

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

Planning Committee

The meeting will be held at **7.00 pm** on **8 February 2018**

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

Membership:

Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Colin Churchman, Graham Hamilton, Roy Jones, Tunde Ojetola, Terry Piccolo, Gerard Rice and Graham Snell

Steve Taylor, Campaign to Protect Rural England Representative

Substitutes:

Councillors Martin Kerin, Brian Little, David Potter, Joycelyn Redsell and Kevin Wheeler

Agenda

Open to Public and Press

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1 Apologies for Absence	
2 Minutes	5 - 10
To approve as a correct record the minutes of the Planning Committee meeting held on 11 January 2018.	
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

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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 17/01504/FUL: Stanford Le Hope Railway Station, London Road, Stanford Le Hope, Essex SS17 0JX 19 - 36

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Queries regarding this Agenda or notification of apologies:

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

Agenda published on: **31 January 2018**

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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 11 January 2018 at 7.00 pm

Present: Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Colin Churchman, Graham Hamilton, Roy Jones, Terry Piccolo and Graham Snell and Joycelyn Redsell (Substitute)

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillors Tunde Ojetola and Gerard Rice

In attendance: Andrew Millard, Assistant Director - Planning, Transport and Public Protection
Leigh Nicholson, Development Management Team Leader
Matthew Gallagher, Principal Planner
Charlotte Raper, 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.

54. Minutes

The minutes of the Planning Committee meeting held on 7 December 2017 were approved as a correct record.

55. Item of Urgent Business

There were no items of urgent business.

56. Declaration of Interests

57. Declarations of receipt of correspondence and/or any meetings/discussions held relevant to determination of any planning application or enforcement action to be resolved at this meeting

The Chair declared receipt, on behalf of the entire Committee, of an email in support of application 17/01270/DVOB: Aveley Football Club, Mill Road, Aveley, RM15 4SR, which was item 8 on the agenda.

58. Planning Appeals

The Chair informed the Committee that no appeal decisions had been received since the previous meeting.

RESOLVED:

That the Committee noted the report.

59. 17/01270/DVOB: Aveley Football Club, Mill Road, Aveley, RM15 4SR

The Principal Planner provided Committee Members with some background to the application, which sought to vary the s106 legal agreement attached to planning permission ref. 13/01021/OUT, regarding the 'Mitigation Contribution'. Members were advised that at the time that planning permission was granted the Committee showed flexibility in the consideration of planning obligations following an independent review of a financial viability assessment and waived the usual requirement to provide affordable housing and also agreed to a discounted financial mitigation contribution from the developer.

The Principal Planner continued to highlight that a letter had been submitted by the applicant's legal team, which had been seen by both planning and legal officers. This letter highlighted 5 salient points, to each of which he provided a response:

1. *The Mill Road application (for housing) (13/01021/OUT) and the Belhus Park application (for an enhanced football club and community facility at Parkside) (13/01022/FUL) are intrinsically linked. If the viability of one site is in question so too is its linked site.*

The reports presented to the Planning Committee in 2014 noted how the applications were linked; the same applicant, the applications were simultaneous and there was a specification for the continuity of sports pitch provision. The applicant's financial model also linked both sites as the sale of the Mill Road site would generate income, this income minus the construction costs would generate a figure – the mitigation contribution. The s106 recommendations from 2014 referred to viability and build costs, but only in terms of potential additional contributions, to make up the shortfall not further reductions. Although the applicant was entitled to seek a reduction in the mitigation payment, for the reasons set out in the report Officers considered that a reduction was not justified.

2. *Whilst the s106 obligation itself does not include provisions to reduce the mitigation payment, on review of the decisions made by the Council in 2014 it is clear that its intention was for this to be taken into account.*

The Committee reports from March 2014 referred to some 'unknown factors' such as the final land acquisition and remediation costs for the Belhus Park site, which were not known at that time. Members of the Committee at the time were however flexible in allowing an exemption from the standard affordable housing provision and the reduced planning obligation strategy payment. Both the recommendations presented previously to Planning Committee and the s106 agreement only referred to additional payments.

3. *It is incorrect to say that the fundamental planning purpose and aim of the s106 agreement is to ensure that the impact of the residential development on education provision etc. are mitigated because, put simply, no aims or purposes are included in the drafting of the s106. (The s106 latterly becomes a nonsense when at Schedule 2 the Council covenant to only use the monies for the purposes for which they were paid, whilst at no time reciting those purposes anywhere in the s106 agreement).*

The s106 agreement imposed obligations upon the owner of the site to include payment of a contribution defined as 'in order to assist in mitigating the impact of the development (i.e. the residential development) in accordance with the Planning Obligation Strategy'. This Strategy was not quoted verbatim in the s106 agreement however paragraph 1.1 was quite clear regarding the approach to planning obligations as set out in the strategy is to ensure that 'development contributes appropriately either financially or in kind to the infrastructure that needs to be provided' and a list of infrastructure items subject to the standard charge was also included. It was therefore the view of officers that the s106 was clear in referring to the obligation strategy which in turn set out the provenance for contributions.

4. *A reduction in the mitigation payment because the football club has encountered additional costs services the same planning purpose as the Council and the Committee identified in 2014. That Committee Report (and resolution) accompanying application (13/01021/OUT) ("the 2014 report") identifies a viability formula to redirect any residual monies in accordance with a then (likely unlawful, now disbanded) Planning Obligations Strategy. This Committee would be unsound to proceed without Members undertaking a thorough review of their decision in 2014 (as the writer has done in preparing this letter) and making this decision, in 2018, in line with the same principles.*

The application for the replacement football facilities presented in 2014 identified that those facilities would comply with core strategy policies which formed part of the justification for development of the Green Belt. A judgement was however required as to whether a reduction in the mitigation payment was justified. At the time Education and Highways identified the need for contributions; the Mill Road site offered no affordable housing provision and the mitigation contribution was reduced therefore, on balance, it would be legitimate for Members to consider the community benefits of the sports facilities against other community benefits but officers had concluded that the balance had been tipped too far and there was a pressing need for education contribution which would outweigh any benefit of reducing the contribution in favour of a community sports hub.

5. *With that in mind it can be seen that a contribution was sought in 2014 to mitigate the impact on bus services, nursery and primary education it does not then follow on from that the 2018 Report now concludes that the mitigation contribution will be required to address on the new demands on already oversubscribed local primary school provision and*

for the contribution to be the same level as before, without reference to any justification for the contribution on the Council's part.

The report referenced the Pupil Place Plan which highlighted a steep increase in the primary school age population. The forecast for the two nearest primary schools for the period of 2017-2021 were overcapacity, factoring in the child-yield from the residential development. Applying the education department's standard formula, the education contribution for the Mill Road site would exceed c.£550,000 and therefore the existing s106 contribution was potentially already insufficient and in any case justified.

It was the officer's recommendation that the existing s106 agreement should stand and the application should therefore be refused.

Councillor Snell noted a large amount of the difference had been an increase in land acquisition costs. He queried why the applicant had assumed such a low acquisition cost and why this had not been the case. The original financial model assumed the land could be acquired at no cost, save for transaction costs. The Council had been the freeholder however Impulse Leisure had an outstanding leasehold interest and therefore wanted a commercial return on the site. The applicant had been keen that the Committee considered the application expeditiously despite the issue of land acquisition remaining unresolved at the time. Members were also advised that while the land acquisition costs had increased the receipt for the Mill Road site had also increased by circa £1.3million.

Councillor Hamilton questioned whether there had been any contingency plans in place on the part of the applicant in anticipation of this variation in price. In the report from 2014 for the replacement football facilities officers referenced that despite the outstanding queries in relation to land value, the leasehold interest of Impulse Leisure and the cost of developing the facilities the applicant was keen for the Council to proceed with the determination of the application in order for the new facilities to be made available. Any developer would have a contingency plan however between the Planning Committee meeting in March 2014 and the final signing of the s106 agreement in March 2015 the issue was not raised with Council Planning Officers.

Councillor Redsell sought clarification regarding the Council owning the land and the 'costs' of the flying club. The football club had to submit a scheme to assist in the relocation of the model flying club as one of the planning conditions. This was a prime example of the difficulty in comparison between the original viability assessment with the current as the headings did not all carry across. Those negotiations were not within the remit of the planning authority so officers could not comment. The Council did own the land, as the freeholder, however Impulse Leisure had a leasehold interest. The land was now owned by the football club

Councillor Jones asked why there had been no consideration to the provision of affordable housing. The basic model had been the proceeds from the sale

of the Mill Road site minus the combined acquisition and remediation costs for the football club facilities would have left the funds for mitigation contribution. The provision of affordable housing was a planning consideration in 2014, however Committee had resolved that other factors outweighed this consideration.

Councillor Piccolo queried whether the original residential development, had it been a standalone application, would have been subject to the affordable housing provision and full mitigation contribution. Members were advised that, in line with Council Policy, this would have been the case.

The agent, John Jowitt, was invited to the Committee to present his statement of support.

The Campaign to Protect Rural Essex Representative sought clarification as to who had liability for the S106 responsibilities. At the time the application was first determined Aveley Football Club, as the landowner, were liable. The requirements related to the former ground which had now been acquired by Persimmon and the liability had therefore transferred to them.

It was proposed by the Chair and seconded by the Vice-Chair that the application be refused, as per the Officer's recommendation.

For: Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Colin Churchman, Graham Hamilton, Roy Jones, Terry Piccolo, Graham Snell and Joycelyn Redsell.

Against: (0)

Abstain: (0)

RESOLVED:

That the application be refused.

The meeting finished at 7.43 pm

Approved as a true and correct record

CHAIR

DATE

Any queries regarding these Minutes, please contact Democratic Services at Direct.Democracy@thurrock.gov.uk

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8th February 2018	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, Assistant Director – Planning, Transportation and Public Protection.	
Accountable Director: Steve Cox, Director of 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:

- 3.1 Application No: 15/01354/OUT
- Location: Land Part of Little Thurrock Marshes, Thurrock Park Way, Tilbury
- Proposal: Application for outline planning permission (with details of landscaping, scale and appearance reserved) for the development of 13.36 ha of land to provide up to 280 residential units, a 250 sq.m. community facility (Use

Class D1) and 1,810 sq.m. of commercial floorspace (Use Class B2/B8) with associated landscape, flood improvement and access works.

- 3.2 Application No: 17/00837/HHA
Location: 55 Lennox Close, Chafford Hundred
Proposal: Loft conversion with rear dormer and roof lights on the front elevation
- 3.3 Application No: 17/00882/FUL
Location: 1 Fairview Avenue, Stanford Le Hope
Proposal: Erection of detached dwelling
- 3.4 Application No: 17/00422/FUL
Location: 13 Crouch Road, Chadwell St Mary
Proposal: Construction of a block of flats consisting of 2no. bedsits, 1no. two-bedroom flat and 1no. three-bedroom flat.
- 3.5 Application No: 17/00705/FUL
Location: 2 St James Avenue East, Stanford Le Hope
Proposal: Demolition of garage and erection of 2 bedroom bungalow on land rear of 2 St James Avenue East
- 3.6 Application No: 17/01154/HHA
Location: Wychem, Rectory Road, Orsett
Proposal: Single storey rear extensions, first floor rear balcony, one front dormer and cover roof to front entrance

- 3.7 Application No: 17/00047/BUNWKS
Location: 28 Bata Avenue, East Tilbury
Breach: Installation of UPVC Windows without the benefit of Planning Permission (the property is listed)
- 3.8 Application No: 17/01137/HHA
Location: 215 Southend Road, Stanford Le Hope
Proposal: Retrospective - replace existing boundary / driveway entrance wall with new wall blockwork and rendered
- 3.9 Application No: 17/00120/LBC
Location: 26 Bata Avenue, East Tilbury
Proposal: Replacement of timber windows with UPVC double glazed windows
- 3.10 Application No: 17/00739/ADV
Location: Land South Of Hovels Farm, Southend Road
Proposal: Retention of a V-shaped board featuring 2 x fascia signs

4.0 Appeals Decisions:

The following appeal decisions have been received:

- 4.1 **Application No: 17/00874/HHA**
Location: 11 King George Vi Avenue, East Tilbury
Proposal: Two storey side extension with front porch and new style of windows to existing house and extension.
Decision: Appeal Dismissed

4.1.2 The Inspector considered the main issues to be the effect of the appeal development on the character and appearance of the appeal property and the East Tilbury Conservation Area.

4.1.3 The Inspector took the view that to grant permission would undermine the original architecture and uniformity of this and other buildings in The Avenues area and therefore the appearance of the Conservation Area. The Inspector found the development to conflict with CS policies PMD4, CSTP24, CSTP22, PM2 and core planning principles of the NPPF.

4.1.4 The full appeal decision can be found online.

4.2 Application No: 16/00023/CUSE

Location: Storage Yard, Blockhouse Road, Grays

Breach: Without the benefit of planning permission the material change of use of the land from commercial storage to land for residential use, including the stationing of a mobile home, the entrance gates, walls, hard standing/surface, and the associated parking of motor vehicles on the land.

Decision: Appeal Dismissed / Enforcement Notice upheld with variations

4.2.1 The Inspector considered the main issues to be:

- i. The implications that the development would have for the maintenance of high and stable levels of economic and employment growth in the area and;
- ii. Whether there would be any unacceptable effect upon the amenities of neighbouring occupants or future occupants of the site with particular regard to noise disturbance and;
- iii. The effect that the development would have on the character and appearance of the surrounding area.

4.2.2 In relation to (i), the Inspector noted that the site has no specific land classification on the Proposal Map accompanying the LDF Core Strategy. The Inspector found no clear conflict with Policy CSTP6.

4.2.3 In relation to (ii), the Inspector raised concern to the relationship between the appeal site and the adjacent industrial / commercial uses, and took the view that there would be an unacceptable effect upon the amenities of future occupants of the mobile home.

4.2.4 In relation to (iii), the Inspector found the mobile home to be entirely incongruous and out of keeping with the surroundings. The Inspector took the

Inspector concluded that the design of the development failed to respond to the character of the surrounding area and local context.

4.2.5 The Inspector found it necessary to vary the Enforcement Notice to remove the requirement placed upon the land owner to remove the gates and hardstanding. The Inspector also found it necessary to vary the compliance period, increasing the period for compliance from 3 months as originally drafted to 6 months. With these variations, the Inspector upheld the Enforcement Notice and dismissed the appeal.

4.2.2 The full appeal decision can be found online.

4.3 **Application No: 17/00129/FUL**

Location: Land Adjacent 23 St Teresa Walk, Chadwell St Mary

Proposal: 2 New 3 bedroom dwellings with 4 associated car parking spaces.

Decision: Appeal Dismissed

4.3.1 The Inspector considered the main issues to be:

- i. The effect of the proposal on the character and appearance of the area;
- ii. The effect of the proposal on the living conditions of the occupiers of No's 21 and 23 St Teresa Walk, No 27 St Marys Road and No 1 Philippa Way in relation to outlook and privacy; and
- iii. Whether the proposed dwellings would provide acceptable living conditions for future occupiers in relation to external amenity space.

4.3.2 In relation to (i), the Inspector took the view that a pair of semidetached dwellings in this location would not significantly harm the character and appearance of the area, provided that sufficient amenity space could be provided.

4.3.3 In relation to (ii), the Inspector took the view that the development would result in an undue loss of privacy for the occupiers of No.1 Philippa Way and No.27 St Marys Road because of the orientation of the windows in the proposed dwellings.

4.3.4 In relation to (iii), the Inspector took the view that the dwellings would not provide acceptable living conditions for future occupiers in relation to external amenity space and this would conflict with CS policies PMD1 and PMD2.

4.3.5 In dismissing the appeal the Inspector concluded that whilst the development would tidy up a disused, overgrown site in a built, owing to the deficiencies of the scheme, the appeal should be dismissed.

5.0 Forthcoming public inquiry and hearing dates:

5.1 The following inquiry and hearing dates have been arranged:

Application No: 15/01354/OUT

Location: Land Part Of Little Thurrock Marshes, Thurrock Park Way, Tilbury

Proposal: Application for outline planning permission (with details of landscaping, scale and appearance reserved) for the development of 13.36 ha of land to provide up to 280 residential units, a 250 sq.m. community facility (Use Class D1) and 1,810 sq.m. of commercial floorspace (Use Class B2/B8) with associated landscape, flood improvement and access works.

Date: 15th – 18th May 2018

6.0 APPEAL PERFORMANCE:

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

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	2	2	6	5	8	1	0	2	0	3			29
No Allowed	0	2	4	1	0	0	0	0	0	0			7
% Allowed													24%

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: **Neil Weeks**
Principal Regeneration Solicitor

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

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

9.3 Diversity and Equality

Implications verified by: **Rebecca Price**
Community Development Officer

There are no direct diversity implications to this report.

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

None.

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

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

11. Appendices to the report

- None

Report Author:

Leigh Nicholson

Development Management Team Leader

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Reference: 17/01504/FUL	Site: Stanford Le Hope Railway Station London Road Stanford Le Hope Essex SS17 0JX
Ward: Stanford Le Hope West	Proposal: Redevelopment of existing station to provide a new station building of 517 sq.m., new footbridge, forecourt and associated vehicle drop off and pick up areas, 84 new cycle spaces and ancillary retail (Class A1/A3) premises

Plan Number(s):		
Reference	Name	Received
13015-04-000301-S3-P4	Site Location Plan	6 November 2017
13015-04-000302-S3-P3	Existing and Proposed Block Plan	6 November 2017
13015-04-000303-S3-P3	Existing Site Layout	6 November 2017
13015-04-000304-S3-P2	Existing Site Elevation	6 November 2017
13015-04-000305-S4-P14	Proposed Site Layout	8 January 2018
13015-04-000306-S3-P5	Proposed Floor Plans	6 November 2017
13015-04-000307-S3-P2	Proposed Footbridge Plan	6 November 2017
13015-04-000308-S3-P2	Proposed Elevations	6 November 2017
13015-04-000309-S3-P2	Proposed Cross Sections	6 November 2017
13015-04-000310-S3-P1	Proposed Axonometric Plan	6 November 2017
13015-04-000311-S3-P1	Proposed Perspective View	6 November 2017
13015-04-sk25 S1-P1	Sections through Chantry Crescent	8 January 2018

- The application is also accompanied by:
- Planning Statement
 - Design and Access Statement
 - Transport Assessment
 - Travel Plan
 - Environment Management Plan
 - BREEAM Review
 - Sustainability Appraisal
 - Energy Statement
 - Flood Risk Assessment
 - Arboriculture Report
 - Preliminary Ecology Assessment (inc. Bat roost and Vole and Otter Survey)
 - Lighting Assessment

<ul style="list-style-type: none"> - Contaminated Land - Air Quality Assessment - Noise & Vibration Assessment 	
Applicant: Thurrock Council	Validated: 7 November 2017 Date of expiry: 9 February 2018 (extension of time agreed with applicant)
Recommendation: Approve, subject to conditions	

This application is scheduled as a committee item as 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 to redevelop the site to provide a new modern station building and multimodal hub to the front of the site.
- 1.2 The new station building would be two storeys in height made up of rectangular forms and finished with a modern, largely glazed exterior. The station building would be moved 25m south within the site. The new part of the building on the eastern side of the railway line would have a commercial unit on the ground floor, a ticket area off the internal concourse, a waiting area and male and female toilets. A lift is proposed to the footbridge to provide access to the western platform.
- 1.3 The new part of the building on the western side would have a waiting area off the internal concourse and a lift to the footbridge to provide access to the eastern platform. Both the lifts can be accessed independently of the station to allow pedestrians independent access across the footbridge.
- 1.4 To the front of the building on the eastern side of the line would be the multimodal hub which would allow buses, cars and taxis to drop off passengers at the station. There would be physical improvements to the area to the front of the station which would create the bus turnaround area, and car and taxi drop off points. A new deeper concourse would be provided to the front of the new station building fronting onto London Road. This would allow better circulation spaces for passengers accessing the station and would allow two safe pedestrian routes from the front of the building to London Road. New secure cycle parking spaces, 84, would be provided to the front of the eastern side.

2.0 SITE DESCRIPTION

- 2.1 The existing station forms a land parcel measuring 0.82 hectare to the south of London Road and some 50m from the junction with King Street. The main station and platforms were built in the 1960s. A small retail unit is provided within the station complex to the east side of the railway line. There is a pedestrian bridge over the railway line but this is only accessible by paying passengers.
- 2.2 The site is designated on the Core Strategy Proposals Map as being within a Local Nature Reserve. Mucking Creek passes in close proximity to the eastern boundary, with private residential housing and associated rear access road adjoining the eastern bank of the creek. There are further residential uses including flats and a communal car park to the west of the site and west of the rail line.

3.0 RELEVANT HISTORY

- 3.1 None

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. At the time of writing this report there had been one comment of support and four comments of objection. The matters raised are:

- Air Pollution
- Noise
- Odour & Litter
- Light Pollution
- Loss of Privacy/overlooking
- Visual Intrusion
- Increased Flood risk
- Loss of Wildlife
- Effect on Local Business
- Land Ownership & Right of Way Issues

- 4.3 ANGLIAN WATER:

No response.

4.4 CADENT (GAS NETWORK):

No objection.

4.5 EMERGENCY PLANNING:

No objection subject to conditions.

4.6 ENVIRONMENT AGENCY:

No objection.

4.7 ENVIRONMENTAL HEALTH:

No objection subject to conditions.

4.8 ESSEX AND SUFFOLK WATER:

No objection.

4.9 HIGHWAYS:

No objection subject to conditions.

4.10 HIGHWAYS ENGLAND:

No objection.

4.11 LANDSCAPE AND ECOLOGY:

No objection subject to conditions.

5.0 POLICY CONTEXT**National Planning Guidance**National Planning Policy Framework (NPPF)

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

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

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
4. Promoting sustainable transport
7. Requiring good design

Planning Practice Guidance

5.3 In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 48 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
- Ensuring the vitality of town centres
- Flood Risk and Coastal Change
- Natural Environment
- Noise
- Travel plans, transport assessments and statements in decision-taking
- Transport evidence bases in plan making and decision taking
- Use of Planning Conditions

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

5.4 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in January 2015. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- CSSP3: Sustainable Infrastructure

Thematic Policies:

- CSTP10 (Community Facilities)
- CSTP14 (Transport in the Thurrock Urban Area: Purfleet to Tilbury)³
- CSTP15 (Transport in Greater Thurrock)
- CSTP16 (National and Regional Transport Networks)³
- CSTP18 (Green Infrastructure)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)²
- CSTP25 (Addressing Climate Change)²
- CSTP26 (Renewable or Low-Carbon Energy Generation)²
- CSTP27 (Management and Reduction of Flood Risk)²
- CSTP33 (Strategic Infrastructure Provision)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²
- PMD2 (Design and Layout)²
- PMD10 (Transport Assessments and Travel Plans)²
- PMD12 (Sustainable Buildings)²
- PMD15 (Flood Risk Assessment)²
- PMD16 (Developer Contributions)²

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

Focused Review of the LDF Core Strategy (2014)

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

that the amendments were sound subject to recommended changes. 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.

Draft Site Specific Allocations and Policies DPD

- 5.6 This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. The 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.

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

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

Thurrock Local Plan

- 5.8 In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a ‘Call for Sites’ exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in early 2018.

6.0 ASSESSMENT

- 6.1 The planning issues to be considered in this case are:
- I. Principle of the development
 - II. Design and layout

- III. Impact upon biodiversity and ecology
- IV. Impact to residential amenity
- V. Traffic impact, access and car parking
- VI. Flood risk and site drainage

I. PRINCIPLE OF THE DEVELOPMENT

- 6.2 The NPPF states that the planning system should place significant weight on the need to support economic growth by encouraging and not impeding sustainable growth (Paragraph 19). The NPPF also describes the importance of transport in facilitating sustainable development. At paragraph 29, the NPPF stresses that transport systems needs to be balanced in favour of sustainable transport modes, providing commuters with alternative modes of travel. Finally, at paragraph 31 the NPPF encourages Local Authorities to work with transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development, including transport investment necessary to support strategies for the growth of ports or other major travel demands in their areas.
- 6.3 The proposal represents significant investment in infrastructure development within the public transport network which would help to support the Council's wider regeneration aims in one of the key hubs in the Borough. The upgrading of the station will lead to wider benefits to the local area with enhanced accessibility to the station for commuters and employees in the nearby area.
- 6.4 The proposal which would bring about a modern transport interchange including the new bus interchange and improved cycle storage facilities which will encourage passengers to adopt alternative methods of transport to access the station and travel within and outside of the Borough. Planning policies have for many years supported sustainable forms of transport, of which rail travel is an important part. In this respect, the application satisfies many of the policies mentioned in national and local policy documents including the NPPF.
- 6.5 The scheme should also increase the use of the railway network as the capacity for additional passengers would be increased by the larger size of the station building and platforms. This is considered necessary for the local area, with developments such as the DP World London Gateway container port and supporting logistic park in close proximity. The recent growth in housing in the area along with new employment opportunities have and will continue to result in increased passenger numbers which will not be able to be accommodated within the existing station in the future.
- 6.6 In conclusion under this heading, the proposal accords a range of Core Strategy policies and guidance contained in the NPPF. The principle of the redevelopment is therefore considered to be sound.

II. DESIGN AND LAYOUT

- 6.7 The proposal would comprise the complete redevelopment of the station building on both sides of the track. The development would also create a new improved external concourse and frontage to the site.

- 6.8 The proposed station building would be of a modern design, with each elevation designed with large glazed areas. The proposed building, on each side of the railway line would have flat roofs. On the eastern side the building would be single storey where it is closest to London Road, rising to two storeys further in the site; the footbridge represents the highest point linking both elements of the building across the track. The building would be predominantly two storeys on the west of the track.
- 6.9 The design of the existing station reflects the era of its construction, and in comparison with the proposal it appears low, dark and cramped. In contrast, the modern design of the new station building would improve the visual qualities of the immediate surroundings and provide a much improved facility for passengers.
- 6.10 Whilst the building would be set further back from the road than the existing, the open appearance of the building will create a visual link between the building and the street frontage, allowing pedestrians to see into the building and passengers to see out towards the street scene. The design of the bridge provides a strong link between the buildings on each side of the track. The design of the new building would considerably improve the appearance of this area.
- 6.11 The public realm in front of the station would also be changed considerably. The present station forecourt currently accommodates a small vehicle drop off turning point and un-secure two-tier cycle storage with no taxi ranks. The station building is currently situated close to the road and there is little useable space to accommodate passengers existing or leaving the station.
- 6.12 The proposed station would be set back from the road to allow a significantly deeper concourse area. This allows an improved area for pedestrians to the front of the site.
- 6.13 The new station building and site layout would be a vast improvement to the present buildings on the site. The replacement building would be visually more attractive and more suitable. In addition, the larger circulation areas and improved external concourse area would provide a more welcoming and usable space for passengers.
- 6.14 In design and layout terms, the proposal is considered to enhance the area and comply with Policies PMD2 and CSTP22 of the Core Strategy.

III. IMPACT UPON BIODIVERSITY AND ECOLOGY

- 6.15 Policy CSTP18 states that the Council will restore, protect, enhance and where appropriate create its green assets and sees green infrastructure as a means to address the connectivity between urban and rural areas in the Borough and ensure that such green assets are multi-functional in use.
- 6.16 The application site lies within a Local Nature Reserve and has part of a 'Green Chain' running through the site north to south. The Council's Green Grid Strategy strives to maximise public access along these route. In accordance with the

ambitions of the Green Grid Strategy, the application proposes to allow public access from London Road, along the eastern boundary of the site to Mucking Creek. This link has been designed into the proposal to allow the Green Chain to be retained. This will be of wider public benefit improving green access links between green assets and will allow improved access for recreation for local residents.

- 6.17 With regard to wildlife, the Council's Landscape and Ecology Advisor indicates that the habitat interest of the site is relatively low. A bat, water vole and otter survey has been carried out by the applicant and the studies have been presented with the application. The surveys revealed no sign of any species.
- 6.18 There will be some trees removed as part of the development. The loss of these trees will be mitigated by the planting of new mature trees after the construction of the replacement station building is completed. This has been an area of concern to local residents and a landscaping scheme should be secured by condition on any consent granted to ensure the visual appearance and landscape quality of the area is protected.

IV. IMPACT TO RESIDENTIAL AMENITY

- 6.19 The station redevelopment has many benefits to the wider area, and it is important that the development does not adversely affect nearby properties. The main area of neighbour concern was the loss of trees on the site boundary. As set out above, it is acknowledged that the loss of the established trees between the station and the properties in Chantry Crescent will need to be mitigated. The plans indicate that significant mature planting will be provided between the new station building and 33 – 41 Chantry Crescent and this matter should be addressed via condition.
- 6.20 In addition to landscaping, the scheme also proposes new boundary treatments including an acoustic screen to reduce the impact of noise to the residents in Chantry Crescent. Again, this matter should be covered by appropriate conditions.
- 6.21 With the provision of additional landscaping/tree screening, the proposal is acceptable with regard to the requirements of Core Strategy PMD1 as residential amenity would not be significantly affected in this regard.

Other Neighbour concerns

- 6.22 Other concerns from residents related to matters relating to the operation of the new station, including air pollution, noise, odour and litter resulting from the proposal. Whilst it is accepted that the building would be bigger, there is nothing to suggest that the proposal would result in more of a harmful impact to neighbours than the existing station. Indeed, with a better layout, newer design, improved construction and more up to date lighting it is considered the building should have less of an impact on neighbours than the existing.
- 6.23 The visual impacts would be mitigated by the landscaping as discussed above.

- 6.24 Issues, including floor risk and loss of wildlife are dealt with in sections VI and III of this report respectively.
- 6.25 The proposal would be likely to lead to increased customer numbers into and out of the area and would be likely to improve footfall and accessibility to local businesses and would therefore support rather than harm local businesses.

V. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.26 The development will offer improved access for cars and buses. This is an important part of the scheme as the station does not have any formal drop off points or bus stops within the site presently. The development will allow vehicles to access the site. It will also allow pick-up/drop-off for vehicles. The proposal needs to be future proofed to allow commercial buses to access the site, this will be secured through condition. These changes to the site will greatly improve the accessibility of the station encouraging use of sustainable transport methods.
- 6.27 This complies with CSTP14 which encourages better transport interchanges to encourage use of public transport. The present car park is not within the red line application site, is not part of the application and remains unchanged.

VI. FLOOD RISK AND SITE DRAINAGE

- 6.28 Parts of the site are within Flood Zone 3 which is at a high risk from flooding, although much is Flood Zone 1. The Council has undertaken a sequential test for the site within its Local Plan (as the application site lays within one of the Borough's regeneration areas) and concluded that test to be passed as there are no other alternative sites. The exception test is met as the development cannot take place elsewhere as there is a significant amount of infrastructure which is already in place.
- 6.29 The proposed finished floor level of 7.4m AOD would retain an adequate standard of protection with regard to potential flooding from a tidal defence breach or flooding from Stanford Brook, surface water flooding, groundwater flooding or sewer surcharge.
- 6.30 Modelling results indicate that the development would have no adverse impact on flood levels in the brook for a range of flood frequencies and that there would be no loss of floodplain storage or reduction in flood flow capacity.
- 6.31 The Environment Agency has requested two planning conditions to ensure that any changes to the channel of Mucking Creek are pre-approved. This would not affect the green linkages. The scheme is considered to meet the relevant tests of the NPPF and Core Strategy policies CSTP27 and PMD15.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 The development of a modern integrated transport interchange is considered to be a key driver for further regeneration in Stanford Le Hope and would have wider benefits for Thurrock as a whole.
- 7.2 The visual appearance of the station would be significantly improved and would lead to a high quality gateway to Stanford Le Hope. Similarly, the improved pedestrian and vehicle access to the station would make the station more attractive to passengers into and out of the Borough. The improved access arrangements should also encourage the use of sustainable public transport and reduce the dependency on the private car.
- 7.3 Through careful consideration a suitable landscaping scheme can be provided which will ensure the development is successfully integrated into the landscape and the privacy and amenity of nearby residents is protected.
- 7.4 Overall, the redevelopment of this site is to be welcomed and approval is therefore recommended.

8.0 RECOMMENDATION

- 8.1 Approve, subject to the following conditions:

Condition(s):

TIME LIMIT

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

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

PLANS

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

Plan Number(s):		
Reference	Name	Received
13015-04-000301-S3-P4	Site Location Plan	6 November 2017
13015-04-000302-S3-P3	Existing and Proposed Block Plan	6 November 2017
13015-04-000303-S3-P3	Existing Site Layout	6 November 2017
13015-04-000304-S3-P2	Existing Site Elevation	6 November 2017
13015-04-000305-S4-P14	Proposed Site Layout	8 January 2018
13015-04-000306-S3-P5	Proposed Floor Plans	6 November 2017
13015-04-000307-S3-P2	Proposed Footbridge Plan	6 November 2017

13015-04-000308-S3-P2	Proposed Elevations	6 November 2017
13015-04-000309-S3-P2	Proposed Cross Sections	6 November 2017
13015-04-000310-S3-P1	Proposed Axonometric Plan	6 November 2017
13015-04-000311-S3-P1	Proposed Perspective View	6 November 2017
13015-04-sk25 S1-P1	Sections through Chantry Crescent	8 January 2018

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

DETAILS OF MATERIALS/SAMPLES TO BE SUBMITTED

- 3 Notwithstanding the information on the approved plans, no development shall commence above ground level until written details or samples of all 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. The development shall be carried out using the materials and details as approved.

REASON: In the interests of visual amenity and to ensure that the proposed development is integrated with its surroundings in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

FLOOD WARNING AND EVACUATION PLAN [FWEP] – DETAILS TO BE PROVIDED

- 4 Prior to the first operational use of any building located within Environment Agency Flood Zone 3, a Flood Warning and Evacuation Plan [FWEP] for the development shall be submitted to and approved in writing by the local planning authority. The approved measures within the Plan shall be implemented and the Plan shall 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 adequate flood warning and evacuation measures are available for all users of the development in accordance with policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

CROSS SECTION OF CHANNEL

- 5 Prior to the commencement of development, detailed cross sections and long sections shall be submitted where any reprofiling of the channel is proposed. If the profile differs to that which is modelled within the current Flood Risk Assessment (FRA), then the modelling will need to be updated and submitted as part of a revised FRA to reflect any changes to the current proposals. It will need to be demonstrated that flood risk will not be increased on or off site, where any changes are proposed.

REASON: To ensure that flood risk is not increased on or off site in accordance with policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

DETAILED ECOLOGICAL MITIGATION AND MANAGEMENT PLAN (EMMP)

- 6 No development shall take place until a detailed ecological mitigation and management plan (EMMP) have been submitted to and approved in writing by the local planning authority. The EMMP must show how the mitigation identified in the Preliminary Ecological Assessment will be provided. If the mitigation cannot be provided on site then there should be offsite mitigation/ compensation in order to cover this.

REASON: In order to ensure that the interests of ecology and biodiversity or protected species are addressed in accordance with policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

LANDSCAPING

- 7 No development shall take place until full details of the provision and subsequent retention of both hard and soft landscape works on the site have been submitted to and approved in writing by the local planning authority. These details shall include:
- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
 - 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support
 - 3) Details of the aftercare and maintenance programme

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation

Hard Landscape works

- 4) Details of walls with brick types, construction design and dimensions
- 5) Details of paved surfacing, with materials finishing and edgings
- 6) Details of street furniture, with designs materials and dimensions

The hard landscape works shall be carried out as approved prior to the first use/ occupation of the development hereby approved and retained and maintained as such thereafter.

REASON: To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area in accordance with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN [CEMP]

- 8 No demolition or construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the local planning authority in writing. The CEMP should contain or address the following matters:
- a) Construction hours and delivery times for construction purposes,
 - 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;
 - f) Details of temporary hoarding/boundary treatment;
 - g) Method for the control of noise with reference to BS5228 together with a monitoring regime;
 - h) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime;
 - i) details of security lighting layout and design; and
 - j) 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 LDF Core Strategy and Policies for the Management of Development [2015].

9 DETAILS OF BUS TURNAROUND

Notwithstanding the information on the approved plans, no development shall commence above ground level until details of the station forecourt showing that this can accommodate 15 metre rigid double decker buses has been submitted to and approved in writing by the local planning authority. The development shall be carried out using the details as approved and retained in perpetuity.

REASON: To ensure that adequate provision is made for a variety of vehicles to access the site; to encourage sustainable transport in accordance with Policy CSTP14 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

USE OF A1 / A3 UNIT

- 10 The commercial unit hereby permitted shall be used solely for purposes falling within the Classes A1 or A3 of the Schedule to the Town & Country Planning [Use Classes] Order 1987 [as amended] and for no other purpose [including any other purpose in Class B1 of the Schedule to the Town & Country Planning [Use Classes] Order 1987 [as amended], or any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification].

Reason: In the interests of amenity and to ensure that the development remains integrated with its surroundings as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

NO VENTILATION AND EXTRACTION – UNLESS OTHERWISE AGREED

- 11 No external plant or machinery shall be used unless and until details of the ventilation and extraction equipment have been submitted to and approved in writing by the Local Planning Authority. Any measures required by the Local Planning Authority to reduce noise from the plant or equipment shall be completed prior to the ventilation and extraction equipment being brought into use and retained and maintained as such thereafter.

Reason: In the interests of the amenity and to mitigate the impact of development in accordance with by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015]

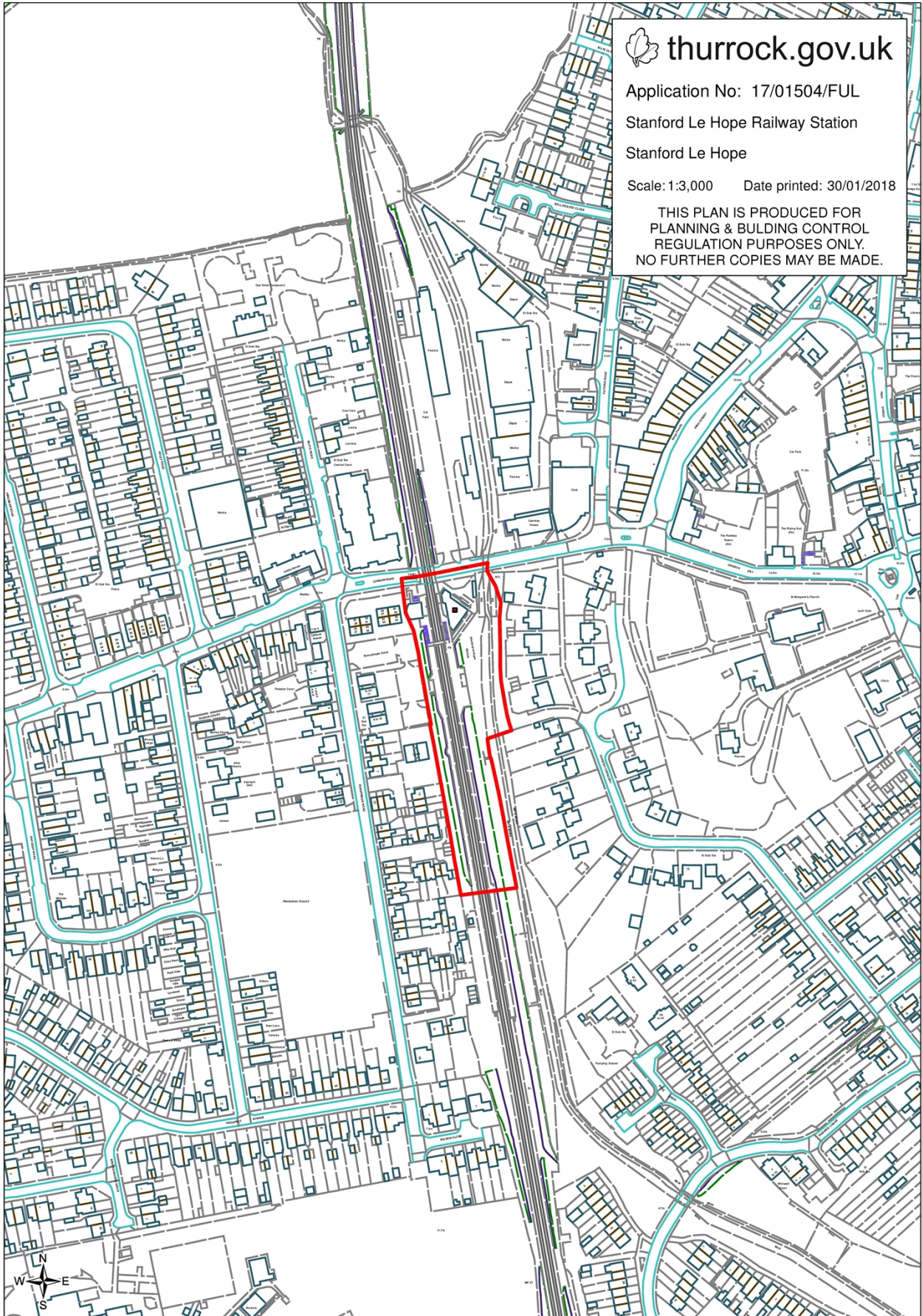
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

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.

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: 17/01435/CV	Site: South Ockendon Quarry and Landfill Site Medebridge Road South Ockendon Essex
Ward: Ockendon	Proposal: Application for the variation of condition nos. 2 (accordance with approved plans), 3 (duration of temporary permission), 10 (scheme of landscaping]), 18 (penetrative construction methods) of planning permission ref. 14/00836/FUL (Erection of solar Photovoltaic (PV) arrays with associated infrastructure (ancillary equipment includes inverters, transformers and substations), access tracks, fencing, security including pole mounted CCTV on Ockendon Landfill Site).

Plan Number(s):		
Reference	Name	Received
OC001	Location Plan	21 November 2017
OC003	Site constraints and opportunities	21 November 2017
OC005A	Mitigation and Enhancements Plan	21 November 2017
PL005	Technical details – invert transformer station	21 November 2017
PL006	DNO switchstation	21 November 2017
PL006.1	Client side switchstation	21 November 2017
PL007	Gate, fence and construction road detail	21 November 2017
EP1242-1-50000GA 27072017REVA	PV General Arrangement	21 November 2017

The application is also accompanied by:

- Planning Statement
- Environmental Statement Vol 1 – Non-technical summary
- Environmental Statement Vol 2 – Text and drawings
- Environmental Statement Vol 3 – Technical Appendices
- Environmental Statement Addendum October 2017

Applicant: REG Ockendon Solar Ltd	Validated: 21 November 2017 Date of expiry: 20 February 2018
Recommendation: Grant permission subject to referral to the Secretary of State, the completion of a deed of variation to the existing s.106 legal agreement and planning conditions.	

The application has been referred to the Planning Committee because the original planning consent (14/00836/FUL) was approved by the Committee.

1.0 DESCRIPTION OF PROPOSAL

1.1 *This application seeks to vary condition nos. 2, 3, 10 and 18 attached to planning permission reference 14/00836/FUL for the erection of solar photovoltaic (PV) arrays with associated infrastructure. The current application, submitted pursuant to s73 of the Planning Act, proposes changes to the approved plans which incorporate an increase in the footprint of the arrays and position of the substation. There would be revisions the technical piling details and to the proposed landscaping. Additionally, the operating life of the solar facility would increase from 27 to 40 years.*

1.2 The rationale of these amendments would be to maximise the energy generation of the site and increase the viability of the scheme. These changes are promoted by the applicant in the context of the removal of Government subsidies for solar energy since the original application was submitted in 2014, which undermined the development economics of the scheme.

2.0 SITE DESCRIPTION

2.1 The site extends to 98.44 hectares and is located within the Green Belt. The application site (referred to hereon as 'the site') comprises seven land parcels located to the west of Orsett Fen and to the north east of South Ockendon, some 500m east of the western boundary of Brandon Groves.

2.2 The southern half of the site was originally a minerals extraction site which was then used for waste landfill. These areas of the site have been filled, capped and restored to agricultural use, although landfill gas extraction and leachate management activities are ongoing.

2.3 The northern tip of the site comprises a single arable field (Agricultural Land Classification (ALC) Grade 3B) marked along the eastern and southern boundaries by Public Right of Way (PRoW) No. 136. is made up of a small arable field and

areas of scrub and bushes. These areas are undisturbed by landfill and clay quarrying. The northern tip of the site is generally flat and low lying at between 5 and 12m AOD.

- 2.4 To the immediate west of this area and outside the site is a clay extraction pit and landfill area. Clay extraction is currently suspended however planning permission remains for further extraction with restoration due to be completed by 2042. The area affected by clay extraction comprises a water filled pit and land which is not restored to natural levels. Further to the west of the clay pit is a mothballed landfill site. Whilst most of the area has been permanently restored, capacity remains on part of the site for landfilling and these areas are restored temporarily. PRow 136 runs along the southern boundary of the landfill and clay pit.
- 2.5 To the south of the PRow 136 is a large field proposed to be used for installation of solar PV. This area has been landfilled but has been capped with clay and topsoil and is currently in arable use (ALC Grade 3B). Site area D is the largest and most prominent, being formerly used as landfill and rising to around 24m AOD, bounded by tracks and field hedgerows. To the north-west of Area D is a landfill gas extraction and flare facility.
- 2.6 At the southern extremity of site there is a weighbridge, a landfill gas electricity generation plant and control building and a building used by Veolia for site management and security.
- 2.7 There are small blocks of mature woodland and tree belt planting located within and along the periphery of the site include a mix of primarily deciduous species.
- 2.8 The land to the south, east and north east of the site is fenland and characterized by low-lying and level landform. The settlement boundary of South Ockendon is located around 500 metres to the west of the site and in between a number of scattered dwelling houses and other properties on roads leading out of the village. Surrounding land uses also include Grangewaters Water Sports Centre to the south west. Ockendon Hall is a residential property located around 300 metres from the western boundary of the site and near to the mothballed landfill area. Next to Ockendon Hall, is a Grade II listed building and two Scheduled Monuments, a Medieval moat and Roman barrow.
- 2.7 Existing access to the site is via Medebridge Road which is accessed directly from the A13. Medebridge Road is a substantial two-lane tarmacked road. Beyond the entrance to the site is a private metalled road providing access between the various areas for HGVs. This eventually crosses PRow 136 and provides access to the clay pit. PRow 136 is a gravelled track passing between the clay pit, landfill and Area A to the north and Area D and landfill gas facilities to the south. PRow 136 is

the only publically accessible area within the site and links South Ockendon with the Mar Dyke to the east.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
14/00836/FUL	Erection of solar Photovoltaic (PV) arrays with associated infrastructure (ancillary equipment includes inverters, transformers and substations), access tracks, fencing, security including pole mounted CCTV on Ockendon Landfill Site.	Approved
17/00735/CONDC	Application for the approval of details reserved by condition nos. 6 (details of CCTV), 8 (Construction Environment Management Plan), 10 (soft landscaping), 12 (habitat creation), 13 (habitat management) and 20 (surface water management) of planning permission ref. 14/00836/FUL (Erection of solar photovoltaic (PV) arrays with associated infrastructure (ancillary equipment includes inverters, transformers and substations), access tracks, fencing, security including pole mounted CCTV on Ockendon Landfill Site)	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

4.2 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters, press advert and public site notices which has been displayed nearby. The application has been advertised as a major development, a departure from the development plan, as affecting a public right of way, as affecting the seating of a listed building and as being accompanied by an Environmental Statement.

Two neighbour letter responses have been received; one comment was in support and one was an objection. The concerns raised potential visual, noise and light pollution.

4.3 CADENT:

No objection.

4.4 ENVIRONMENT AGENCY:

No objection.

4.5 ENVIRONMENTAL HEALTH:

No objection.

4.6 ESSEX COUNTY COUNCIL – ARCHAEOLOGY:

No objection.

4.7 FLOOD RISK MANAGER:

No objection.

4.8 HISTORIC BUILDINGS ADVISOR:

No objection.

4.9 HISTORIC ENGLAND:

No objection.

4.10 HIGHWAYS ENGLAND:

No objection.

4.11 HIGHWAYS:

No objection.

4.12 LANDSCAPE AND ECOLOGY ADVISOR:

No objection.

4.13 NATURAL ENGLAND:

No objection.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework

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

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

1. Building a strong, competitive economy
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
7. Requiring good design
8. Promoting healthy communities
9. Protecting Green Belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

5.4 Planning Practice Guidance (PPG)

5.5 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 48 subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of this planning application comprise:

- Climate change
- Conserving and enhancing the historic environment
- Design
- Environmental Impact Assessment
- Flood Risk and Coastal Change
- Land affected by contamination

- Light pollution
- Natural Environment
- Open space, sports and recreation facilities, public rights of way and local green space
- Renewable and low carbon energy
- Use of Planning Conditions

5.6 The PPG states that the need for renewable or low carbon energy does not automatically override environmental protections. The first part of the Solar PV Strategy, published in October 2013, states that solar PV should be “*appropriately sited, give weight to environmental considerations such as landscape and visual impact, heritage and local amenity, and provide opportunities for the local community to influence decisions that affect them*”.

5.7 The PPG sets out criteria for assessing ground-mounted solar project planning applications. The following is taken from the guidance (Paragraph: 013, Reference ID: 5-013-20150327):

- *‘The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively. Particular factors a local planning authority will need to consider include:*

1. *Encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value.*
2. *Where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. See also a speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013 and written ministerial statement on solar energy: protecting the local and global environment made on 25 March 2015..*
3. *That solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use.*
4. *The proposal’s visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety.*
5. *The extent to which there may be additional impacts if solar arrays follow the*

daily movement of the sun.

6. *The need for, and impact of, security measures such as lights and fencing.*
7. *Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset.*
8. *The potential to mitigate landscape and visual impacts through, for example, screening with native hedges.*
9. *The energy generating potential, which can vary for a number of reasons including, latitude and aspect.*

The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero’.

5.8 UK Solar PV Strategy

5.9 The Government has produced a UK Solar PV Strategy which set out the guiding principles for deployment of solar in the UK. These principles are:

- Support for solar PV should allow cost-effective projects to proceed and to make a cost-effective contribution to UK carbon emission objectives in the context of overall energy goals – ensuring that solar PV has a role alongside other energy generation technologies in delivering carbon reductions, energy security and affordability for consumers.
- Support for solar PV should deliver genuine carbon reductions that help meet the UK’s target of 15 per cent renewable energy from final consumption by 2020 and in supporting the decarbonisation of our economy in the longer term – ensuring that all the carbon impacts of solar PV deployment are fully understood.
- Support for solar PV should ensure proposals are appropriately sited, give proper weight to environmental considerations such as landscape and visual impact, heritage and local amenity, and provide opportunities for local communities to influence decisions that affect them.
- Support for solar PV should assess and respond to the impacts of deployment on: grid systems balancing; grid connectivity; and financial incentives –

ensuring that we address the challenges of deploying high volumes of solar PV.

5.10 **Local Planning Policy**

5.11 Thurrock Local Development Framework

5.12 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” (as amended) in 2015. The Adopted Interim Proposals Map shows the site within the Green Belt. The following Core Strategy policies apply to the proposals:

Spatial Policies

- CSSP3: Sustainable Infrastructure
- CSSP4: Sustainable Green Belt
- CSSP5: Sustainable Greengrid

Thematic Policies

- CSTP9: Well-being: Leisure and Sports
- CSTP15: Transport in Greater Thurrock
- CSTP18: Green Infrastructure
- CSTP19: Biodiversity
- CSTP20: Open Space
- CSTP21: Productive Land
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness
- CSTP24: Heritage Assets and the Historic Environment
- CSTP25: Addressing Climate Change
- CSTP26: Renewable or Low-Carbon Energy Generation
- CSTP27: Management and Reduction of Flood Risk
- CSTP33: Strategic Infrastructure Provision

Policies for the Management of Development

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout
- PMD4: Historic Environment
- PMD5: Open Spaces, Outdoor Sports and Recreational Facilities
- PMD6: Development in the Green Belt
- PMD7: Biodiversity, Geological Conservation and Development

- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment
- PMD16: Developer Contributions

5.13 Focused Review of the LDF Core Strategy

5.14 This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014 and the Core Strategy Focused Review was approved on 15 October 2014. The Inspector has found that, provided modifications are made, the Thurrock Core Strategy Focused Review is sound.

5.15 Draft Site Specific Allocations and Policies DPD

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

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

5.18 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

5.19 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in the 2018.

6.0 ASSESSMENT

6.1 This is an application under section 73 of the Town and Country Planning Act 1990 to vary conditions attached to a grant of planning permission. Where an application submitted under S.73 of the 1990 Act is approved, the effect is to issue a new grant of planning permission, whilst leaving the original planning consent unaffected. Accordingly, if the current application is approved both 14/00836/FUL and 17/01435/CV would be self-contained planning permissions, although the latter permission can be assumed to represent the more up to date consent.

6.2 When considering an application under s.73, the Council as local planning authority should consider matters related to the conditions only and not the planning permission itself.

6.3 *The principle of the development has been established by the grant of planning permission in 2016 and there has been no material change in planning policy since. In resolving to approve application 14/00836/FUL Members considered there to be a number of site specific factors that weighed in favour of the development, and ultimately the proposal was found to be acceptable, subject to conditions the signing of a legal agreement and following referral to the Secretary of State.*

6.4 *This application seeks variation to the wording of a number of planning conditions and the nature and implications of these variations are described below. As the original application was accompanied by an Environmental Statement (ES), an addendum to that Statement accompanied the current submission and considers the environmental impact of the proposals with reference to landscape and visual impact, ecology, cultural heritage, agriculture, flood risk, ground conditions, transport, air quality, noise and climate change.*

Condition 2 (accordance with approved plans)

6.5 The proposal seeks revisions to condition wording to:

- substitute drawing EP1242 1-SOOOGA 27072017 Rev. A (PV General Arrangement) for drawing OC004 Site Design Plan);
- substitute drawing OC005 (Mitigation and Enhancements Plan) for drawing OC005 Rev. A;
- delete drawing PL008 (Racking system); and
- delete drawing PL009 (Indicative 132Kv compound).

The changes proposed are principally revisions to the proposed layout of solar arrays and ancillary infrastructure across the site, including an increase in footprint of arrays. This will increase the maximum generating capacity from circa 38Mw to circa 49MW, although the position of the solar arrays in relation to the boundaries of the site would be largely unchanged.

- 6.6 Revisions to the proposed layout would remove previously proposed access tracks between arrays allowing for more solar arrays within the site. Low-pressure vehicles would be used during construction, which do not require dedicated tracking. This in turn would lead to less construction activity and on-site storage requirement relating to laying of tracks. There are some benefits to this change as there would be less construction activity and on-site storage requirement relating to laying of tracks.
- 6.8 The revised layout also proposes to remove a previously proposed construction compound from the site and revises the layout to relocate a new substation compound on the north east boundary of the site area A, in an area previously illustrated as being partially within a solar array. The ES considers the impact of these changes on landscape and visual receptors. Although the area within the site boundary would be more intensively developed (i.e. the rows of PV panels would be closer together), there would also be a reduction in the height of the panels from 2.6m to 1.8m above ground level. The proposed amendment to the 'Mitigation and Enhancements Plan' principally proposes the relocation of new native hedgerow from the centre of one of the land parcels ('D') to a new location adjacent to the northern, western and southern boundaries of this plot. The ES concludes that the environmental impacts of the proposed changes are not material when compared to the original assessment accompanying 14/00836/FUL. Comments received from relevant consultees (Natural England, Landscape & Ecology Advisor, Historic England, Archaeology Advisor, Heritage Advisor) raise no objections. Consequently it is considered that the proposed variation of condition no. 2 to vary drawing numbers is acceptable.

Condition 3 (duration of temporary permission)

6.10 The current planning approval gives temporary permission for 27 years from the commencement of the development. This application seeks permission for the duration of the development to be extended to 40 years from the date of commencement of the development. The applicant's rationale behind this proposal is the scheme's financial viability. It is considered that the extension to the time period would be beneficial to provision of sustainable energy and is acceptable. If approved, the benefits of providing renewable energy would be extended for a further 13 year period. New landscaping planted as part of the proposals would also have a longer time period to develop and mature. These benefits will need to be judged against the impact on the openness of, and any other harm to the Green Belt. In submitting the original planning application the applicant did not refer to the temporary nature of the proposals to support the scheme. Furthermore the Officer report considered by Planning Committee concluded that the delivery of renewable energy, the mitigation of climate change and positive benefits for biodiversity and delivery of Green Grid improvements were factors outweighing harm to the Green Belt. These benefits remain and therefore, as a matter of judgement, the proposed extended lifetime of the development is considered to be acceptable.

Condition 10 (scheme of landscaping)

6.11 The application seeks to change part VII of this condition as follows:

Delete: *'Reinstatement of hedgerows running perpendicular to each other across field D in the location of historic field boundaries'*

Insert: *'New native hedgerow planting along the western and southern edges of Site area D, western edge of Site area A+ and between Site areas C and D'.*

This proposed variation would revise the landscape strategy, principally replacing proposed hedgerows through centre of Site area D with new hedgerows along western and southern edges of Site area D, western edge of Site area A+ and between Site areas C and D, in response to the changed layout of solar arrays and ancillary infrastructure.

6.12 Significant hedgerow planting and ecology benefits are still proposed in line with the original consent. The ES addendum reassesses the effects on landscape and visual amenity and ecology. The Council's Landscape and Ecology Advisor has stated the conclusions of the LVIA and ecology assessment are considered appropriate. It is concluded that the proposed changes will not have significant impacts compared to the previously approved scheme. These changes are considered acceptable. Although the arrays will be closer to the site boundaries they will be lower and so any visual effects will be offset.

Condition 18 (penetrative construction methods)

- 6.13 Condition no. 18 of the original consent requires any penetrative construction methods (i.e. piling) to be undertaken in accordance with the details submitted with application ref. 14/00836/FUL, such that the clay cap layer above the former landfill is not compromised. The original ES assumed that the development would be largely constructed above ground level using metal frames set onto concrete blocks set on the ground. In discussion with the Environment Agency the applicant is now considering the use of piled foundations to a maximum depth of 800mm below ground level. For information, records suggest that the depth of material above the clay cap on-site varies between 900-1600mm. Although the applicant has not suggested test of the rewording of this condition, they are aware that rewording may be required to provide assurance regarding the final design of the piling. It is therefore suggested that condition no. 18 is varied to read:

'In the event that piling or any other foundation designs using penetrative methods are proposed, piling operations shall not commence unless a report has first been submitted to, and agreed in writing by, the local planning authority demonstrating that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.'

Reason: To protect the water environment in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development (2015)'.

Planning Obligations

- 6.14 A deed of variation to the existing s106 legal agreement is required to ensure the existing obligations (Green Grid contribution / permissive bridleway) is linked to any new planning permission. At the time of writing this report the Council is awaiting a submission from the applicant for the deed of variation.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

The proposals to vary condition nos. 2 (accordance with approved plans), 3 (duration of temporary permission), 10 (scheme of landscaping) and 18 of planning permission ref. 14/00836/FUL are considered acceptable and would not materially change the assessment of environmental impacts undertaken previously.

8.0 RECOMMENDATION

8.1 That the application is approved subject to:

- A Referral to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009;
- B the completion of a deed of variation to the existing s106 agreement (ref. 14/00836/FUL) to ensure that the obligations apply to any new planning permission;
- C the following planning conditions:

1. The development hereby permitted shall begin no later than three years from the date of this decision. Written notification of the date of commencement of the development hereby permitted shall be given to the local planning authority no later than 14 days after the event.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Reference	Name
OC002	Site Boundary
OC003	Site constraints and opportunities
OC005A	Mitigation and Enhancements Plan
PL005	Technical details – invert transformer station
PL006	DNO Switchstation
PL006.1	Client side switchstation
PL007	Gate, fence and construction road detail
EP1242 1-5000GA 27072017 Rev A	PV General Arrangement

REASON: For the avoidance of doubt and to ensure that the development is in accordance with the details to which the application has been assessed.

3 Planning permission is hereby granted for a temporary period of 40 years from the commencement of development. On the 40th anniversary of the commencement of development the use shall cease. Prior to the 40th anniversary of the commencement of development the solar panels and all ancillary equipment shall be decommissioned and removed from the site in accordance with the Decommissioning Method Statement agreed pursuant to Condition 4.

REASON: In order to accord with the terms of the submitted planning application and to ensure the satisfactory restoration of this Green Belt site.

- 4 Notwithstanding condition 3, within three months of the cessation of power production on the site (measured by way of export to the electricity distribution network) for a period in excess of six months or during the 3 months period prior to the 40th anniversary of the commencement of development (whichever is sooner) a Decommissioning Method Statement shall be submitted to and approved in writing by the local planning authority. The Decommissioning Method Statement shall include;
- the timing for decommissioning of the solar farm.
 - the measures for decommissioning. Such measures shall include the removal of all development hereby permitted (with the exception of landscaping and ecological works unless otherwise agreed) including solar panels, support structures, buildings, plant, fencing and equipment and any ancillary structures and hardstanding,
 - a timetable for completion of decommissioning including the removal of all structures from the site.

In the event of cessation of power production (measured by way of export to the electricity distribution network) for a period in excess of six months following first power generation, the Decommissioning Method Statement shall set a timescale for decommissioning within 12 months of its submission unless power production is to resume within the temporary period of the permission and evidence is provided with regard to the resumption. If power production is not resumed within 3 months of the date provided, then a Decommissioning Method Statement shall be submitted and agreed in writing with the local planning authority setting out works of decommissioning to be fully undertaken within 12 months of its submission.

Decommissioning shall be carried out in accordance with the approved Decommissioning Method Statement including the timing of works.

REASON: In the interests of the character and openness of the Green Belt. To ensure the satisfactory restoration of the site in accordance with the NPPF and paragraph 27 of "Planning practice guidance for renewable and low carbon energy".

- 5 The land around and beneath the installed solar panels and within the confines of the fenced areas (excluding grid connection cabin and transformation enclosures) shall at all times be made available for agricultural purposes during the operational phase of the development, unless otherwise forming part of the agreed biodiversity or landscape improvements.

REASON: To ensure the continuation and retention of the land for agricultural purposes in addition to the solar farm and to safeguard countryside protection policies in accordance with LDF Core Strategy Policy CSTP21 (Productive

Land).

- 6 The development shall be undertaken in accordance with the details for CCTV poles and cameras submitted and approved via the application for the approval of details reserved by planning condition ref. 17/00735/CONDC, and retained thereafter unless otherwise agreed in writing by the local planning authority.

REASON: In order to minimise the impact of the development on the Green Belt and local landscape.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fencing or means of enclosure (other than temporary fencing associated with and purely for the period of the construction and decommissioning phases) shall be erected other than that which is detailed on the approved plans or has been expressly authorised pursuant to conditions attached to this permission.

REASON: In order to retain the character and openness of the Green Belt.

8. The construction of the development shall be undertaken in accordance with the details within the Construction Environment Management Plan submitted and approved via the application for the approval of details reserved by planning condition ref. 17/00735/CONDC, unless otherwise agreed in writing by the local planning authority.

REASON: In order to minimise any adverse impacts arising from the construction of the development in accordance with Policies PMD1, PMD9, CSTP19 and PMD7 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2015) and to accord with the Environmental Statement (inc para 7.8.3, 7.8.13)

- 9 No external artificial lighting or security lighting other than those agreed as part of this permission (i.e. temporary lighting during construction / decommissioning, passive infrared sensor controlled lighting on the switch-station and emergency lighting brought to the site an emergency event) shall be installed during the operation of the site as a solar PV facility without the prior written agreement of the Local Planning Authority.

REASON: To minimise the potential for pollution and disturbance to local amenity and wildlife in accordance with LDF Core Strategy policies PMD1 (Minimising Pollution and Impacts on Amenity), PMD2 (Design and Layout), CSTP19 (Biodiversity) and PMD7 (Biodiversity and development) and Paragraph 27 of the Planning practice guidance for renewable and low carbon energy and the Environmental Statement (para 7.6.1).

- 10 No development shall take place until full details of soft landscaping and its management have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
- (a) plans for establishing hedgerows, understorey vegetation and trees around the perimeter of the site and wildflower areas including
 - I. Hedgerow along the northern boundary of field A+ gapped up and allowed to grow to a height above the solar panels.
 - II. New planting along the northern and western boundaries of field A in the form of a new hedgerow allowed to grow to a height above the solar panels.
 - III. New planting in the gap in the tree belt along the eastern edge of Site area A
 - IV. New native planting along parts of the northern and southern boundaries of footpath 136 to fill the gap in the planting between South Ockendon Hall and the edge of field D.
 - V. New native planting in a line across the northern part of field D, running parallel to the south of footpath 136, offset by 50m south.
 - VI. New tree planting along the eastern edge of field C
 - VII. New native hedgerow planting along the western and southern edges of Site area D, western edge of Site area A+ and between Site areas C and D.
 - (b) written specifications (including cultivation and other operations associated with tree and plant establishment);
 - (c) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
 - (d) an implementation programme.
 - (e) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas,

The landscaping and its management shall be carried out as approved. Any new trees or plants, which within a period of five 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 a similar size or species unless the Local Planning Authority approves alternatives in writing.

REASON: To protect and improve the appearance of the Site in the interests of visual amenity of the area and to provide biodiversity enhancement opportunities, in accordance with LDF Core Strategy policies PMD1 (Minimising Pollution and Impacts on Amenity), PMD2 (Design and Layout), PMD4 (Historic Environment), PMD6 (Development in the Green Belt) and PMD7 (Biodiversity, Geological Conservation and Development). To accord with the mitigation measures set out in the Environmental Statement (including paras 4.6.6 + 6.4.69).

- 11 There shall be no storage of materials or hard standing formed beneath the canopy spread of the trees.

REASON: In the interests of the health and stability of adjacent landscaping, in the interests of visual amenity and to comply with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

- 12 The development shall be implemented and operated in accordance with the details of the Habitat Creation Method Statement submitted and approved via the application for the approval of details reserved by planning condition ref. 17/00735/CONDC, unless otherwise agreed in writing by the local planning authority.

REASON: To accord with Core Strategy Policies CSTP19 (Biodiversity) and PMD7 (Biodiversity and development) which require development to include measures to contribute positively to the overall biodiversity in the Borough and part 7 and para 4.6.2 of the Environmental Statement.

- 13 The development shall be operated in accordance with the details of the Habitat Management Plan submitted and approved via the application for the approval of details reserved by planning condition ref. 17/00735/CONDC, unless otherwise agreed in writing by the local planning authority.

REASON: To accord with Core Strategy Policies CSTP19 (Biodiversity) and PMD7 (Biodiversity and development) which require development to include measures to contribute positively to the overall biodiversity in the Borough and in accordance with the Environmental Statement (7.8.6).

- 14 All solar panels shall be set a minimum of 5m away from hedgerows, woodland, standing water and ditch features which could provide ecological habitat for protected species. Plantation woodland and hedgerows on site shall be afforded a buffer of 5 meters from the solar panels and roads to prevent root compaction.

REASON: To prevent harm to habitats and trees. To accord with the mitigation measures set out in the Environmental Statement (4.5.7 & 7.6.1).

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

REASON: To ensure effects of the development upon the natural environmental are adequately mitigated and in order to comply with LDF Policies CSTP19 and PMD7 and the Environmental Statement (7.8.14).

- 16 The perimeter security fence will be designed to facilitate the passage of small mammals in accordance with the approved details.

REASON: In the interest of the ecology and to accord with the Environmental Statement (7.6.1).

- 17 During the construction and decommissioning phase, a watching brief shall be maintained during these periods for any exposure of gross contamination or odorous material arising from the landfill. If any gross contamination or odorous material is exposed during either the construction and decommissioning phases as a result of the works, construction or decommissioning work shall cease, that contamination shall be made safe and reported immediately to the local planning authority. Prior to the recommencement of work of construction or decommissioning, an investigation shall be undertaken and a contingency scheme shall be submitted to and agreed in writing with the local planning authority. Such agreed measures shall be implemented.

REASON: To ensure that any potential contamination and any risks arising are properly assessed and that the development incorporates any necessary remediation and subsequent management measures to satisfactorily deal with contamination in the interests of amenity in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

- 18 In the event that piling or any other foundation designs using penetrative methods are proposed, piling operations shall not commence unless a report has first been submitted to, and agreed in writing by, the local planning authority demonstrating that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect the water environment in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development (2015).

- 19 Within 12 months of the commencement of development details of an Archaeological Interpretation Panel Board providing information on the Medieval moated manor Scheduled Monument at South Ockendon Hall together with details of its construction and location shall be submitted to and agreed in writing with the Local Planning Authority. This shall be erected in accordance with details to be agreed in writing with the LPA and thereafter retained and maintained for the duration of the permission.

REASON: To accord with Section 12 of the NPPF and LDF-CS Policies CSTP23 (Thurrock Character and Distinctiveness), CSTP24 (Heritage Assets and Historic Environment) and PMD4 (Historic Environment).

- 20 The development shall be implemented and operated in accordance with the details of the Surface Water Management Strategy submitted and approved via

the application for the approval of details reserved by planning condition ref. 17/00735/CONDC, 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. To protect the water environment in accordance with policy PMD1 of the Thurrock Core Strategy and Policies for the Management of Development DPD (2015).

- 21 Vehicular access to the proposed development shall be from the existing access to the site off Medebridge Road only and there shall be no other means of vehicular access to the site except in the case of an emergency.

REASON: In the interests of highway safety and amenity in accordance with policy PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

- 22 During the construction and decommissioning phases, soils handling and conservation should be undertaken in accordance with the relevant chapters in "The Good Practice for Handling Soils" (MAFF 2000) and "The Code of Practice for the Sustainability of Soils on Construction Sites" (Defra 2009) or the adopted government guidance prevailing at the time

REASON: In the interest of protecting the soil resource and the continued use of the site for agriculture, in accordance with LDF Core Strategy Policy CSTP21 (Productive Land) and the measures set out in part 9.9.2 of the Environmental Statement.

- 23 An easement strip along the route of the underground gas pipeline passing under the north east parcel of land as detailed on drawing No.11 Drawing OC003 shall be established and kept free of development. Access to the pipeline easement shall be maintained for the duration of the development.

REASON: To protect existing assets and accord with the mitigation measures set out in the Environmental Statement (4.5.8)

- 24 The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement submitted with the planning application, unless otherwise provided for in any of the conditions or subject to any alternative mitigation measures as may be approved in writing with the Local Planning Authority, provided that such measures do not lead to there being any significant environmental effects other than those assessed in the Environmental Statement.

REASON: To ensure that the development is carried out in accordance with the principles of mitigation set out in the Environmental Statement in order to minimise the environmental effects of the development and ensure compliance with a range of development plan policies set out within the planning committee report.

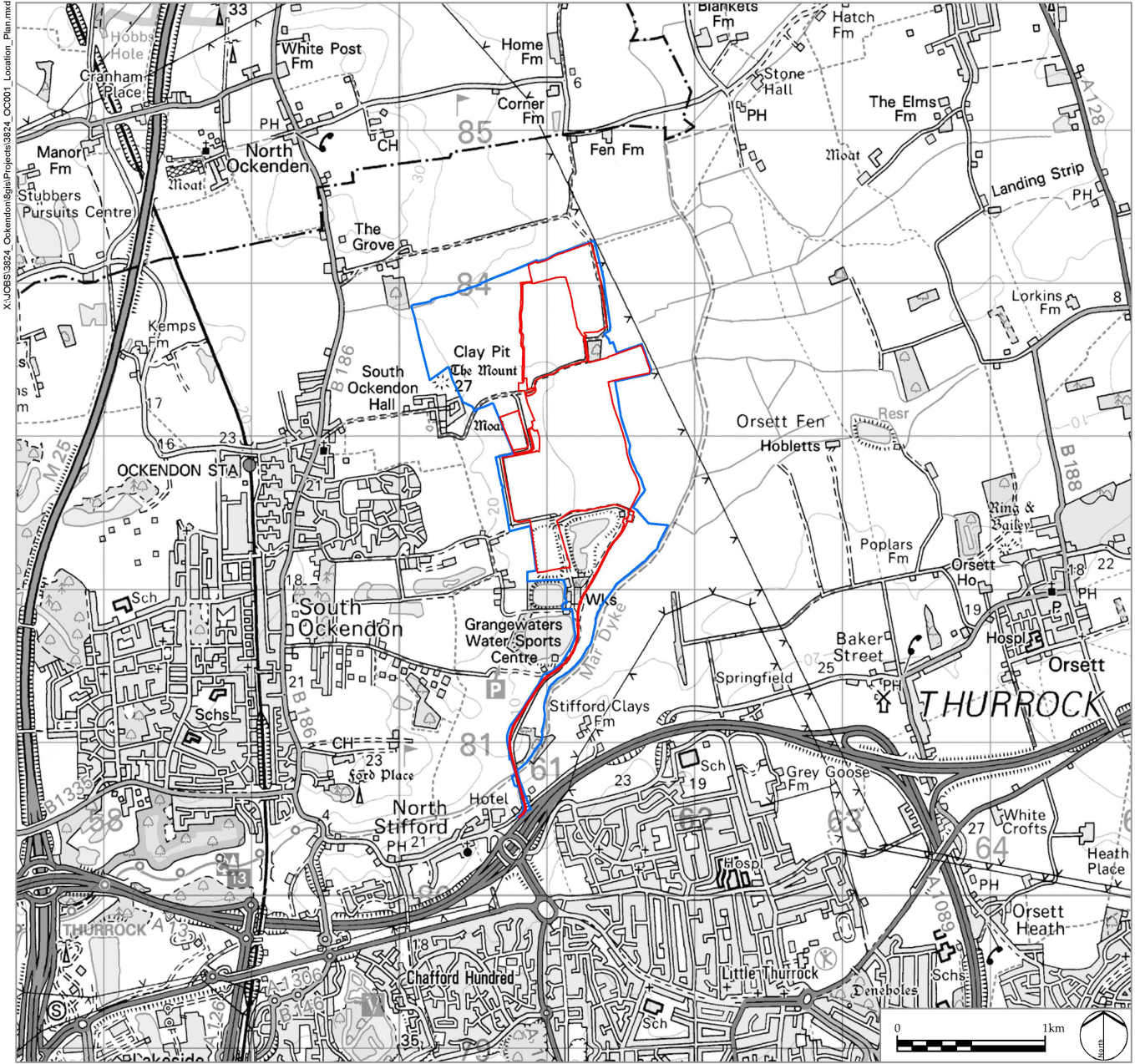
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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: 17/01506/FUL	Site: Former Harrow Inn Harrow Lane Bulphan Essex RM14 3RL
Ward: Orsett	Proposal: Proposed ancillary residential detached dwelling with non-adjjoining garage.

Plan Number(s):		
Reference	Name	Received
PL-002A	Site Layout	15th November 2017
PL-005	Roof Plans	15th November 2017
PL-001A	Proposed Elevations	15th November 2017

The application is also accompanied by: <ul style="list-style-type: none"> - Planning Statement / Design & Access Statement - Flood Risk Assessment 	
Applicant: Joy Jarvis	Validated: 15 November 2017 Date of expiry: 12 February 2018 (extension of time agreed with applicant)
Recommendation: Refusal	

The application is scheduled for determination by the Council's Planning Committee because the previous associated application (16/01446/FUL) was determined at Planning Committee due to its major scale and strategic implications for the Green Belt.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission for the construction of a detached 3 bedroom dwelling and detached quadruple garage. It is proposed that the dwelling would be ancillary to the approved Wellness Centre (16/01446/FUL) at the site.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the southern side Fen Lane, west of Harrow Lane. Until recently, the 2.15 ha site consisted of the fire damaged Harrow Inn and restaurant in two separate buildings. Following the grant of planning permission for the construction of a Wellness Centre, the original buildings have been demolished. At the time of publication, construction works were underway on the Wellness Centre.
- 2.2 The site is located in the Metropolitan Green Belt and is surrounded by open fenland.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
16/01446/FUL	Demolition of former public house and restaurant and erection of a weight loss and wellness centre (with 21 guest rooms) and associated access improvements, parking and landscaping.	Approved
17/00376/CONDC	Discharge of conditions 3[Samples of Materials], 5[Design Details], 6[Landscaping Plan], 7[Sight Splays], 9 [CEMP], 10[FWEP], 11[Drainage Strategy], 12[Surface Water Maintenance Plan] from approved planning application 16.01446.FUL.	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.

One comment has been received which is summarised below:

- A residence on the site might help with security and aid good supervision;
- The flat roof design does not seem to be of the quality now expected for new-builds in Thurrock.

4.3 FLOOD RISK MANAGER:

No objection, subject to conditions.

4.4 LANDSCAPE AND ECOLOGY ADVISOR:

Objection to the impact on visual amenity.

4.5 HIGHWAYS:

No objections.

4.6 ENVIRONMENTAL HEALTH:

No objections, subject to conditions.

5.0 POLICY CONTEXT

National Planning Guidance

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:

6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
9. Protecting Green Belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment

Planning Practice Guidance

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

application comprise:

- Climate change
- Conserving and enhancing the historic environment
- Design
- Determining a planning application
- Flood Risk and Coastal Change
- Natural Environment
- Use of Planning Conditions

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in 2015. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- CSSP1 (Sustainable Housing and Locations);

Thematic Policies:

- CSTP1 (Strategic Housing Provision)
- CSTP19 (Biodiversity)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)²
- CSTP25 (Addressing Climate Change)²
- CSTP26 (Renewable or Low-Carbon Energy Generation)²
- CSTP27 (Management and Reduction of Flood Risk)²

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²
- PMD2 (Design and Layout)²
- PMD6 (Development in the Green Belt)

- PMD8 (Parking Standards)³
- PMD9 (Road Network Hierarchy)
- PMD12 (Sustainable Buildings)²
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation); and
- PMD15 (Flood Risk Assessment)²

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

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.

Draft Site Specific Allocations and Policies DPD

This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. The 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.

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

The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough’s Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core

Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan

Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken early in 2018.

6.0 ASSESSMENT

6.1 The assessment below covers the following material considerations:

- I. Principle of development and impact upon the Green Belt
- II. Design and Layout
- III. Impact Upon Landscape and Ecology
- IV. Access, Traffic Impact and Car Parking
- V. Flood Risk and Site Drainage

I. PRINCIPLE OF DEVELOPMENT AND IMPACT UPON THE GREEN BELT

6.2 Under this heading, it is necessary to refer to the following key questions:

1. whether the proposals constitute inappropriate development in the Green Belt;
2. the effect of the proposals on the open nature of the Green Belt and the purposes of including land within it; and
3. whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify inappropriate development.

1. Whether the proposals constitute inappropriate development in the Green Belt

6.3 The site is identified on the LDF Core Strategy Proposals Map as being within the Green Belt where policies CSSP4 and PMD6 apply. Policy CSSP4 identifies that

the Council will 'maintain the purpose function and open character of the Green Belt in Thurrock', and Policy PMD6 states that the Council will 'maintain, protect and enhance the open character of the Green Belt in Thurrock'. These policies aim to prevent urban sprawl and maintain the essential characteristics of the openness and permanence of the Green Belt to accord with the requirements of the NPPF.

6.4 Paragraph 79 within Chapter 9 of the NPPF states that the Government attaches great importance to Green Belts and that the *"fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence."* Paragraph 89 states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. The NPPF sets out a limited number of exceptions to this, namely:

- buildings for agriculture and forestry;
- appropriate facilities for outdoor sport, recreation and cemeteries;
- proportionate extensions or alterations to a building;
- the replacement of a building;
- limited infilling in villages; and
- the partial or complete redevelopment of previously developed sites whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

6.5 The site was considered during the previous application to fall within the NPPFs definition of Previously Developed Land. Permission was granted for the Wellness Centre due to the very special circumstances put forward, but that decision was very carefully balanced. The proposal would introduce a new house and garage onto the site, in addition to the approved Wellness Centre, which would clearly have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Consequently, the proposals comprise inappropriate development with reference to the NPPF.

The effect of the proposals on the open nature of the Green Belt and the purposes of including land within it

6.6 Having established that the proposals are inappropriate development, it is necessary to consider the matter of harm. Inappropriate development is, by definition, harmful to the Green Belt, but it is also necessary to consider whether

there is any other harm to the Green Belt and the purposes of including land therein.

6.7 Paragraph 80 of the NPPF sets out the five purposes which the Green Belt serves as follows:

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

6.8 In response to each of these five purposes:

a. to check the unrestricted sprawl of large built-up areas

6.9 The site is located in an isolated location, outside the village of Bulphan. For the purposes of the NPPF, the site is considered to be outside of any 'large built up areas'. It would not therefore result in the sprawling of an existing built up area, but it would nonetheless represent the addition of new urban form on the site, in excess of the area previously granted consented. Whilst the development would be contained within the overall boundaries of the site it would be distant from the approved Wellness Centre. If permitted, the development would to a certain degree, increase the risk of other similar open areas of land being developed resulting in the sprawl of development from this site.

b. to prevent neighbouring towns from merging into one another

6.10 The development would not conflict with this Green Belt purpose.

c. to assist in safeguarding the countryside from encroachment

6.11 With regard to the third Green Belt purpose, the proposal would involve built development on what is currently an open and undeveloped part of the site. The dwelling would be significantly distant from the Wellness Centre and the footprint of the previous built form on the site. It is important to note that the Wellness Centre occupies the approximate location of the demolished buildings and the section of land that was previously developed. It is therefore considered that the proposal would constitute an encroachment of built development into the countryside in this location.

d. to preserve the setting and special character of historic towns

- 6.12 As there are no historic town in the immediate vicinity of the site, the proposals do not conflict with this defined purpose of the Green Belt.
- e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land*
- 6.13 In general terms, the development could occur in the urban area and, in principle there is no spatial imperative why Green Belt land is required to accommodate the proposals. The proposed residential dwelling and garage is inconsistent with the fifth purpose of the Green Belt.
- 6.14 In light of the above analysis, it is considered that the proposals would be contrary to 3 of the 5 purposes of including land in the Green Belt. Substantial weight should be afforded to these factors.
3. Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify inappropriate development
- 6.15 Neither the NPPF nor the Adopted Core Strategy provide guidance as to what can comprise 'very special circumstances', either singly or in combination. However, some interpretation of very special circumstances has been provided by the Courts. The rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as the converse of 'commonplace'). However, the demonstration of very special circumstances is a 'high' test and the circumstances which are relied upon must be genuinely 'very special'. In considering whether 'very special circumstances' exist, factors put forward by an applicant which are generic or capable of being easily replicated on other sites, could be used on different sites leading to a decrease in the openness of the Green Belt. The provisions of very special circumstances which are specific and not easily replicable may help to reduce the risk of such a precedent being created. Mitigation measures designed to reduce the impact of a proposal are generally not capable of being 'very special circumstances'. Ultimately, whether any particular combination of factors amounts to very special circumstances will be a matter of planning judgment for the decision-taker.
- 6.16 With regard to the NPPF, paragraph 87 states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 88 goes on to state that, when considering any planning application, local planning authorities *"should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations"*.
- 6.17 The Planning Statement sets out the applicant's Very Special Circumstance which are assessed below:

a. Managers / Owners accommodation is fundamental to progression of the Wellbeing Centre

6.18 The applicant considers the manager's accommodation to be integral to the success of the Wellness Centre and suggests that the very special circumstances identified for the Wellness Centre should also apply to the manager's accommodation.

6.19 While the applicant's desire to be on site is understood it is not considered that the benefits to the applicant's business clearly outweigh the harm that would be caused to the Green Belt. The proposed 3-bedroom house and garage would result in significant additional built development over and above that which was approved when consent was granted for the Wellness Centre. It is also essential that any very special circumstances case is unique and not easily replicable. Therefore, it is not sufficient to re-submit the previous very special circumstances and apply them to the current proposal. This factor should not be given any weight in the determination of the application as a very special circumstance.

b. Health and Safety Review identifies the need for managers accommodation

6.20 Following the approval of the Wellness Centre, the applicant commissioned a specialist Health and Safety review which recommends that staff are allocated separate facilities from paying guests. The review suggests separate management accommodation would be desirable. The details are summarised below:

6.21 *'In view of the nature of the facility, I would suggest that washing/showering (away from guests) is a key element of this. It is not desirable for paying guests to share with employees and I would suggest that guests would not be expected to be faced with this'*

6.22 *'It is not generally appropriate for staff accommodation to be included within the main facility; there are sound arguments for it to be located away so as not to adversely affect the guest's enjoyment during their stay. Also, a separate facility allows employees an opportunity to relax and take a break time away from clients.'*

6.23 *'I would suggest that the availability of on-call trained First Aid staff on 24/7 basis is essential; the proposed additional building allows this service to be provided discretely'*

6.24 The Health and Safety comments, outlined above, do not explicitly state, or justify the need for a separate large detached dwelling and quadruple garage. The main argument from the Health and Safety review suggests that it undesirable for paying guests to share the same facilities as the management staff.

- 6.25 Furthermore, the approved plans of the Wellness Centre (WCB.04) illustrate a self-contained flat has been already provided. The flat includes a living/dining/kitchen area, a bathroom and two separate bedrooms. The Health and Safety comments, therefore, do not adequately justify why the accommodation provided within the Wellness Centre are no longer sufficient, particularly, given that the flat included within the Wellness Centre has separate showing/washing facilities, secluded away from guests which enables management staff to be close access to paying guests for purposes of first aid.
- 6.26 Accordingly this factor should be given no weight in the determination of the application as a very special circumstance.

c. Pre-application history and a CABE review:

- 6.27 Prior to the application for the Wellness Centre (16/01446/FUL) being submitted, the scheme was subject to a CABE Design Review. The applicant maintains:
- 6.28 *'CABE confirmed that, whilst the proposal is larger than previously existing, the excellent design afforded high quality development that would enhance the immediate environment. That remains true for this application. The design ethos from the principle building, has been carried through to the ancillary accommodation.'*
- 6.29 This matter was noted in the consideration of the previous proposal and was afforded little weight in consideration of the application. It is important to note that the CABE review related to the original scheme as considered, no new review has been undertaken for this application. As such, this factor should be afforded no weight in the current proposal.

d. Improvements to security of the wider site

The applicant states the following:

- 6.30 *Additional garaging for both private and company vehicles is provided on domestic scale, addressing previous security problems that have been strongly evident of the past'*
- 6.31 Little evidence has been submitted to indicate the extent of previous security issues however it is understood that machinery has been stolen from the site in the past. Once the business is up and running and people are on site theft would become far less likely. This factor should not be given any weight in the determination of the application as a very special circumstance. Further, as detailed at paragraph 6.25 there is already managers accommodation on the approved plans; this would allow security of the site to be monitored.

e. Minor additional accommodation in the Green Belt

6.32 The applicant suggests the proposal represent a minor addition and has no further impact to the openness character of the Green Belt. Details for the footprint and area of the original buildings of the site, the approved Wellness Centre and the current proposal are summarised below:

	Footprint (sqm)	Volume (m3)	Height (m)
Previous pub / restaurant building	800	4500	N/A
Previous Building Total	800	4500	N/A
Approved Wellness Centre	1900	5600	8m / 10.7m (lowest / highest points)
Approved Building Total	1900	5600	Average: 9.35m

Current Proposal			
Detached dwelling	138	925	6.69m
Detached garage	75	270	3.6m
Proposed Total	213	1195	Average: 5.2m
Difference between previous buildings and approved/proposed buildings	1313 sqm increase	2295 m3 increase	N/A

6.33 As demonstrated in the table above, the proposal would represent a significant increase in the footprint and volume over and above the original buildings at the site. Despite being described as a three bedroom detached house, the floor space of the proposed property, at 240sqm would normally be comparable to a modern 5-bedroom house. Similarly, the quadruple garage, at 75sqm would be comparable to the area occupied by large modern two bedroom flats.

6.34 This factor should be given no weight in the assessment of the case.

6.35 With reference to the applicant’s case for very special circumstances, an assessment of the factors promoted is provided in the analysis above. However, for convenience, a summary of the weight which should be placed on the various Green Belt considerations is provided below:

Summary of Green Belt Harm and Very Special Circumstances			
Harm	Weight	Factors Promoted as Very	Weight

		Special Circumstances	
Inappropriate development	Substantial	Separate managers / owners accommodation is fundamental to the progress of the Wellness Centre	No weight
Reduction in the openness of the Green Belt		Health and Safety review identifies need for managers accommodation	No weight
		Pre-application history / CABE review	No weight
		Improved security	No weight
		Minor additions to the Green Belt	No weight

6.36 As ever, in reaching a conclusion on Green Belt issues, a judgement as to the balance between harm and whether the harm is clearly outweighed must be reached. In this case there is harm to the Green Belt with reference to inappropriate development and loss of openness. However, this is not considered to be the full extent of the harm. Further assessment, elsewhere in this report, there are other harms to landscape and visual receptors etc. Several factors have been promoted by the applicant as ‘very special circumstances’ and it is for the Committee to judge:

- i. the weight to be attributed to these factors;
- ii. whether the factors are genuinely ‘very special’ (i.e. site specific) or whether the accumulation of generic factors combine at this location to comprise ‘very special circumstances’.

6.37 Taking into account all Green Belt considerations, Officers are of the opinion that the identified harm to the Green Belt is not outweighed by the accumulation of factors described above, so as to amount to the very special circumstances justifying inappropriate development.

II. DESIGN AND LAYOUT

6.38 The proposed dwelling and garage would be located closer to the western boundary of the site and therefore closer to Harrow Lane. Whilst there is no fundamental concern raised in relation to the design of the building, the development would be clearly visible and would have a demonstrable negative impact upon the rural fenland setting. This matter is considered in more detail below.

III. LANDSCAPE AND ECOLOGY

- 6.39 The application site is within a fenland landscape which is typified by long open views, with a sparse settlement pattern. The development would appear very apparent in this environment.
- 6.40 The Council's Landscape & Ecology Advisor has objected to the application on the basis that the development would be significant and detrimental to visual amenity and the openness character of the area. The development is considered to conflict with Policies PMD2, CSTP22 of the Core Strategy and the criteria of the NPPF.

IV. ACCESS, TRAFFIC IMPACT AND PARKING

- 6.41 The vehicular access from Harrow Lane would remain as approved (ref 16/01446/FUL) and serve as the main access/exit to the Wellness Centre. The approved secondary access is now proposed to serve the ancillary detached dwelling. The Council's Highways Officer has raised no objections to the scheme.

V. FLOOD RISK AND SITE DRAINAGE

- 6.42 The site is located within the highest risk flood zone (flood zone 3a) as identified on the Environment Agency flood maps and as set out in the PPG's 'Table 1 - Flood Zones'. This means that the site is subject to a high probability of flooding and the PPG provides guidance on flood risk and vulnerability.
- 6.43 The Sequential Test aims to steer new development to locations away from high risk flood zones. As the site falls within a high risk flood zone the Sequential Test needs to be assessed. It is considered that the proposal is likely to fall within the 'more vulnerable' use on the PPG's 'Table 2 - Flood Risk Vulnerability Classification' where development is 'appropriate' for this flood zone as identified in the PPG's 'Table 3 – Flood Risk Vulnerability and Flood Zone Compatibility' table.
- 6.44 For the 'Exception Test' to be passed the proposed development needs to provide 'wider sustainability benefits to the community that outweigh flood risk' [first part], and demonstrate that the development will be 'safe for its lifetime' [second part].
- 6.45 The Flood Risk Manager raised no objection to the application. However, the proposal seeks to erect a single dwelling and a quadruple garage at the site. As noted elsewhere in this report, the site is deemed as Previously Developed Land, although for commercial purposes. Therefore, it is not considered the proposal would provide wider sustainability benefits to the community and, fails to meet the first part of the Exception Test
- 6.46 The Emergency Planning Officer comments are currently outstanding, but if required, a Site Specific Flood Warning and Evacuation Plan (FWEP) and could be dealt with by condition.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The principle issue for consideration in this case is the assessment of the proposals against planning policies for the Green Belt and whether there are very special circumstances which outweigh harm such that a departure from normal policy can be justified. The proposals are 'inappropriate development' in the Green Belt and would lead to a loss of openness. Substantial weight should be attached to this harm in the balance of considerations.
- 7.2 The applicant has cited factors to suggest that they consider there are very special circumstances to justify the proposed development within the Green Belt. The basis of their argument relies on the approved Wellness Centre.
- 7.3 It is concluded that the case for very special circumstances does not outweigh the identified harm to the Green Belt described above. Furthermore, there are additional objections in relation to the impact to landscape of the site.

8.0 RECOMMENDATION

- 8.1 Refuse planning permission, for the following reasons:

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

The NPPF (at paragraph 89) sets out the forms of development which may be acceptable in the Green Belt. The proposed development does not fall within any of the appropriate uses for new buildings set out by the NPPF and Policy PMD6. Consequently, the proposals represent "inappropriate development" in the Green Belt and are a departure from development plan policy.

Paragraph 87 of the NPPF sets out a general presumption against inappropriate development within the Green Belt and states that such development should not be approved, except in very special circumstances. Paragraph 87 also states that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The development does not meet any of the exceptions set out in Policy PMD6 of the NPPF and consequently the proposals constitute inappropriate development.

The applicant has failed to demonstrate the very special circumstances necessary to allow a departure from policy being made. The proposals are therefore contrary to Policy PMD6 of the Core Strategy and guidance in the NPPF in principle. Notwithstanding the in-principle harm identified above, by reason of the mass, bulk and serious incursion into open land, the proposals are also harmful to the

character and openness of the Green Belt at this point, contrary to Policy PMD6 of the Core Strategy and criteria within the NPPF.

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

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

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

The application site is within a fenland landscape which is typified by long open views, with a sparse settlement pattern. The proposed buildings would be located close to the site boundaries and a public right of way; with proposal to enclose and screen them with fencing. Given the nature of the surrounding landscape it would be difficult to mitigate adverse visual effects. The proposal is visually significant and detrimental to visual amenity and the openness character of the area. The proposal would therefore by reason of its location, layout and design be poorly related to the prevailing character of the area and site and would be contrary to Policies PMD2, CSTP22 of the Core Strategy and the criteria of the NPPF.

- 3 Policy PMD15 of the Thurrock Local Development Framework Core Strategy requires that development proposals subject to the Exceptions Test in Thurrock must show that the following criteria have been met (in addition to FRA requirements outlined in the NPPF and associated Planning Practice Guidance): In addressing that part of the Exception Test requiring demonstration that the development provides wider sustainability benefits to the community that outweigh flood risk, reference should be made to the main assessment criteria outlined in the Thurrock Sustainability Appraisal and any opportunities to reduce the overall flood risk posed to the community, including schemes to make space for water.

Paragraph 102 of the NPPF sets out that for an Exception Test to be passed it must be demonstrated

- that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared and;
- a site-specific flood risk assessment must demonstrate that the development will

be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both these elements of the test will have to be passed for development to be allocated. However, in this case, the proposed new dwelling and garage fails the first test in providing wider sustainability benefits, as informed by the Strategic Flood Risk Assessment.

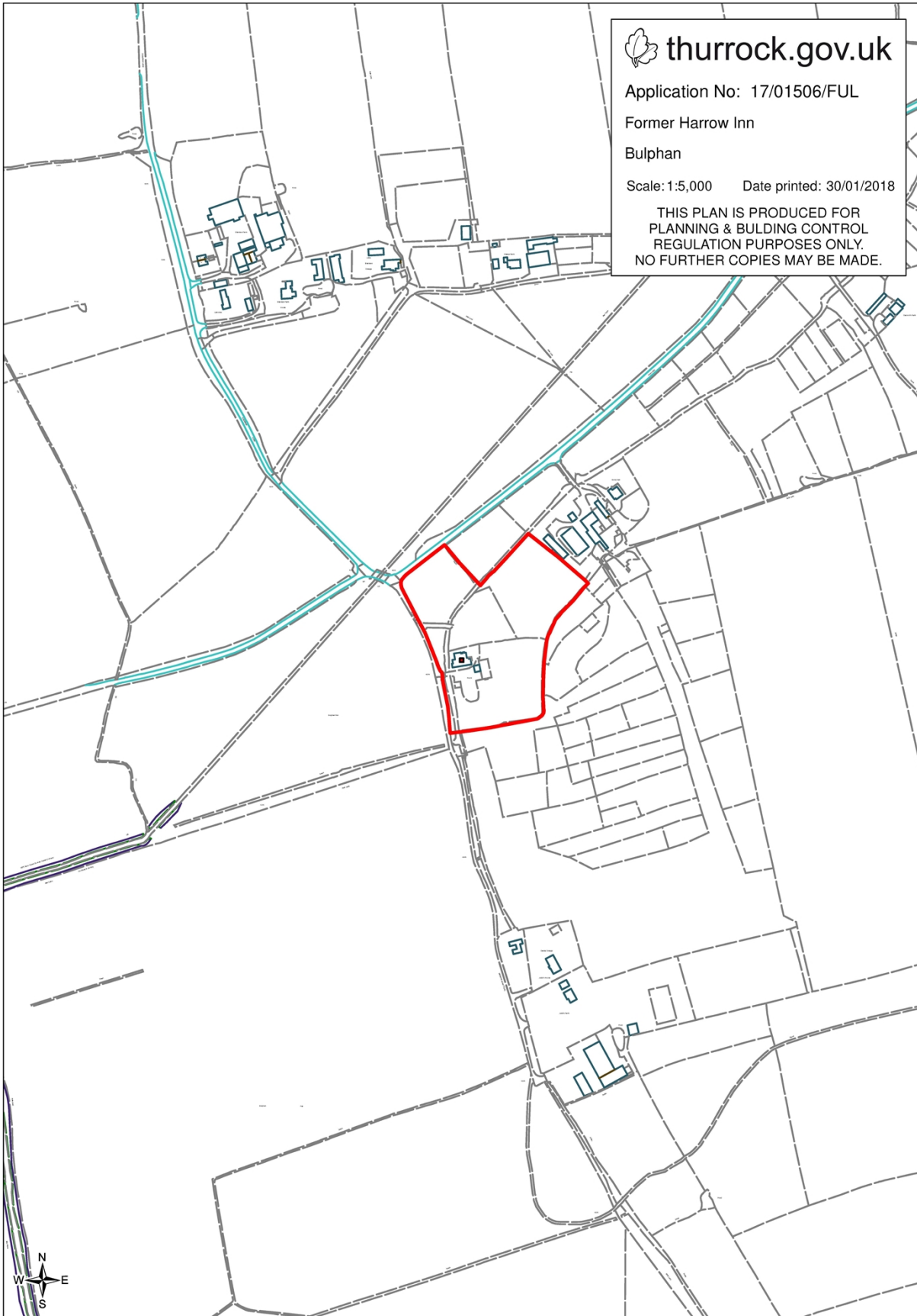
Documents:

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

www.thurrock.gov.uk/planning

Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

- 1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant/Agent the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to liaise with the Applicant/Agent to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.



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Reference: 17/01527/HHA	Site: 2 Oval Gardens Grays Essex RM17 5NR
Ward: Little Thurrock Rectory	Proposal: Two storey side and single storey rear extension

Plan Number(s):		
Reference	Name	Received
RM17 5NR	Location Plan	13th November 2017
DE1/07A	Block Plan	18th January 2018
DE1/01A	Existing Plans	18th January 2018
DE1/04A	Elevations	18th January 2018
DE1/03A	Proposed Plans	18th January 2018
DE1/06A	Elevations	18th January 2018
DE1/03A	Elevations	18th January 2018
DE1/05A	Elevations	18th January 2018

The application is also accompanied by:	
- N/A	
Applicant: Mr M Singh	Validated: 21 December 2017 Date of expiry: 15 February 2018
Recommendation: Approve, subject to conditions.	

This application is scheduled for determination by the Council's Planning Committee because the application has been called in by Cllr Kelly, Cllr Gledhill and Cllr Halden to consider issues of parking, design and overlooking in accordance with Part 3 (b) 2.1 (c) of the Council's constitution.

1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks planning permission for a two storey pitched roof side extension and single storey rear extension.

1.2 The proposal would include the removal of the existing garage and front porch. Two

parking spaces would be provided within the application site.

2.0 SITE DESCRIPTION

- 2.1 The application property is located on the eastern side of Oval Gardens. The existing property is a pitched roof two storey semi-detached house with a front porch and converted loft with a flat roof rear dormer.
- 2.3 Construction works started without planning permission and this application has been submitted following enforcement investigation.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
81/00904/FUL	Replacement Garage	Approved
14/01102/FUL	Two storey side extension (including removal of existing garage) to provide one new dwelling.	Refused
15/00137/FUL	Conversion side shed/garage to a new dwelling house.	Finally Disposed of
Enforcement Reference	Nature of breach	Outcome
17/00172/BUNWKS	Loft conversion without permission	Closed – Permission nor required
17/00370/BUNWKS	Building works being carried out without permission	Case closed – application submitted

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.

Four neighbour responses have been received objecting to the development on the basis of additional traffic, parking, overlooking, spoiling view and the development being out of character with the area. Some of the neighbours also raised concerns that the extension if granted may result into multiple occupation of the house.

HIGHWAYS:

- 4.3 No objection.

5.0 POLICY CONTEXT

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” (as amended) in January 2015. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)¹

Thematic Policies:

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

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²
- PMD2 (Design and Layout)²
- PMD8 (Parking Standards)³

[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].

Thurrock Design Guide: Residential Alterations & Extensions (RAE) – Supplementary Planning Document – Adopted September 2017

6.0 ASSESSMENT

6.1 The assessment below covers the following areas:

- I. Principle of the Development
- II. Design and Appearance

III. Parking

IV. Impact on Neighbour Amenity

I. PRINCIPLE OF DEVELOPMENT

- 6.2 The application proposes the extension of an existing residential property within a residential area; the proposal is therefore acceptable in principle.

II. DESIGN AND APPEARANCE

- 6.3 The side extension follows the existing front building line on the ground floor but is set back at first floor level. The ridge of the roof is also set below that of the main dwelling, making the extension appear subservient to the main dwelling and lessening the impact of the development, in accordance with the Council's Residential Alterations and Extensions (RAE) design guide.

- 6.4 In terms of materials, the side extension has been constructed with red facing brickwork with white UPVC windows. Unfortunately, the red bricks do not match the existing dwelling and the extension appears discordant to the main building. However, the applicant has agreed to render the whole property including the extension. This should be covered by a condition in the event of approval. The single storey extension is suitably appropriate in design and scale terms to the original building and would similarly be finished in render.

- 6.5 In conclusion under this heading, the proposed extensions are considered to be of an appropriate design and scale in relation to the original dwelling and the immediate location, complying with Policies PMD2 and CSTP22 of the Core Strategy and the Council's RAE design guide.

III. PARKING

- 6.6 The proposal would result in the removal of an existing garage to allow the development of the side extension. However, two parking spaces would be provided on the frontage.

- 6.7 The level of parking provided is considered to be acceptable and the Council's Highways Officer has raised no objections, subject to conditions.

IV. IMPACT ON NEIGHBOUR AMENITY

- 6.8 As explained above, the proposed side extension would be subservient to the existing building and is not considered to harm the street scene. Similarly, the rear extension is considered to be of a proportionate scale. It is not considered either elements would have a demonstrable overbearing or harmful impact to the occupiers of that adjacent properties.

- 6.9 The proposal complies with Policy PMD1 and Council's Residential Alterations and Extensions design guide.

6.10 Local residents have raised concern that the extension could lead to the creation of a House of Multiple Occupancy (HMO), however there is nothing contained within the application which would suggest that this is the intention and the application must be judged on its own merits. Separate planning consent would be required in any event for the change of use of the property to a HMO.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

7.1 The proposal is acceptable in principle and also matters of detail. Approval is therefore recommended.

8.0 RECOMMENDATION

8.1 Approve, subject to the following conditions:

Condition(s):

Time Limit

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

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

Plan Numbers

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

Plan Number(s):		
Reference	Name	Received
RM17 5NR	Location Plan	13th November 2017
DE1/07A	Block Plan	18th January 2018
DE1/01A	Existing Plans	18th January 2018
DE1/04A	Elevations	18th January 2018
DE1/03A	Proposed Plans	18th January 2018
DE1/06A	Elevations	18th January 2018
DE1/03A	Elevations	18th January 2018
DE1/05A	Elevations	18th January 2018

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

Materials (prior to occupation)

3 Prior to occupation of the extensions hereby permitted, the existing dwelling and extensions shall be rendered and painted in a uniform colour which has been

previously submitted to and agreed in writing with the Local Planning Authority and retained as such thereafter.

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 – Focused Review [2015].

Highways Access (prior to occupation)

- 4 Details shall be submitted showing the layout, dimensions and construction specification of the proposed access to the highway, such details shall be approved and implemented on site in accordance with the approved details before occupation of the development hereby permitted.

REASON: In the interests of highway safety and efficiency.

Vehicle/Pedestrian site splays

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

REASON: In the interests of highway safety.

Informatives

- 1 **Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - 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.

Highway works

2. 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.

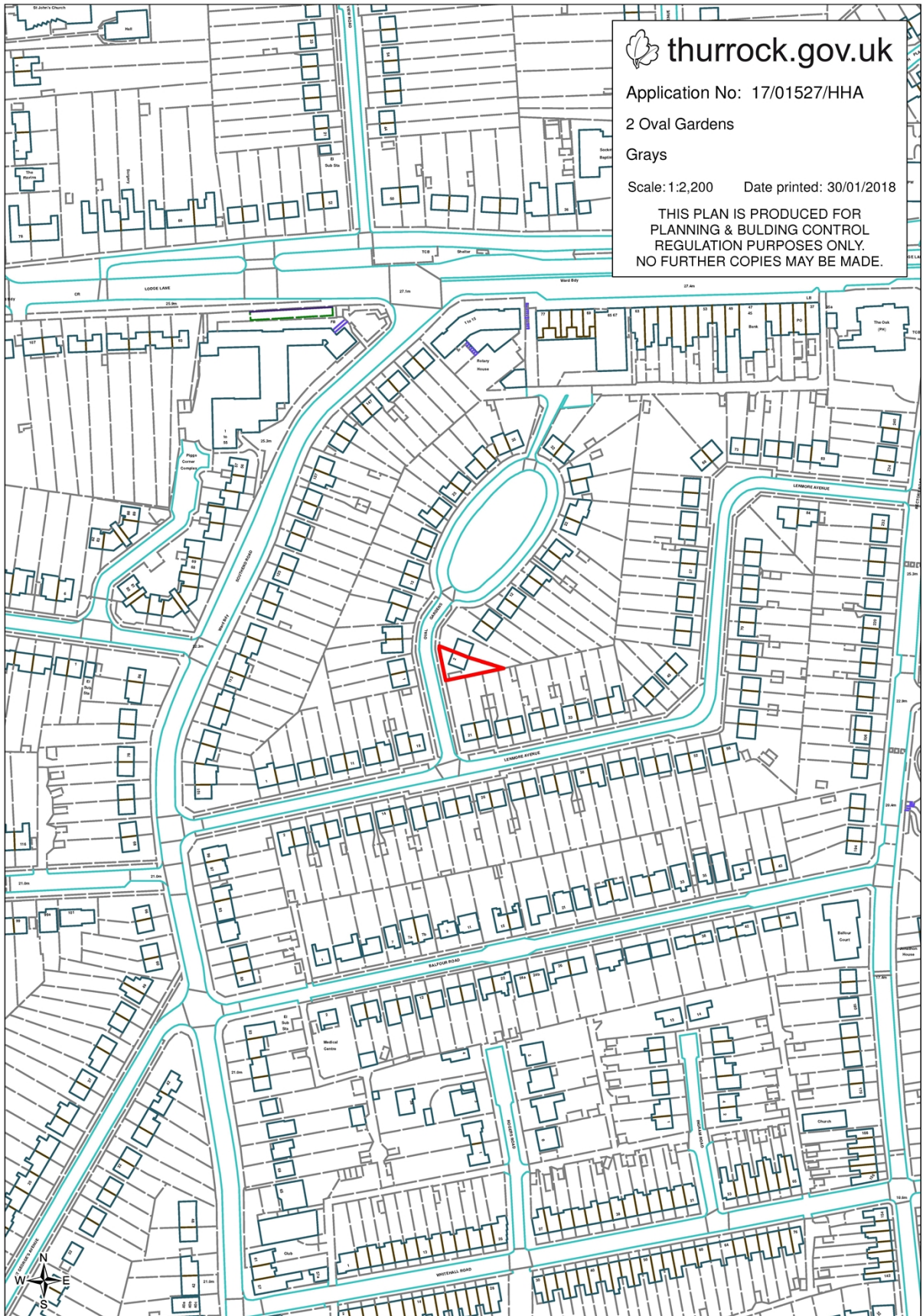
Chief Highways Engineer,
Highways Department,
Thurrock Council,

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



 **thurrock.gov.uk**

Application No: 17/01527/HHA

2 Oval Gardens

Grays

Scale: 1:2,200 Date printed: 30/01/2018

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