 4 bedroom units] with a maximum height of 8.9m.
Car Parking:	36 off street parking spaces indicated within the curtilage of each dwelling or in parking courts near flat blocks

2.0 SITE DESCRIPTION

2.1 The application site is located on land between and to the rear of 39 and 41 St John’s Road and was formerly a quarry which has been backfilled. The site is bordered by a recent development of 20 houses off St John’s Road to the immediate east and the land further to the west is occupied by residential properties on Furness Close. The south eastern part of the site is bordered by the Cowards Industrial Estate. Footpath 116 runs south along the un-adopted access road and then south west close to the north west boundary of the industrial estate. The total site area comprises approximately 1.1 Hectares; the land between 39 and 41 St John’s Road comprising 0.61 Hectares along with 0.51 Hectares of land south of the residential site. The application site is bordered by residential development to the west, east and north and open Green Belt land to the immediate south.

2.2 The site fronting St John’s Road is grassed. The area of the site proposed for public open space is also grassed and with some overgrown shrubbery and vegetation, with views over the escarpment to the River Thames. Ground levels are uneven and generally rise up towards the rear boundaries of the existing residential development before falling south towards the escarpment.

2.3 The northern half of the application site is designated as a residential area, as shown in the Council’s LDF Interim Proposals Map. The land located within the southern half of the application site is designated as Metropolitan Green Belt.

3.0 RELEVANT HISTORY

Reference	Description	Decision
10/00006/FUL	Erection of 20 dwellings and provision of new access adjacent to 1 St Johns Road.	Withdrawn
08/00092/FUL	20 new dwellings.	Withdrawn

00/00993/FUL	44 new dwellings	Withdrawn
92/00598/OUT	Outline application for residential development.	Refused
91/00754/FUL	44 No. Flats in Two and Three Storey Blocks.	Approved (never implemented)
88/00844/OUT	Proposed Residential Development & Public Open Space (Outline).	Refused
58/00528/OUT	Extraction of sand and gravel from 7 acres of land at Chadwell Hall Farm, Chadwell St Mary, shown hatched diagonally in ink within the area edged red on the site plan acc. the application	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 This application has been advertised by way of individual neighbour notification letters, press advert and public site notice which has been displayed nearby.

Twenty two letters of representation have been received, all objecting to the proposals. Seventeen of these letters were in relation to the original larger scheme [133 unit scheme]. Upon receipt of revised plans [43 unit scheme], neighbours were re-consulted and five letters of objection have been received in relation to the current proposals. The letters object to the proposals on the following grounds:

- Access;
- Additional traffic and car parking;
- Amenity impacts including noise and overlooking;
- Building on open space;
- Pressures on local infrastructure;
- Flood risk;
- Impacts on wildlife;
- Environmental pollution;
- Impacts on bridleways.

4.3 ENVIRONMENT AGENCY:

No objection, subject to Council being satisfied regarding foul and surface water drainage and detailed conditions.

4.4 NATURAL ENGLAND:

No objections.

4.5 ESSEX AND SUFFOLK WATER:

No objections.

4.6 ENVIRONMENTAL HEALTH:

No objections, subject to conditions.

4.7 FLOOD RISK MANAGER:

Objection, with regard to information provided in relation to surface water management and foul water drainage.

4.8 EMERGENCY PLANNING OFFICER:

No objections. Matters associated with surface water management should be considered by the Flood Risk Manager.

4.9 HIGHWAYS:

No objections, subject to detailed conditions and adoption of the main access road from the east.

4.10 PUBLIC RIGHTS OF WAY:

Recommendations made regarding improvements to the suggested realignment of Public Footpath 116 linking to the public open space via the footpaths rather than between the previously approved housing development and the industrial estate.

4.11 HOUSING:

The proposal will need to provide 35% affordable housing units to comply with policy.

4.12 LANDSCAPE AND ECOLOGY:

No objections subject to conditions.

4.13 EDUCATION:

The proposal will generate a requirement for education contributions at nursery, primary and secondary levels (and a contribution of £336,059.21 will be required).

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:

1. Building a strong, competitive economy
4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
9. Protecting Green Belt land
10. Meeting the challenge of climate change, flooding and coastal change

5.2 Planning Practice Guidance (PPG)

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

- Climate change

- Design
- Determining a planning application
- Flood Risk and Coastal Change
- Land affected by contamination
- Open space, sports and recreation facilities, public rights of way and local green space
- Noise
- Planning obligations
- Renewable and low carbon energy
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions

5.3 Local Planning Policy

Thurrock Local Development Framework (2011)

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

The following Core Strategy policies apply to the proposals:

SPATIAL POLICIES

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

THEMATIC POLICIES

- CSTP2: The Provision of Affordable Housing
- CSTP20: Open Space
- CSTP22: Thurrock Design
- CSTP25: Addressing Climate Change²
- CSTP26: Renewable or Low-Carbon Energy Generation²
- CSTP27: Management and Reduction of Flood Risk²

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD6: Development in the Green Belt
- PMD8: Parking Standards³
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans²

- PMD12: Sustainable Buildings²
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment²
- PMD16: Developer Contributions²

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

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.

Draft Site Specific Allocations and Policies DPD

- 5.6 The 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. In this document the site is detailed as a "Housing Site Without Permission – CSM15 Rear of 1-39 St John's Road, Chadwell St Mary)". The indicative housing density of the site is 25 and the likely phasing 0-5 years.

5.7 The Planning Inspectorate has advised 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.

6.0 ASSESSMENT

6.1 The issues to be considered in this case are:

1. Plan Designation and Principle of Development;
2. Layout and Design Issues;
3. Amenity impacts;
4. Highways issues;
5. Landscape Impacts;
6. Flood Risk;
7. Planning Obligations.

1. PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

6.2 The application site should be considered in two halves: the northern half of the site lies within a residential area, and the southern half of the site lies within the Metropolitan Green Belt. Residential development is proposed only in the northern half of the site with the southern half site proposed to be improved so that it would be an area of public open space accessible for the benefit of all members of the local community.

6.3 The northern half of the site is designated within the Core Strategy Interim Proposals Map as being within the residential area. The principle of the development for the provision of additional housing within a residential area would comply with the requirements of Policy CSTP1, which states that the Council is required to deliver a minimum of 18,500 dwellings between 2001 and 2021. The site is also allocated within the Council's Site Specific Allocations and Policies Development Plan (Issues and Options) as a housing site without planning permission with the potential capacity for 25 units. Before work paused in favour of the production of the Local Plan, the DPD reached 'Preferred Option' state prior to formal submission, before examination in public. The Council has previously accepted that those sites identified within this DPD would be carried forward into the new Local Plan. Therefore, considering the current lack of a more up-to-date development plan document, the allocation of this site as a single, comprehensive housing site within the DPD should be considered to support the development proposal.

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

objectives of National Government Guidance.

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

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

The development would not conflict with any of the five purposes listed above.

6.6 The primary consideration with regards to Green Belt policy is the visual impact of the changes to the landscaping of this area. Paragraph 79 of 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 being described as their openness and their permanence. With the exception of a single detached garage shown on the indicative site layout, which would not be considered acceptable within the public open space, the proposal does not seek to construct buildings or any residential development on this Green Belt land. The applicant seeks to improve the appearance of this area of land by removing any debris and remnants from anti-social behaviour with a view to carrying out a more cohesive landscape plan for this area of land.

6.7 In conclusion under this heading, the principal of residential development on the northern half of the site is acceptable and the proposed changes to the open area of Green Belt land in the southern half would not conflict with the purposes of the Green Belt. The improvements to the southern part of the site could also bring about an opportunity to significantly improve the appearance and landscaping of the fringe of Chadwell St Mary. As a consequence the proposal would not be considered to adversely affect the openness of the Green Belt. Conversely it would encourage and promote access by making this area more usable as public open space, and as such the proposal would not be contrary to the NPPF or PMD6.

2. LAYOUT AND DESIGN ISSUES

6.8 The application has been submitted in outline form with all matters except access reserved for subsequent approval. Members will therefore need to be satisfied that the site can accommodate the quantum of development proposed without harm to character or amenity and in compliance with relevant adopted Core Strategy policies.

6.9 An indicative site layout plan has been prepared which shows an illustrative arrangement for road layout, built form and garden areas across the site. Vehicular

and pedestrian access into the site is proposed to be taken from the access road serving the new development to the immediate east and taken from St John's Road. The highways considerations associated with the re-use of this access are assessed elsewhere in this report. With reference to layout, the access would link up to the development to the immediate east and ultimately connect to St John's Road. A second access is also proposed directly on to St John's Road, although the Highways Officer has recommended this access is downgraded to a pedestrian only access.

- 6.10 Public Footpath 116 runs to the south and east of the application site. The Council's Rights of Way Officer has indicated that it would be preferable to realign the footpath linking it to the public open space via the footpaths along the access road into the site from the east rather than between the previously approved housing development and the adjacent industrial estate. The applicant has agreed to this realignment which should be secured by s.106 legal agreement.
- 6.11 The indicative site layout plan also suggests how building blocks could be arranged to achieve back-to-back or back-to-flank relationships with existing properties to the west and north and properties under construction to the east.
- 6.12 On the northern part of the site the indicative site layout plan indicates that new dwellings would be orientated at a 90 degree angle to St John's Road fronting an access road leading from St John's Road. This arrangement would not replicate the layout of the established residential development on St John's Road and it would be preferred if some dwellings would front directly on to the main road and the category of the proposed access road in this location downgraded to a pedestrian only access and the main access and exit into the site to come from the east through the adjacent development under construction. The applicant has indicated that this reorientation of the frontage element of the development on to St John's Road could be achieved and an outward looking layout of development is welcomed. A planning condition would need to be included to address this issue.
- 6.13 As noted above, the indicative arrangement of building blocks shows a clear definition between private amenity space and public realm. The indicative site layout suggests that adjoining rear gardens would be adjoined by the proposed rear garden areas. This indicative approach to the layout is supported.
- 6.14 The application proposes a development of up to 43 dwellings on a site area (not including the public open space area) of 0.61 hectares, resulting in a density development of 70dph. This density is generally compatible with surrounding residential density including the site adjacent currently under construction. Based on this single measure, the quantum of development proposed for the site will be generally compatible with the context of surrounding development. Policy CSTP1 of the adopted Core Strategy sets out the Council's policy approach to residential density and states that development should be both design-led and should seek to optimise the use of land compatible with local context. A density range of 30-70dph will generally be sought for locations such as the current site. The proposal is within the range of appropriate densities referred to by CSTP1.

- 6.15 The indicative mix of dwellings suggests that 24 (56%) of the dwellings would comprise two-bedroom flats, with three and four-bedroom houses making up the remainder of the development (16% and 28% respectively). Policy CSTP1 requires that new residential developments provide a range of dwelling types and sizes to reflect, inter-alia, local context. The proposed ratio of flats (56% of the total) is greater than the number of dwellings (44%), however, in the context of Chadwell St Mary as a whole the introduction of 24 additional flats would have no discernable impact on the prevailing form of family housing.
- 6.16 Existing residential development to the west, north and east of the site is two-storey in scale with a mix of terraced, semi-detached and detached houses. Dwellings within the adjacent Furness Close and St John's Road are predominantly short terraced rows. The indicative site layout and content of the Design and Access Statement suggest that the development will be mainly two-storey in scale, with the potential for some three-storey elements. It is considered that a two-storey development with limited three-storey elements would be compatible with local context.
- 6.17 With regards to the visual impact of the proposal, the application is only in outline, but the indicative layout shows building would be north of an existing bank which would form the boundary between the housing and open space. This existing bank has a line of trees and shrubs which would help mitigate the effects. New planting along this bank would provide additional mitigation. The proposed provision of public open space immediately south of the built form would help improve and formalise access to this area, particularly if it is linked in with the existing public rights of way. The visual impact of the development when viewed from the south could be controlled via suitable planning conditions.
- 6.18 Some indicative elevational details have been provided with the application, although appearance is a reserved matter. However, there is no prevailing style or consistency in finishing materials in areas surrounding the site. The detailed appearance of the proposed dwellings can be considered at the reserved matters stage and through the use of planning conditions.

3. AMENITY IMPACTS

- 6.19 As noted above, existing dwellinghouses in St. John's Road to the north and Furness Close to the west have rear gardens adjoining the site. Houses at the site under construction to the east will either have rear gardens backing onto the site or residential flank walls in relative close proximity to the site boundary. The indicative site layout accompanying this application suggests a layout with a back-to-back relationship between existing and proposed dwellings. This approach to layout should, subject to detail, ensure that the privacy and outlook of neighbouring properties are protected.
- 6.20 The application proposes a main point of access serving the site which re-uses the access road serving the new development adjacent from St John's Road. The route of this access passes along the frontages of dwellings in the new development. Although morning and evening peak activity from vehicles entering

and leaving the site could be expected, any noise and disturbance from vehicles using the access should be seen in the context of use of the existing access by the adjacent industrial estate. It is considered that disturbance associated with vehicle movement on the access road would not be significant.

4. HIGHWAYS ISSUES

- 6.21 The Council's Highway Officer has raised no objections to the proposal, subject to the vehicular access to the site coming from the east through the existing development under construction. The applicant has confirmed they have a right of way across this land. The Highway Officer has recommended the access road is adopted, which should be secured via the s106 Agreement. Whilst the indicative site layout shows a vehicular access, the Highway Officer has recommended that the proposed access to St John's Road should be downgraded to a pedestrian only access. A condition requiring the downgrading of this access would be necessary.
- 6.22 The indicative site layout indicates 36 car parking spaces would be provided for the proposal. This application is within an area of low accessibility. For these areas, the Council's draft parking standard recommends parking of 2 spaces for dwellings with two or three bedrooms and 3 spaces for dwellings of 4 bedrooms or more. For all types of dwelling 0.25 spaces per dwelling in addition to the above should be provided for visitors. This would give an overall requirement for 109 spaces. It is difficult to assess the current level of parking on the indicative layout, however, it would seem that the level of parking provided is below the parking standards and this will need to be reviewed within a detailed application; however, the Council is satisfied that 43 units could be accommodated on the site including the 109 parking spaces, amenity area, associated cycle storage and refuse storage associated with the development.
- 6.23 The Highways Officer has recommended that a Parking Strategy be submitted with any subsequent detailed application and has requested that a condition be included. The indicative site layout can, however, provide further off-street car parking provision and this should be considered at detailed planning stage. As this is an outline application it is considered that a planning condition would be required to address final parking provision.

5. LANDSCAPE ISSUES

- 6.24 The Council's Landscape and Ecology Advisor has commented that the site is not considered to have any significant ecological value and its loss can be mitigated by the appropriate management of the proposed public open space.
- 6.25 As previously discussed, the application site is at the top of the escarpment and therefore any buildings on the southern boundary are likely to be prominent against the skyline unless carefully sited. Existing housing and commercial buildings are already visible from Chadwell Road however their effects are partially softened by existing vegetation. This development would be north of an existing bank which would form the boundary between the housing and open space. This bank has a line of trees and shrubs which would help mitigate the effects. New planting along this bank would provide additional mitigation. The public open space would help

improve and regularise access to this area, particularly if it is linked in with the existing public rights of way.

- 6.26 The Council's Landscape and Ecology Advisor has no objections to the proposal on landscape or ecology grounds, but has highlighted the importance of the retention of this open space as a natural green space rather than having any formal play or other provision. The slope is part of the Thames Terrace grassland which is recognised to be important for a range of rare invertebrates. While there would be scope to carry out tree and hedge planting along the bank to improvement the screening and provide additional habitat interest the remainder of the grassland should be left unimproved.
- 6.27 It is therefore considered that the southern boundary treatment would need to be carefully designed to ensure that it respects the site topography and the existing agricultural character of the grassland. As this is an outline application only indicative detail has been provided on the site layout plan regarding the public open space. If Members are minded to support the application, it is considered that a planning condition is required to address the landscaping of the open space and the visual effects of the siting of the buildings to ensure that most of the area is retained as natural grassland.

6. FLOOD RISK

- 6.28 Core Strategy Policies CSTP27 and PMD15 require new developments to demonstrate that they would be compliant with regards flood risk and drainage. The Council's Flood Risk Manager has identified that there is a concern that the applicant's Flood Risk Assessment and Surface and Foul Water Drainage Strategy submitted do not provide adequate information to satisfactorily assess the foul and surface water impacts of the development.
- 6.29 Given the objection by the Council's Flood Risk Manager, in relation to the detail provided within the applicant's Flood Risk Assessment and Surface and Foul Water Drainage Strategy submitted, the Council cannot be satisfied that the development would not lead adverse conditions in relation of surface water drainage and flood risk. As a consequence the application is not considered to be compliant with Core Strategy Policies CSTP27 and PMD15 and as a direct consequence the proposal is recommended for refusal for this reason.

7. PLANNING OBLIGATIONS

- 6.30 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The Policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.31 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.

- 6.32 The IRL therefore provides an up to date list of physical, social and green infrastructure to support new development in Thurrock. This list is bi-annually reviewed to ensure it is up to date. The IRL applies a number of different development scenarios.
- 6.33 From the IRL the proposal would fall within the category H1 scenario for housing development. The IRL identifies a requirement for major applications in the Chadwell St Mary Ward to contribute toward local education provision at nursery, primary and secondary level.
- 6.34 In relation to highways improvements, the Council's Highway Officer has advised that the main access into the site from the east. Should the road not be offered for adoption by the applicant mitigation measures shall be included within the s106 Agreement.
- 6.35 As the site seeks to provide in excess of 10 units, the Council would expect the development to provide affordable housing. It is the applicant's intention to provide the 35% policy compliant affordable housing provision, which would be dependent upon the final number of units applied for at the detailed planning stage.
- 6.36 At the time of drafting this report the applicant has agreed to the above requirements however the s106 Agreement has not been completed and signed.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The principle of residential development of this site is considered sound and the development provides an opportunity to provide additional housing in the urban area.
- 7.2 However, notwithstanding the land use principle, the Council's Flood Risk Manager objects to the proposal on the basis of the level of information provided regarding the foul and surface water drainage rates for the development. As the Flood Risk Manager is not satisfied with the drainage information provided, it can only be concluded that the application does not comply with Core Strategy Policies CSTP27 and PMD15 in relation to flood risk and drainage.

8.0 RECOMMENDATION

It is recommended that the application be **REFUSED** for the following reason:

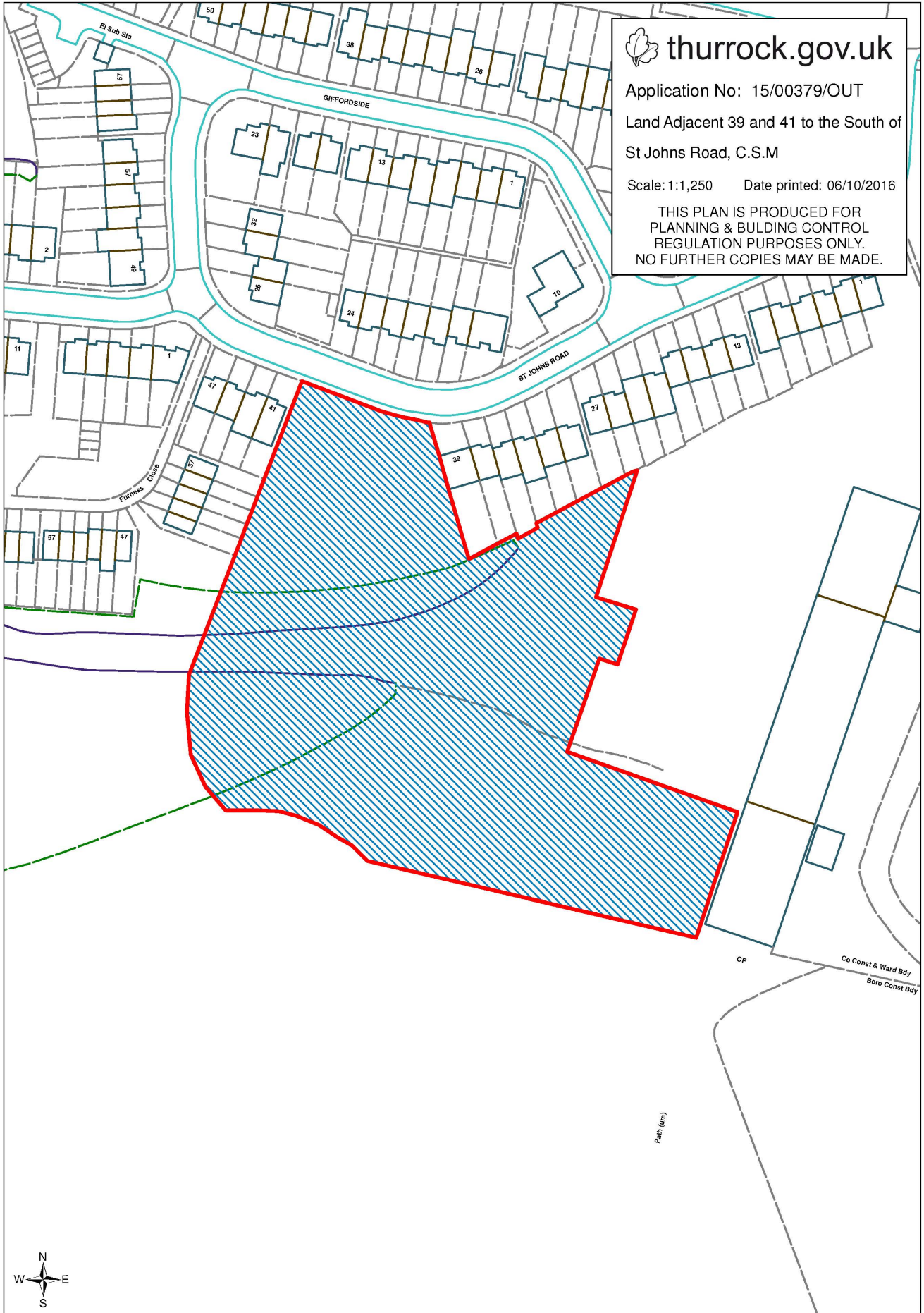
1. Core Strategy Policies CSTP27 and PMD15 require new developments to demonstrate that they would be compliant with regards flood risk and drainage.

The Council's Flood Risk Manager has concerns regarding the detail within the Flood Risk Assessment and Surface and Foul Water Drainage Strategy submitted. The Council is not, therefore, satisfied that the applicant has adequately demonstrated that the proposal would not result in flood risk and foul and surface water drainage problems, contrary to guidance contained with Core Strategy Policies CSTP 27 and PMD15.

Documents:

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

www.thurrock.gov.uk/planning



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Reference: 15/00379/OUT	Site: Land Adjacent 39 And 41 And To The South Of St Johns Road Chadwell St Mary Essex
Ward: Chadwell St Mary	Proposal: Outline application (with all matters reserved for a subsequent application) for proposed residential redevelopment of land between 39 and 41 St John's Road consisting of up to 43 dwellings, landscaping and new access.

Plan Number(s):		
Reference	Name	Received
5435 SK05	Site Layout	1st February 2016
5435 SK04	Proposed Elevations	1st July 2014
5453 SK08	Other	1st January 2016
5435 - SK09	Other	1st September 2016
5435 - SK07A	Location Plan	1st March 2016

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> – Photographs – Flood Risk Assessment – Foul and Surface Water Drainage Strategy – Design and Access Statement – Statement of Special Circumstances – Transport Assessment – Highways Management Plan – Construction Management Plan – Control of Dust Method Statement – Waste Management Plan – Noise Report – Arboricultural Report – Travel Plan Assessment – Protected Species and Habitat Survey 		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Applicant: Apex Properties Ltd</td> <td style="width: 50%; padding: 5px;">Validated: 7 July 2015</td> </tr> </table>	Applicant: Apex Properties Ltd	Validated: 7 July 2015
Applicant: Apex Properties Ltd	Validated: 7 July 2015	

	Date of expiry: 31 October 2016
Recommendation: Approve, subject to s.106 and conditions.	

1.0 UPDATE

1.1 At the time of drafting the committee report, the applicant has been working to resolve the objection raised by the Council's Flood Risk Manager. These concerns have now been addressed and there are no flood risk objections to the proposal.

1.2 It is therefore recommended that the application be **APPROVED** subject to:

A. The completion and signing of a planning obligation under S.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:

the payment of a financial contribution of £336,059.21 towards education provision at nursery, primary and secondary levels as identified under category H1 for major applications in the Chadwell St Mary Ward in the IRL;

- the adoption of the main access road into the site from the existing development to the east and highway mitigation should the access not be adopted in order to mitigate the impacts of the development;
- 35% affordable housing provision;
- The realignment of Public Footpath 116.

B. The following planning conditions:

TIME LIMIT OUTLINE

1. All applications for approval of reserved matters shall be made not later than the expiration of two years beginning with the date of this permission and the development must be begun not later than the expiration of one year from the final approval of reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

DETAILS TO BE SUBMITTED

2. No development shall commence until full details of the following reserved matters have been submitted to and approved in writing by the local planning authority:

- appearance;
- landscaping;

- layout; and
- scale

REASON: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

MAXIMUM NUMBER OF UNITS

3. The development shall not exceed a maximum of 43 dwellings. Unless otherwise agreed in writing by the local planning authority, the mix of dwellings to be delivered by the totality of the development shall not exceed 56% flats.

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

MAXIMUM HEIGHT OF BUILDINGS

4. No building on any part of the development hereby permitted shall exceed three-storeys in height.

REASON: In order to comply with the terms of the application and to ensure that the development is integrated into its surroundings in accordance with Policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

BOUNDARY TREATMENTS

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

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

SAMPLES OF MATERIALS

6. Prior to the commencement of development samples of the materials to be used in the construction of the external surfaces of buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

Policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

BIN STORES

7. Detailed plans submitted pursuant to condition 2 above shall provide full details of all the number, size, location, design and materials of bin stores to serve the development together with details of the means of access to bin stores. The bin stores as approved by the local planning authority shall be provided prior to the first occupation of any of the dwellings and shall be constructed and permanently retained in the form agreed.

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

PARKING PROVISION

8. Detailed plans submitted pursuant to condition 2 above shall show adequate land reserved for the parking and / or garaging of private cars, motorcycles and other powered two-wheeled vehicles in accordance with the details contained within the Transport Assessment ref. S16-287/TA October 2016 Revision 6.1 (and the Council's draft Parking Standards and Good Practice document (March 2012). None of the garaging or parking areas shall be within the public open space or Green Belt land.

REASON: To ensure that adequate provision is made for the parking of vehicles in the interests of highways safety, in accordance with Policies PMD8 and PMD6 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

CYCLE STORAGE

9. Detailed plans submitted pursuant to condition 2 above shall provide full details of the number, size, location, design and materials for secure and weather-protected cycle parking facilities to serve the development. Such details shall be agreed in writing with the Local Planning Authority and shall be installed on site prior to first occupation and shall thereafter be permanently retained for sole use for cycle parking.

REASON: In the interests of highway safety and in order to promote more sustainable modes of transport.

RESIDENTIAL TRAVEL PLAN

10. The measures and procedures for monitoring and review set out within the submitted Residential Travel Plan (ref. S15-234 and dated June 2015) shall be implemented during the construction and operational phases of the development and maintained throughout the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

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

CEMP

11. No demolition or construction works shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority in writing, which should contain the following:

- i. a Site Waste Management Plan;
- ii. details of measures to minimise fugitive dust during demolition, construction, demolition and stockpiling of materials (including a wheel wash for vehicles);
- iii. details of measures to minimise noise during demolition and construction 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';
- iv. details of security lighting layout and design;
- v. a procedure to deal with any unforeseen contamination, should it be encountered during development.

Works on site shall only take place in accordance with the approved Construction Environmental Management Plan.

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

HOURS OF OPERATION

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

Monday to Friday	0800 – 1800 hours
Saturdays	0800 – 1300 hours.

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

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

LEVELS

13. No development shall take place until details of existing and finished site levels and finished external surface levels have been submitted to, and approved by, the local planning authority. The development shall be implemented in accordance with the agreed details.

REASON: In order to protect the amenities of surrounding occupiers and to ensure the satisfactory development of the site.

ACCESS TO ST JOHN'S ROAD

14. The details submitted pursuant to condition number 2 of this planning permission shall provide for a layout of development which shows the access directly on to St John's Road as downgraded to a pedestrian only access between the application site and St John's Road to the immediate north.

REASON: To ensure that the layout utilises the access road to the east as its principle vehicular access and to enable primarily pedestrian traffic using the secondary access, in the interests of highway and pedestrian safety and enhancing connectivity between the established developments in St John's Road and the proposed public open space to the south.

LAYOUT AND FRONTAGE DEVELOPMENT

15. The details submitted pursuant to condition number 2 of this planning permission shall provide for a layout of development which shows frontage development on St John's Road.

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

SURFACE WATER MANAGEMENT STRATEGY

16. Prior to the commencement of development a surface water management strategy shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the agreed measures within the strategy, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that adequate measures for the management of surface water are incorporated into the development.

RENEWABLE ENERGY

17. Prior to the construction above ground level of any of the buildings, details of measures to demonstrate that the development will achieve the generation of at least 10% of its energy needs through the use of decentralised, renewable or

low carbon technologies shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented and operational upon the first use or occupation of the buildings hereby permitted and shall thereafter be retained in the agreed form unless otherwise agreed in writing by the local planning authority.

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

HARD AND SOFT LANDSCAPING

18. No part of the development hereby permitted shall be occupied until a scheme of hard and soft landscaping for the site has been submitted to, and approved in writing by, the local planning authority. The submitted scheme shall include details of all existing trees and shrubs on the site, and details of any to be retained, together with measures for their protection in the course of development and details of the management and maintenance arrangements for new planting. All planting, seeding or turfing comprised within the landscaping scheme shall be carried out in the first planting season following completion of that stage or phase of development. Any trees or plants which within a period of 5 years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other specimens of a similar size and species, unless otherwise agreed in writing by the local planning authority.

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

MANAGEMENT OF PUBLIC OPEN SPACE

19. Prior to the construction above ground level of any of the buildings a management plan to describe the proposals for the management and maintenance of the proposed public open space within the development has been submitted to and approved in writing by the local planning authority. Thereafter these areas shall be permanently managed and maintained in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

HIGHWAY LAYOUT AND ACCESS

20. No part of the development hereby permitted shall be occupied until full details of the proposed highway works in St John's Road and a detailed design and layout of the proposed access from St John's Road, have been submitted to and approved in writing by the local planning authority. The development shall

be constructed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of highway safety.

Documents:

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

www.thurrock.gov.uk/planning

Reference: 16/01035/TBC	Site: The Tops Social Club Argent Street Grays Essex RM17 6JU
Ward: Grays Riverside	Proposal: Redevelopment of the Tops Social Club site with the erection of one part 5 storey/part storey residential block comprising of 29 dwellings and one retail unit on the ground floor. Repositioning of the existing playground to the north part of the site. Creation of 8 associated parking spaces on the western side of Exmouth Road.

Plan Number(s):		
Reference	Name	Received
5485-1000B	Location Plan	10th August 2016
5485-1002A	Existing Site Layout	10th August 2016
5485-1020A	Sections	10th August 2016
5485-1021A	Sections	10th August 2016
5485-1022A	Existing Elevations	10th August 2016
5485-1101B	Proposed Site Layout	10th August 2016
5485-1200B	Proposed Floor Plans	10th August 2016
5485-1201B	Proposed Floor Plans	10th August 2016
5485-1202B	Proposed Floor Plans	10th August 2016
5485-1203B	Proposed Floor Plans	10th August 2016
5485-1204B	Proposed Floor Plans	10th August 2016
5485-1207B	Roof Plans	10th August 2016
5485-1700A	Sections	10th August 2016
5485-1701A	Sections	10th August 2016
5485-1204B	Proposed Floor Plans	12th September 2016
5485-1600B	Proposed Elevations	12th September 2016
5485-1601B	Proposed Elevations	12th September 2016
5485-1602B	Proposed Elevations	12th September 2016
5485-1603B	Proposed Elevations	12th September 2016
5485-1604B	Proposed Elevations	12th September 2016

The application is also accompanied by:	
<ul style="list-style-type: none"> - Flood Risk Assessment - Design and Access Statement - Tree Report - Daylight and Sunlight Report - Energy and Water Statement 	
Applicant: Thurrock Council	Validated: 15 August 2016 Date of expiry: 14 November 2016
Recommendation: Deemed to be granted	

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

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission for the redevelopment of the Tops Social Club site; the 4/5 storey development proposed would offer 29 dwellings [100% affordable] in the form of 23 flats and 6 maisonettes as detailed in the summary table below. The development would also provide a retail unit on the ground floor. As part of the development, the existing playground to the northern part of the site would be removed and a new playground provided.
- 1.2 The proposed design reflects a modern contemporary approach with a flat roof design to both the 4 and 5 storey elements. The design would feature a curved facade to the south western corner of the building to reflect the road junction of Exmouth Road and Argent Street. The ground floor retail unit would be recessed with the upper storey block jetting out on stilts on the south and western elevations. The building would have open balconies with railings and recessed balconies. The material palette would include grey coloured brickwork, light grey cladding (to top floor of 4 storey block) and feature glazing.
- 1.3 The proposed replacement playground area would be located directly to the north of the 5 storey building section and would include a double slide, a climbing structure, swings and landscaping around the edge over a stepped levelled arrangement.
- 1.4 A summary of the proposals is provided in the table below:

Site Area:	0.2 hectares	
No. of Dwellings:	8 x 1 bedroom 2 person units (flats) 5 x 2 bedroom 3 person units (flats) 10 x 2 bedroom 4 person units (flats) 6 x 3 bedroom 5 person units (maisonettes) Total 29 dwellings (23 flats and 6 maisonettes)	
Layout	Ground floor	6 maisonettes (lower level) and the retail unit (net floor area of 180.5m ² . Bin stores and a bike store along with other store rooms and a plant room
	First Floor	6 maisonettes (upper level) and 4 flats (2 x 2 bedroom and 2 x 1 bedroom)
	Second Floor	8 flats (6 x 2 bedroom and 2 x 1 bedroom)
	Third Floor	7 flats (5 x 2 bedroom and 2 x 1 bedroom)
	Fourth Floor	4 flats (2 x 2 bedroom and 2 x 1 bedroom)
	Roof level	Photovoltaic panels to be installed to flat roof to roof of 4 storey section and a communal garden area alongside lift housing to the flat roof level of 5 storey section
	Each unit would have its own balcony area One lift and one stairwell would connect all levels along with internal and external hallways/walkways	
Size of Dwellings:	Gross internal area	For flats between 53.3m ² – 98.5m ² For maisonettes 124.5m ²
	Amenity Space:	Balconies for flat including internal winter garden enclosed balconies all measuring between 5.7m ² and 41.6m ² Private gardens for maisonettes 89m ² Winter gardens for maisonettes 9m ² Communal Garden Areas 234m ² (roof garden)
Building Height:	Part 5 storey(19m)/part 4 storey (14m)	
Car Parking:	8 parking spaces along the western side of Exmouth Road in two banks of 4	

2.0 SITE DESCRIPTION

2.1 The application site is located on the corner of Argent Street and Exmouth Road, extending north and eastwards. The site is currently occupied by ‘Tops Club’ which is disused private members social club and a playground area along Exmouth Road. The existing ‘Tops Club’ building is a single storey structure with hard

surfaced car parking areas located to the south and west of the building and an open patio area at the north-western corner of the site.

- 2.2 Residential uses adjoin the site to the north, east and south. To the north and approximately 16m from the boundary of the site is Arthur Toft House, a high-rise residential tower 15-storeys in height. To the east of the site is Wyvern House, a development of three-storey flats dating from the late 1980's. To the south of the site on the opposite side of Argent Street are three-storey flats at Trinity House and Beville House, also dating from the late 1980's. Adjoining the site to the west is an equipped play area located at the junction of Argent Street and Exmouth Road.
- 2.3 Grounds levels fall from north to south across the site and the entire application site is located within the high risk flood zone (Zone 3).

3.0 RELEVANT HISTORY

Application Reference	Description	Decision
14/00975/OUT	Outline planning permission (with all matters reserved) for the demolition of the existing building and the construction of 24 no. one-bedroom apartments.	Approved 30.03.2015

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 This application has been advertised by way of individual neighbour notification letters, press advert and public site notices which have been displayed nearby. There have been no representations received.

4.3 ESSEX & SUFFOLK WATER:

No objections

4.4 ENVIRONMENT AGENCY:

No objection subject to the Local Planning Authority applying the Sequential Test and Exception Test.

4.5 EDUCATION:

No objection subject to a financial contribution being provided towards Nursery, Primary and Secondary education.

4.6 EMERGENCY PLANNER:

No objections subject to conditions.

4.6 ENVIRONMENTAL HEALTH:

No objections subject to conditions.

4.7 FLOOD RISK MANAGER:

No objections subject to conditions.

4.9 HIGHWAYS:

No objections subject to conditions.

4.10 LANDSCAPE & ECOLOGY:

No objections subject to conditions.

4.11 PUBLIC HEALTH:

Concerns over loss of three trees and no apparent natural green space due to high storey buildings

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework

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

authorities should apply the presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- Core Planning Principles
- Building a strong, competitive economy
- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Requiring good design
- Promoting healthy communities
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment

5.2 Planning Practice Guidance

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

- Air Quality
- Climate Change
- Design
- Flood risk and coastal change
- Hazardous substances
- Health and wellbeing
- Land affected by contamination
- Light pollution
- Natural environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning obligations
- Renewable and low carbon energy
- Tree preservation orders and trees in conservation areas
- The use of planning conditions

5.3 Local Planning Policy Thurrock Local Development Framework (LDF) (2011)

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

OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

- OSDP1 Promotion of Sustainable Growth and Regeneration in Thurrock¹

SPATIAL POLICIES

- CSSP1: Sustainable Housing and Locations

THEMATIC POLICIES

- CSTP1: Strategic Housing Provision
- CSTP2: The Provision Of Affordable Housing
- CSTP7: Network of Centres
- CSTP8: Vitality and Viability of Existing Centres
- CSTP9: Well-being: Leisure and Sports
- CSTP10: Community Facilities
- CSTP11: Health Provision
- CSTP12: Education and Learning
- CSTP14: Transport in the Thurrock Urban Area
- CSTP20: Open Space
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness ²
- CSTP25: Addressing Climate Change²
- CSTP26: Renewable or Low-Carbon Energy Generation²
- CSTP27 Management and Reduction of Flood Risk²
- CSTP29: Waste Strategy

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 Minimising Pollution and Impacts on Amenity²
- PMD2 Design and Layout²
- PMD3: Tall Buildings
- PMD5: Open Spaces, Outdoor Sports and Recreational Facilities
- PMD7: Biodiversity, Geological Conservation and Development²
- PMD8: Parking Standards³
- PMD10: Transport Assessments and Travel Plans²
- PMD16: Developer Contributions²
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment²
- PMD12: Sustainable Buildings²

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

5.4 Focused Review of the LDF Core Strategy (2014)

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

5.5 Draft Site Specific Allocations and Policies DPD

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

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

The above report was considered at the February 2014 meeting of the Cabinet. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy ‘Broad Locations & Strategic Sites’ to ensure that the Core Strategy is up to-date and consistent with Government Policy and recommended the ‘parking’ of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan.

6.0 **ASSESSMENT**

6.1 The issues to be considered in this case are the following:

- I. Principle of the Development
- II. Loss of Existing Facilities
- III. Housing Land Supply, Need, Mix and Affordable Housing
- IV. Design and Layout and Impact upon the Area
- V. Landscaping , Loss of Trees and Private Amenity Space
- VI. Effect on Neighbouring Properties
- VII. Highway matters
- VIII. Flood Risk and Drainage
- IX. Sustainable Buildings and Energy Consumption
- X. Planning obligations
- XI. Other considerations

I. Principle of the Development

- 6.2 The principle of the redevelopment of this site for residential purposes has been established through the grant of outline planning consent in March 2015 [under reference 14/00975/OUT]. That permission is extant and provides for the redevelopment of the Tops Club landholding to create 24 flats in a three storey building.
- 6.3 The difference between the current and previous application is that the previous application only included the 'Tops Club' site and not the existing playground area [the previous application represented a smaller site not extending to the road junction of Exmouth Road and Argent Street].
- 6.4 LDF CS policy CSSP1 (Sustainable Housing and Locations) refers to the target for the delivery of new housing in the Borough over the period of the Development Plan. This policy notes that new residential development will be directed to previously developed land in the Thurrock urban area, as well as other specified locations. The policy aims to ensure that up to 92% of new residential development will be located on previously developed land. The application site is within the urban area and comprises a 'brownfield' site. Although the site was not identified as a potential location for residential development in the 2012 and 2013 Site Specific Allocations and Policies DPD consultations, the principle of housing would be compatible with the character of surrounding development. Accordingly, the site may be considered as a 'windfall' location for housing and no objections are raised to the principle of residential development at this location.
- 6.5 The proposal involves the provision of a retail unit with no end user known at this stage. It is envisaged that this unit would provide a local convenience store. Given its location the retail unit is considered significantly distant from Grays town centre and therefore would not adversely affect the vitality and viability of the Grays town centre in regard to policies CSTP (Network of Centres) and CSTP8 (Vitality and Viability of Existing Centres). Therefore the retail store is acceptable in principle.

6.6 The proposal would also involve the reduction of the existing playground area to a smaller playground approximately half the size of the existing one. The principle of retaining a form of playground is acceptable.

II. Loss of Existing Facilities

6.7 LDF Core Strategy policy CSTP10 (Community Facilities) states that the Council will safeguard existing community facilities and will only allow their loss in circumstances where appropriate facilities of equal or better quality will be provided as part of the development.

6.8 The development would lead to the loss of the existing 'Tops Club' however this particular consequence of the redevelopment of the site was considered at length by the Council's Planning Committee in 2015 and given that consent exists for the redevelopment of the site [which would also see the loss of the club] it is not considered necessary to revisit this aspect of the development on this occasion.

6.9 LDF CS Policy PDM5 seeks to safeguard all recreational facilities from being lost either completely or partially.

6.10 An existing playground is located to the west of the 'Tops Club' building; this playground area would be lost but a replacement playground is proposed directly to the north of the site. The replacement playground would be smaller than the existing but would be better designed and better equipped, in accordance with the aims of policy PMD5.

6.11 In terms of equipment, the application proposes to provide a new double slide at the highest point of the site, climbing structure in the middle section of the playground alongside an under 4's play equipment area and swings. Within the playground space 6 trees, hedging and further planting is proposed. All exact details will need to be agreed through the use of a planning condition.

6.12 The Council's Environment team have raised no objection to the playground area.

6.13 To ensure the playground space is not lost during the construction phase of the development the replacement playground would be need to be constructed during the early stages of the development. Such measures can either be controlled through planning condition.

III. Housing Land Supply, Need, Mix and Affordable Housing

6.14 The proposed development would contribute to the five year housing land supply through the provision of 29 dwellings and in terms of this location would introduce

29 affordable housing units (100%) which are necessary to meet the affordable housing needs of the Borough. As a Council application submitted by the Housing Team the proposed housing size and requirements are appropriate to meet the affordable housing needs of the Borough. The proposed development represents a high density development in this location.

IV. Design and Layout and Impact upon the Area

- 6.15 LDF CS Policy PMD2 seeks to achieve the requirements of Chapter 7 of the NPPF on 'Requiring Good Design' and the proposed layout of the development would make most efficient use of the site in terms of site coverage and would be set off the eastern boundary with the nearest neighbouring property. The layout would introduce development in close proximity to the road junction of Exmouth Road and Argent Street but this is considered acceptable. Internally each dwelling unit would provide good levels of internal accommodation and circulation space to meet the standards stated in Annex 1 of the Borough Local Plan. The layout shows that habitable rooms would be sited towards the southern elevation of the building to benefit from solar gain.
- 6.16 The scale development would represent a significant change from the existing low rise single storey club building on site and the open character of the existing street corner at the road junction of Exmouth Road and Argent Street. However, in this area there are 3 and 4 storey buildings in close proximity with a 15 storey tower block to the north of the site. It is therefore considered that some variation in height would be acceptable and the 5 storey element would provide a feature structure for the street corner. The building would 'step down' eastwards from 5 to 4 storeys before the streetscape is continued with the neighbouring 3 storey block to the east of the site.
- 6.17 The proposed design reflects a modern contemporary approach with a flat roof design to both the 4 and 5 storey elements. The design would feature a curved facade to the south western corner of the building to reflect the road junction of Exmouth Road and Argent Street. The ground floor retail unit would be recessed with the upper storey block jutting out on stilts on the south and western elevations. The design would have open balconies with railings and recessed balconies. The material palette would include grey coloured brickwork, light grey cladding (to top floor of 4 storey block) and feature glazing.
- 6.18 The design of the building has evolved through pre-application discussions with officers and influenced by a workshop session held with Design Council CABE.
- 6.19 In conclusion under this heading, it is considered that the proposed development is acceptable in terms of the layout, scale, design and density considerations in terms of LDF CS policy PMD2.

V. Loss of Trees, Landscaping and Private Amenity Space

- 6.20 There are two prominent trees on the frontage of the site to Argent Street: a mature Horse Chestnut close to the western boundary and a semi-mature Sycamore close to the centre of the site frontage. The proposals involve the removal of both trees, which are subject of Tree Preservation Orders (TPOs). The specimens have been inspected by the Council's arboricultural advisor and are considered to be in a poor condition. Consequently, there are no objections to the removal of the trees subject to the provision of suitable replacements as part of a landscaping scheme for the site. Within the highway land and outside of the site a row of new trees are shown proposed along Argent Street. These proposed trees, subject to them being appropriate replacement specimens, would compensate for the loss of the two TPO trees. There is also scope for further tree planting to the north of the site.
- 6.21 Root protection measures would need to be put into place for the protection of the remainder of the trees. The majority of the trees lie outside of the site and border the northern boundary with some forming the eastern boundary to the existing playground space. Nevertheless this is Council owned land and root protection measures could be installed limiting ground excavation in these root protection areas as part of a landscape protection condition.
- 6.22 There are no details of proposed planting arrangements for the development however details could be agreed through a landscaping condition for the whole site to ensure compliance with LDF CS policy PMD2.
- 6.23 Based on the gross floorspace of each dwelling unit the proposal would provide acceptable levels of amenity space in the form of balconies of various sizes which are often the most usable source of amenity space for flats as well as communal amenity space in the form of a rooftop garden in this instance of 234 sqm. The maisonettes as the larger units would benefit from a rear garden area of 89 sqm and an enclosed balcony defined as a 'winter garden' on the plans of 9 sqm. In terms of nearby public open space the site is adjacent to an existing playground which whilst reduced in size would provide access for future occupiers as well as the nearby is the 'Grays Beach' recreation park.

VI. Effect on Neighbouring Properties

- 6.24 The surrounding area is predominantly residential and the nearest property that would be affected by the proposal is located directly to the east of the site which is a three storey block of flats known as Wyvern House which has six window openings on the western flank side wall facing the site that would be 4.6m from the eastern side wall of the proposed development. This represents an increase in distance when compared to the extant outline permission which provides only a 3m building to building distance. The relationship between the existing and proposed

buildings is therefore considered acceptable.

- 6.25 To the south of the site, existing flats at Trinity House and Beville House are located on the opposite (south) side of Argent Street and over 20m from the boundary of the site. Given this degree of separation, the proposal would not result in material harm to the amenity enjoyed by residents located to the south. To the north of the application site is a 15 storey residential block (Arthur Toft House). This building is sited approximately 16m from the northern boundary of the site and is situated at a higher ground level than the site. Based on the site layout plan, there would be a distance of some 23m between the proposed building and Arthur Toft House. A number of mature trees, many of which would remain, are located adjacent to the northern boundary of the site would partially screen the site from residents within Arthur Toft House. In these circumstances, it is considered that the residential amenity would not be materially harmed by way of loss of privacy, outlook or light.
- 6.26 Immediately to the west is Exmouth Road with the Seabrook Rise estate to the western side of the road which would not be significantly affected by the proposed development.

VII. Highway matters

- 6.27 Owing to its close proximity to Grays Town Centre, the site is classified as being within a 'high accessibility' area where a car parking range of between 0 to 1 space per dwelling is expected. The development would provide 8 parking spaces along the western side of Exmouth Road.
- 6.28 The Council's Highway Officer has raised no objection to the application subject to controls being introduced to prevent future residents of the development from obtaining parking permits. It should be noted that the parking permit application process is separate to planning legislation so would not be enforceable under planning legislation, but could be suitably controlled by the Highway Authority.
- 6.29 A new vehicular access would be formed from Exmouth Road which would be a gated 'waste management and fire access' only. Pedestrian access would be achieved via a number of entrances to the building and the inclusion of an internal lift system that would allow for access to all.
- 6.30 The Council's Highway Team require 1 cycle parking space per dwelling in a covered and secure facility. A bicycle store is shown to the rear of the retail unit and the rear entrance to the apartments. This is shown to only accommodate 12 bicycles and therefore further bicycle storage is required. Given the extent of site coverage of the building footprint there is limited room to provide safe, covered and secure cycle facilities but there is an opportunity to provide further bicycle facilities along either the eastern elevation of the building or at the rear of the gated 'waste

management and fire access'. Such details can be agreed through the use of a planning condition.

VIII. Flood Risk and Drainage

- 6.31 The site is located within high risk flood zone (Zone 3) and the application is accompanied by a flood risk assessment demonstrating that the site is at most risk from fluvial flooding from the River Thames which is tidal but this area is protected by flood defences. The consultation response received from the Environment Agency informs the local planning authority to undertake the Sequential Test and Exception Test which is required by the NPPF. The purpose of the Sequential Test is to steer new development to areas with the lowest probability of flooding (Zones 1 and 2). Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives for the development to be located in zones with a lower probability of flooding the Exception Test can be applied.
- 6.32 The Sequential Test has been applied to the proposals and that Test concludes that there are no reasonably available sites located in areas of lower flood risk within the search area that would be appropriate for the type of development proposed. The Exception Test also needs to be applied as the proposal is classified as a 'more vulnerable use' within flood zone 3 but it is considered that the proposals would deliver benefits to sustainability which would outweigh flood risk issues and that, subject to mitigation, the development will be safe without increasing flood risk elsewhere.
- 6.33 The FRA explains that flood resilient measures would be installed including higher level electric sockets and fuse boxes and that an evacuation plan would be implemented and this would be subject of the requirement of a planning condition and is sought by the Emergency Planner in their consultation response to the application.
- 6.34 Foul drainage would be achieved through connection to the main system owned and managed by Anglian Water. In terms of surface water management the site currently has limited impermeable areas so is subject to run off. The FRA identifies that drainage scheme will be submitted and this will need to be subject of a planning condition but the FRA does identify that a sustainable urban drainage system (SUDS) is the best solution. Various surface water management techniques are listed including rainwater storage in tanks and porous surfaces.

IX. Sustainable Buildings and Energy Consumption

6.35 An Energy and Water Statement accompanies the planning application and explains that the building has a low energy building design. The building would incorporate suitable technologies to meet the 15% energy target required through LDF CS policy PMD13 for an 'excellent' standard. As full details of all installations and methods are not known at this stage the details of such installations would need to be agreed through planning condition.

X. Planning obligations

6.36 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The Policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.

6.37 Following changes in legislation (Community Infrastructure Levy Regulations) in April 2015 the Council produced its Infrastructure Requirement List (IRL) which changed the way in which planning obligations through section 106 agreements can be sought. The changes brought in pooling limitations to a maximum of 5 contributions towards a type or item of infrastructure. The IRL therefore provides an up to date list of physical, social and green infrastructure to support new development in Thurrock. This list is bi-annually reviewed to ensure it is up to date. The IRL applies a number of different development scenarios.

6.38 From the IRL the proposal would fall within the category H1 scenario for housing development and R1 for retail development. Through consultation the development would require a financial contribution towards education and highways works [reference H1 – 57 and 41 – primary and secondary education and R1 – IRL 88 – contribution towards riverside footpath/cycleway].

6.39 As this is a Council development the Council's Housing Team as the developer has agreed with Planning by way of a Memorandum of Understanding to internal Council recharges from Housing to Education and Highways in respect of financial contributions towards education and cycle path provision respectively. In addition the Housing Team have undertaken to provide 100% affordable housing as part of the development.

XI. Other considerations

6.40 The site is located within the urban area and despite the Tops Club not being used the site has been maintained to the extent that there would be limited opportunities for ecology and biodiversity to flourish.

- 6.41 Details of future refuse/recycling storage and external lighting to the building and within the site can be agreed through planning condition.
- 6.42 The proposal would introduce mainly residential uses to the site apart from the retail unit and new but smaller playground to the north. Therefore compared to the current use of the site the proposal would give rise to a less nosy development.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

The development would provide much needed affordable housing in a location that has good accessibility and is close to the town centre area for services, facilities and transport hubs. The proposal is for a high quality designed development that would visually improve the area. The proposed development would lead to a smaller playground area and the loss of some mature trees which is unfortunate but replacement trees could be agreed through condition. All other material considerations such as neighbouring amenity, flood risk and highways are acceptable subject to planning conditions. For these reasons the recommendation is to approve the application.

8.0 RECOMMENDATION

It is recommended expressly for the purposes 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 planning conditions:

Standard Time

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

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

Approved Plans

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

Plan Number(s):		
Reference	Name	Received
5485-1000B	Location Plan	10th August 2016

5485-1002A	Existing Site Layout	10th August 2016
5485-1020A	Sections	10th August 2016
5485-1021A	Sections	10th August 2016
5485-1022A	Existing Elevations	10th August 2016
5485-1101B	Proposed Site Layout	10th August 2016
5485-1200B	Proposed Floor Plans	10th August 2016
5485-1201B	Proposed Floor Plans	10th August 2016
5485-1202B	Proposed Floor Plans	10th August 2016
5485-1203B	Proposed Floor Plans	10th August 2016
5485-1204B	Proposed Floor Plans	10th August 2016
5485-1207B	Roof Plans	10th August 2016
5485-1700A	Sections	10th August 2016
5485-1701A	Sections	10th August 2016
5485-1204B	Proposed Floor Plans	12th September 2016
5485-1600B	Proposed Elevations	12th September 2016
5485-1601B	Proposed Elevations	12th September 2016
5485-1602B	Proposed Elevations	12th September 2016
5485-1603B	Proposed Elevations	12th September 2016
5485-1604B	Proposed Elevations	12th September 2016

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

Use of Ground Floor Retail Unit

3. The ground floor commercial unit shall only be used for uses falling within Class A1 of the Town and Country Planning [Use Classes] Order 1987 (as amended).

Reason: To ensure that the use is appropriate for this location with regard to policy PMD1 of the LDF Core Strategy and Policies for the Management of Development DPD [2011].

Hours of Use and Delivery Hours for Retail Unit

4. Prior to first occupation of the ground floor retail unit hereby approved details of the proposed hours of use and delivery hours associated with this use shall be submitted to and approved by the Local Planning Authority. The use of the ground floor retail unit shall only operate in accordance with the details as approved.

Reason: To safeguard the amenities of the occupiers of the adjoining

residential dwellings in accordance with policy PMD1 of the LDF Core Strategy and Policies for the Management of Development DPD [2011].

Playground Area

5. Notwithstanding the details stated within the application, no development shall commencement until full details of the new playground area including all details of new playground equipment and landscaping and planting schedules for this area have been submitted to and approved by the Local Planning Authority. The playground area details shall be implemented in accordance with the details.

Reason: Due to the loss of the existing larger playground area an enhanced playground area shall be provided for the benefit of local people in accordance with the requirements policy PMD1 of the LDF Core Strategy and Policies for the Management of Development DPD [2011].

Playground Implementation

6. The new playground area shall be developed and made available for use prior to the commencement of the development of the development unless otherwise agreed in accordance with a phasing programme to be submitted to and approved by the Local Planning Authority. If a phasing programme is provided the playground area shall be implemented in accordance with the agreed phasing programme.

Reason: To ensure minimum disruption to the users of the playground area and that the loss of playground facility is only for a minimal temporary period of time to allow for an enhanced playground area to be developed and made available for use for the benefit of local people in accordance with the requirements policy PMD1 of the LDF Core Strategy and Policies for the Management of Development DPD [2011].

Materials

7. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the local planning authority.

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

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

Boundary treatment

8. No development shall take place until details of the locations, heights, designs, materials and types of all boundary treatments to be erected on site have been submitted to and approved by the Local Planning Authority. The boundary treatments shall be erected/installed in accordance with the approved details and retained as such thereafter.

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

Landscaping Scheme

9. No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority a detailed scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any trees and hedgerows to be retained, together with measures for their protection in the course of development, and a programme of maintenance. The landscaping details shall be substantially in accordance with the details stated in Appendix B of the Design and Access Statement and shall include details of type and species of replacement trees for the trees to be lost as a result of the development. All planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding season following commencement of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

Landscape Protection

10. No development shall commence until the details contained in the 'BS 5837 Arboricultural Report' accompanying this planning application have been implemented including protective fencing to 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 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 policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Obscure Glazing to Eastern Elevation Windows Above Ground Floor

11. All windows above ground floor level in the eastern side elevation of the building hereby permitted shall be finished with opaque glazing and shall be fixed shut with the exception of top-hung fanlights and shall be permanently retained as such.

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

Removal of Permitted Development Rights

12. Notwithstanding the provisions of the Town & Country Planning [General Permitted Development] Order 2015 [or any order revoking and re-enacting that Order with or without modification] no development falling within Classes A, D, E, G, H of Part One of the Second Schedule of that Order shall be carried out on the site for the 'maisonettes' hereby approved as part of this development.

Reason: In the interests of amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings in accordance with Policies PMD1 and PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD [2011].

Parking provision

13. The development hereby permitted shall not be first occupied/provided with connection to utility services until such time as the vehicle parking area indicated on the approved plans has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area(s) shall be retained in this form at all times. The vehicle parking area(s) shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with policy PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Cycle Provision

14. Prior to first occupation of the development the 'Bike Store' as shown on drawing number 1200 'proposed GA Ground Floor Plan' shall be implemented in accordance with the details as shown this approved plan and shall be retained as such thereafter.

Reason: To ensure appropriate parking facilities for bicycles/powered two wheelers are provided in accordance with policy PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Additional Cycle Provision

15. Notwithstanding bike store shown on drawing 1200 'proposed GA Ground Floor Plan' additional cycle parking provision shall be provided within the site with the details of the additional cycle parking provision to be agreed but shall include shall include a secure and covered cycle parking area. The approved additional cycle parking provision shall be implemented as approved and retained as such thereafter.

Reason: To address the shortfall in cycle parking provision and to ensure additional appropriate parking facilities for bicycles/powered two wheelers is provided in accordance with policy PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Levels

16. No development shall commence until details showing the proposed finished ground and finished floor levels of the development in relation to the levels of the surrounding area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the scheme as approved.

Reason: In order to protect the visual amenity of the area in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Surface Water Drainage

17. No development shall commence until a scheme for the provision and implementation of surface water drainage incorporating sustainable urban drainage schemes (SuDS) and details of who will be responsible for the detailed maintenance and management of the SuDS has been submitted to and approved in writing by the local planning authority. The scheme shall be constructed and completed in accordance with the approved plans and prior to the occupancy of the development.

Reason: To ensure that appropriate drainage is installed to prevent the site from flooding and environmental harm in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Flood Warning and Evacuation Plan

18. Prior to first occupation/usage of the site a Flood Warning and Evacuation Plan shall be submitted and approved by the Local Planning Authority. The Flood Warning and Evacuation Plan as approved shall be implemented and be made available for inspection by all users of the site and shall be displayed in a visible location all times thereafter.

Reason: To ensure that maximum flood protection for future users of the development hereby permitted in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Refuse/ Recycling Storage

19. No development shall commence until details of the means of refuse and recycling storage including details of any bin stores to be provided shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and provided prior to the first occupation/usage of the development and retained for such purposes at all times thereafter.

Reason: To prevent any environmental harm in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Renewable energy installation

20. No development shall commence until details of proposed photovoltaic panels and any other proposed renewable energy measures to demonstrate that the development will achieve the generation of at least 15% of its energy needs through the use of decentralised, renewable or low carbon technologies have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented and operational upon the first use or occupation of the buildings hereby permitted and shall thereafter be retained in the agreed form unless otherwise agreed in writing by the Local Planning Authority.

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

External lighting

21. No development shall commence until details of the external lighting for the site including the luminance and spread of light and the design and specification of the light fittings have been submitted to and approved in writing by the Local Planning Authority, excluding one individual security lighting per dwelling. All illumination shall be implemented and retained as such in accordance with the details as approved.

Reason: To minimise light pollution upon nearby property including residential properties in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Communal TV/Satellite

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

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

Construction Environmental Management Plan (CEMP)

23. No construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the Local Planning Authority in writing. The CEMP should contain or address the following matters:

- (a) Hours of use for the construction of the development
- (b) Hours and duration of any piling operations,
- (c) Vehicle haul routing in connection with construction, remediation and engineering operations,
- (d) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site,
- (e) Details of construction access and details of temporary parking requirements;
- (f) Location and size of on-site compounds [including the design layout of any proposed temporary artificial lighting systems]
- (g) Details of any temporary hardstandings;
- (h) Details of temporary hoarding;
- (i) Method for the control of noise with reference to BS5228 together with a monitoring regime
- (j) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime

- (k) Dust and air quality mitigation and monitoring,
- (l) Water management including waste water and surface water discharge,
- (m) Method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals,
- (n) A Site Waste Management Plan,
- (o) Ecology and environmental protection and mitigation,
- [o] Community liaison including a method for handling and monitoring complaints, contact details for site managers.
- [p] details of security lighting layout and design;
- [q] a procedure to deal with any unforeseen contamination, should it be encountered during development.

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

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

Details of the Communal Roof Garden

24. No development shall commence until details of the proposed layout of the communal roof garden including boundary treatment, hard and soft landscaping have been submitted to and approved by the local planning authority. The details shall be implemented as approved.

Reason: In the interests of providing amenity space for the future occupiers of the dwellings in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant/Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. Furthermore, Members of the planning committee took the decision to grant planning permission as the proposal has been considered acceptable.

Informative

The applicant is advised that future occupiers of the development hereby consented will be prohibited from obtaining parking permits by the Highway Authority.

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



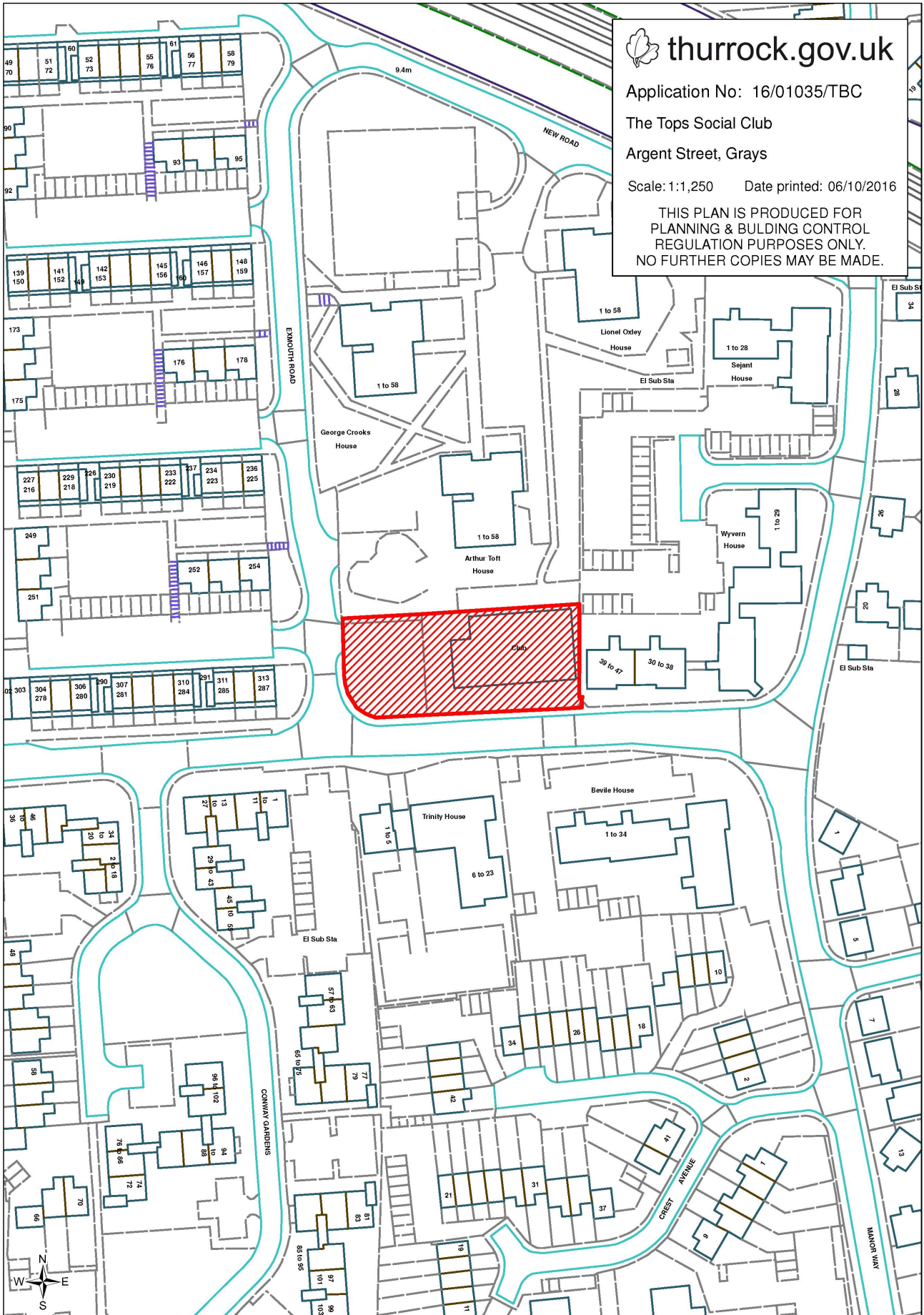
Application No: 16/01035/TBC

The Tops Social Club

Argent Street, Grays

Scale: 1:1,250 Date printed: 06/10/2016

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