

Thurrock: An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

## Planning Committee

The meeting will be held at **7.00 pm** on **7 June 2018**

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

### Membership:

Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Colin Churchman, Leslie Gamester, Andrew Jefferies, Terry Piccolo, Gerard Rice, Sue Sammons and Sue Shinnick

Steve Taylor, Campaign to Protect Rural England Representative

### Substitutes:

Councillors Abbie Akinbohun, Clare Baldwin, Garry Hague, Victoria Holloway, Susan Little and Peter Smith

### Agenda

Open to Public and Press

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<b>1 Apologies for Absence</b>	
<b>2 Minutes</b>	<b>5 - 10</b>
To approve as a correct record the minutes of the Planning Committee meeting held on 26 April 2018.	
<b>3 Item of Urgent Business</b>	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
<b>4 Declaration of Interests</b>	
<b>5 Declarations of receipt of correspondence and/or any</b>	

**meetings/discussions held relevant to determination of any planning application or enforcement action to be resolved at this meeting**

- |           |   |                  |
|-----------|---|------------------|
| <b>6</b>  | <b>Planning Appeals</b>   | <b>11 - 16</b>   |
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| <b>8</b>  | <b>Public Address to Planning Committee</b>   |                  |
|           | The Planning Committee may allow objectors and applicants/planning agents, and also owners of premises subject to enforcement action, or their agents to address the Committee. The rules for the conduct for addressing the Committee can be found on Thurrock Council's website at <a href="https://www.thurrock.gov.uk/democracy/constitution">https://www.thurrock.gov.uk/democracy/constitution</a> Chapter 5, Part 3 (c). |                  |
| <b>9</b>  | <b>18/00404/FUL: CRO Purfleet Port, Land east of Purfleet Thames Terminal and south of railway line, London Road, Purfleet</b>  | <b>23 - 58</b>   |
| <b>10</b> | <b>18/00308/REM: Former Ford Motor Company, Arisdale Avenue, South Ockendon, Essex RM15 5JT</b>   | <b>59 - 86</b>   |
| <b>11</b> | <b>18/00316/FUL: Montrose, 168 Branksome Avenue, Stanford Le Hope, Essex SS17 8DE</b>   | <b>87 - 98</b>   |
| <b>12</b> | <b>17/01556/HHA: The Olives, Rectory Road, Orsett, Essex RM16 3EH</b>   | <b>99 - 110</b>  |
| <b>13</b> | <b>18/00343/FUL: Stanford Tyres and Servicing, Rear of 16 London Road, Stanford Le Hope, Essex SS17 0LD</b>   | <b>111 - 124</b> |

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

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

Agenda published on: **30 May 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.

## Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
  - High quality, consistent and accessible public services which are right first time
  - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
  - Communities are empowered to make choices and be safer and stronger together
  
2. **Place** – a heritage-rich borough which is ambitious for its future
  - Roads, houses and public spaces that connect people and places
  - Clean environments that everyone has reason to take pride in
  - Fewer public buildings with better services
  
3. **Prosperity** – a borough which enables everyone to achieve their aspirations
  - Attractive opportunities for businesses and investors to enhance the local economy
  - Vocational and academic education, skills and job opportunities for all
  - Commercial, entrepreneurial and connected public services

## Minutes of the Meeting of the Planning Committee held on 26 April 2018 at 7.00 pm

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

Steve Taylor, Campaign to Protect Rural England Representative

**Apologies:** Councillors Tunde Ojetola

**In attendance:**

Andrew Millard, Assistant Director - Planning, Transport and Public Protection  
Leigh Nicholson, Development Management Team Leader  
Jonathan Keen, Principal Planner  
Chris Purvis, Principal Planner  
Benita Edwards, Deputy head of Legal  
Julian Howes, Senior Engineer  
Jeanette Ketley, Engineering technician  
Charlotte Raper, Planning Officer  
Tisha Sutcliffe, Democratic Services Officer

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

**78. Minutes**

The minutes of the meeting of the Planning Committee held on 15 March 2018 were approved as a correct record.

**79. Item of Urgent Business**

There were no items of urgent business.

**80. Declaration of Interests**

There were no declarations of interest.

**81. 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**

Councillor Hamilton declared receipt of a letter from Icenl regarding item 10, 17/01631/OUT: Land part of Little Thurrock Marshes, Thurrock Park Way, Tilbury, on behalf of all Members.

**82. Planning Appeals**

The report provided information regarding Planning appeal performance. The Development Management Team Leader highlighted that 28.5% was an impressive figure to end the year on.

**RESOLVED:**

**The Committee noted the report.**

**83. 17/01631/OUT: Land part of Little Thurrock Marshes, Thurrock Park Way, Tilbury**

This application was withdrawn prior to the Planning Committee meeting.

**84. 17/01683/FUL: Little Malgraves Farm, Lower Dunton Road, Bulphan, Essex, RM14 3TD**

The planning application discussed, was regarding a Hospice, 80 new dwellings and infrastructure. The Hospice would be located on the east side of Lower Dunton Road. This had been the third site allocated for the Hospice, which would enable them to develop 80 new dwellings.

The site was subject to a planning application, previously for the Hospice and only 50 new dwellings. This was approved in 2015 and is still a live planning permission until December 2018. The Principal Planner stated that the only difference between the current and the previous application was that the current application was recommending 80 new dwellings along with a Hospice, instead of 50 dwellings. This application would include 80 dwellings that would be three and four bedroom properties. The same areas of landscaped open space are proposed as the previous application

The Principal Planner highlighted the Hospice would be located on the eastern side of the site, which will allow for new access onto Lower Dunton Road. There will be no amendments to the current parking or the road layout when compared with the existing planning permission.

The 80 dwellings would be detached homes on a smaller plot of land, than previously applied for. The key material consideration is the impact upon the Green Belt, although the proposal still reflects a low density development that would have a significant impact on the site itself compared to its existing use.

The Principal Planner summarised that a Viability Assessment accompanies the application and this has been independently assessed with no opportunity for planning obligations other than those offered by the applicant and one required by the highway officer, in addition to a viability trigger..



The Chair opened the Committee to questions in regards to the Planning application 17/01683/FUL, Little Malgraves Farm.

Councillor Rice asked for confirmation of the reasons why the Hospice needed to be built within 12 months. The Principal Planner clarified that it would be within 11 months of the agreement.

Councillor Snell questioned whether there would be any affordable homes built on the land. The Principal Planner confirmed, due to the financial requirements, there would be no funds for affordable housing, which was confirmed through the Viability Assessment.

Councillor Jones asked for clarification around the contributions for the Hospice, new homes and schools for the residents. The Principal Planner stated that, again due to the outcome of the Viability Assessment, there would be no funding for schools or affordable housing within this area.

The Assistant Director of Planning, Transport and Public Protection asked whether this was the same issue with the previous application. The Principal Planner confirmed that this was correct.

The Applicant, Eileen Marshall, was invited to the Committee to present her statement of support.

In regards to Councillor Hamilton's question about Convex mirrors, The Highways Officer indicated that, under the new TSRGD 2016 mirrors could be allowed but as there are still issues regarding road safety and the confusion they were causing other drivers, especially during the night it is unlikely that approval would be given for their installation.

Councillor Hamilton explained there were minimum car movements within the area. He wanted clarification as to whether buses would be allowed into the road and if there would be enough space for a turnaround area. The Highways Officer confirmed the measurements had not yet been completed however he could confirm that smaller buses would be able to access the road and the site would be large enough for buses and larger vehicles to turn around.

Councillor Rice expressed how pleased he was to be supporting this application. He said it was positive the developers were willing to build the Hospice as the Local Authority would not be able to do so and also it was positive that the Borough would receive the appropriate housing that it needed.

Councillor Snell articulated that it would be difficult to reject the application as it was a great idea. However, had the Hospice been built in another location within the Borough there would need to be affordable housing for other residents. There were concerns that the only access to the Hospice would be

by vehicle, which would be difficult for staff members or visitors that did not have access to a vehicle.

Councillor Jones stated that a Hospice was required within the Borough and there were already ongoing permissions for this to be put in place. There would be a different combination of houses, including different sizes therefore he would support the Hospice and approve the application.

It was proposed by Councillor Churchman and seconded by Councillor Rice that the application be approved, subject to conditions and planning obligations, as per the officer's recommendation.

For: Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Colin Churchman, Graham Hamilton, Roy Jones, Terry Piccolo and Gerard Rice (7)

Against: (0)

Abstain: Councillor Graham Snell (1)

**RESOLVED:**

**That the application be approved, subject to conditions and planning obligations.**

*Councillor Rice left the Committee at 7:30 pm.*

**85. 17/01607/HHA: 35 Fairway, Stifford Clays, Grays, Essex, RM16 2AJ**

The Principal Planner informed the meeting that the above application was a council property and the proposal was for an extension to be built on the rear of the property. He advised that this would not impact on the neighbours.

The Chair informed the Committee, there were no speakers for this application and there were no questions.

It was proposed by Councillor Snell and seconded by Councillor Liddard that the application be approved, subject to conditions, as per the officer's recommendation.

For: Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Colin Churchman, Graham Hamilton, Roy Jones, Terry Piccolo and Graham Snell (8)

Against: (0)

Abstain: (0)

**RESOLVED:**

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

**86. 18/00394/HHA: 15 St James Avenue East, Stanford Le Hope, Essex, SS17 7BQ**

The Principal Planner advised the applicant was currently employed within the Place Directorate which was the reason the application was being reported to Committee.

Councillor Hamilton asked whether the garage would be accessible from Sharon Close. The Principal Planner confirmed there would be access from the rear of the property.

It was proposed by Councillor Jones and seconded by Councillor Churchman that the application be approved, subject to conditions, as per the officer's recommendation.

For: Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Colin Churchman, Graham Hamilton, Roy Jones, Terry Piccolo and Graham Snell (8)

Against: (0)

Abstain: (0)

**RESOLVED:**

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

**The meeting finished at 7.38 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

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

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<b>7 June 2018</b>	<b>ITEM: 6</b>
<b>Planning Committee</b>	
<b>Planning Appeals</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Not Applicable
<b>Report of:</b> Leigh Nicholson, Strategic Lead – Development Services	
<b>Accountable Assistant Director:</b> Andy Millard, Assistant Director – Planning, Transportation and Public Protection.	
<b>Accountable Director:</b> 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: 17/00976/CLEUD  
 Location: 41 Leicester Road, Tilbury  
 Proposal: Retention of the house as two separate flats.

#### **4.0 Appeals Decisions:**

The following appeal decisions have been received:

##### **4.1 Application No: 17/01182/HHA**

Location: 109 Lodge Lane, Grays

Proposal: Vehicle crossing over pedestrian footway.

**Decision: Appeal Dismissed**

4.1.1 The Inspector found the proposal to be unacceptable on the basis that the development would result in the removal of part of the existing grass verge which is a strong characteristic of this part of Lodge Lane. The Inspector concluded that the loss of the grass verge would erode the verdant setting, to the detriment of the character and appearance of the streetscene, in direct conflict with CS policies PMD9, PMD2 and CSTP22.

4.1.2 The full appeal decision can be found online.

##### **4.2 Application No: 17/01546/HHA**

Location: Fen Cottage, Fen Lane, Orsett

Proposal: Raise the roof of dwelling with front and rear dormers on the north and south elevations to provide first floor accommodation.

**Decision: Appeal Dismissed**

4.2.1 The Inspector considered the main issues to be:

- i. Whether the development constitutes inappropriate development in the Green Belt;
- ii. The impact of the development on the openness of the Green Belt;
- iii. Whether any harm to the Green Belt by reason of inappropriateness, or any other harm, is clearly outweighed by other considerations as to amount to the very special circumstances necessary to justify the development.

4.2.2 In relation to (i), the Inspector found that the extension would exceed the floor area of two reasonably sized rooms of the original dwelling. Due to the significant cumulative increase in internal floorspace, the Inspector concluded that the extension would constitute inappropriate development.

- 4.2.3 In relation to (ii), the Inspector found that, owing to the bulk, siting and scale of the extension, it would erode the openness of the Green Belt.
- 4.2.4 In relation to (iii), the Inspector identified no material factors that would amount to the very special circumstances needed to clearly outweigh the presumption against inappropriate development in the Green Belt.
- 4.2.5 The full appeal decision can be found online.

**4.3 Application No: 17/00882/FUL**

Location: 1 Fairview Avenue, Stanford Le Hope

Proposal: Erection of detached dwelling.

**Decision: Appeal Dismissed**

4.3.1 The Inspector found the development to be unacceptable; the prominence of the dwelling would harm the character and appearance of the area. The Inspector found the development to conflict with CS policies PMD1 and PMD2 and accordingly dismissed the appeal.

4.3.2 The full appeal decision can be found online.

**4.4 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

**Decision: Appeal Dismissed**

4.4.1 The Inspector took the view that the proposal would not result in harm to the character and appearance of the area and would not harm the highway network. The Inspector did however find the relationship between the proposed dwelling and the neighbouring property to be unacceptable. The Inspector found conflict CS policies PMD2 and CSTP 22 and accordingly dismissed the appeal.

4.4.2 The full appeal decision can be found online.

**4.5 Application No: 17/00133/BUNUSE**

Location: Ongar Hall Farm, Brentwood Road, Orsett

Proposal: Retention of extension to parking facilities with associated landscaping.  
 Refusal of planning application 16/01416/FUL.

**Decision: Appeal Dismissed**

4.5.1 The Inspector considered the main issues to be:

- i. Whether the development constitutes inappropriate development in the Green Belt;
- ii. The impact of the development on the openness of the Green Belt;
- iii. Whether any harm to the Green Belt by reason of inappropriateness, or any other harm, is clearly outweighed by other considerations as to amount to the very special circumstances necessary to justify the development.

4.5.2 In relation to (i), by the admission of the appellant, the development is inappropriate development in the Green Belt. The Inspector found no reason to disagree.

4.5.3 In relation to (ii), the Inspector found the development to conflict with the fundamental aim of Green Belt policy (which is to maintain openness in perpetuity).

4.5.4 In relation to (iii), the inspector considered the appellants case for retaining the development, but concluded that there were no circumstances, either singularly or in combination that would clearly outweigh the harm caused by the inappropriateness of the development in the Green Belt and the loss of openness. The Inspector went on to dismiss the appeal and uphold the Enforcement Notice.

4.5.5 The full appeal decision can be found online.

**5.0 Forthcoming public inquiry and hearing dates:**

5.1 None

**6.0 APPEAL PERFORMANCE:**

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

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



## **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: **Laura Last**  
**Management Accountant**

There are no direct financial implications to this report.

### **9.2 Legal**

Implications verified by: **Benita Edwards**  
**Interim Deputy Head of Law (Regeneration) and**  
**Deputy Monitoring Officer**

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: **Natalie Warren**  
**Strategic Lead Community Development**  
**and Equalities**

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](http://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

Strategic Lead – Development Services

<b>7 June 2018</b>	<b>ITEM: 7</b>
<b>Planning Committee</b>	
<b>2017/18 Planning Performance Report</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Not Applicable
<b>Report of:</b> Leigh Nicholson, Strategic Lead - Development Services	
<b>Accountable Assistant Director:</b> Andy Millard, Assistant Director – Planning, Transportation and Public Protection	
<b>Accountable Director:</b> Steve Cox, Director of Place	

## **Executive Summary**

In 2017/18 Thurrock maintained its position as one of the fastest, most accessible and proactive planning services in the Country. Through developing strong relationships with the development industry, forward thinking and commercial awareness, the Service continued to drive investment and growth in the Borough.

This report provides Members with an overview of the past year in terms of the performance of the Service.

### **1.0 Recommendation(s)**

1.1 To note the report

### **2.0 Performance in 2017/18**

2.1 In 2017/18, 878 planning applications were determined and 81% of those applications were approved. During the period, the Authority also maintained its position within the top 3% of Local Planning Authorities in the Country (339 Authorities in total) in terms of the timeliness of decisions made.

2.2 The performance and approach of the Local Planning Authority continues to be one of the primary factors that developers take into account when deciding whether to invest in a particular location. Indeed, significant investment can either be attracted or deterred by these factors. Sustaining a position so highly in the national tables places Thurrock in an extremely good position to attract investment from

outside of the Borough whilst also providing homeowners and existing business within the Borough with confidence.

- 2.3 Much of the continued success of the team can be attributed to the proactive and professional culture within the Development Management Team and, in particular, the robust pre-application advice service offered.
- 2.4 Through pre- application discussions, applicants are able to hone and develop their schemes with input from the planning officer, Members and relevant teams, leading to the submission of better quality schemes that are 'right first time'. Through pre-application discussions officers and applicants are also able to negotiate head of terms for s.106 agreements prior to the submission of the application and are also able to agree conditions at an earlier stage, again providing developers with confidence and stability to make commercial decisions.
- 2.5 The service continues to work closely with local planning agents to develop new initiatives to suit the ever changing needs of the customer. This has included a revised pre-application schedule and the introduction of Planning Performance Agreements (PPA's). Through PPA's, the Planning Service allows applicants to set their own timescales for extensive pre-application dialogue and provision can be made for a wide range of topic specific meetings, workshops and Member briefings.

### **3.0 The value of planning decisions to Thurrock**

- 3.1 The economic benefit of positive planning decisions stretches well beyond initial building works. New homes and commercial development brings people, spending, council tax, business rates and drives the market to provide further development. Taking all together, the positive decisions made in 2017/18 translate to over £7.8 million to Thurrock's economy. This is a product of 13,620 sq m of commercial floor space, 620 new homes and 232 new jobs.
- 3.2 Furthermore, in the same period the Planning Service negotiated and secured £1,457,708 through s.106 agreements to provide essential infrastructure to mitigate the impact of new development in the Borough. These capital projects are vital in ensuring that the Borough is not burdened by new development but rather it can flourish. The s.106 agreements secured a range of packages including education provision, healthcare facilities, new recreation spaces and highway infrastructure.

### **4.0 Design Quality and Place Making**

- 4.1 It is vital that new development in the Borough is of the highest design quality and the Planning Service is committed to shape schemes to create quality places in Thurrock and challenge schemes that do not meet the standard.
- 4.2 During 2017/18, the Planning service continued its positive relationship with

Design Council CABE, with 3 complex development proposals being taken through the Thurrock CABE design review panel. The design review process continues to be valuable to applicants as it exposes their schemes to a panel of industry experts who are able to help shape and refine schemes alongside the planning officers, prior to submission. Through pre-application dialogue and involvement with CABE, the Planning Service is demonstrably improving the quality of place and enhancing the attractiveness of Thurrock as a place to live and invest.

## **5.0 Planning Enforcement**

5.1 Effective enforcement is important as a means of maintaining public confidence in the planning system. In 2017/18 the Planning Service reviewed its Planning Enforcement Plan and converted the Plan into accessible web content, allowing residents to easily report breaches of planning control and understand the processes involved.

5.2 Enforcement action is discretionary; local planning authorities are expected to act proportionately in responding to suspected breaches of planning control and formal action should be taken only as a last resort. In 2017/18 the Planning Service received 440 planning enforcement complaints and through a robust triage process and pragmatic negotiation with land owners the Service found it necessary to serve only 21 Enforcement Notices, striking the right balance between negotiation and formal action.

## **6.0 Commercialisation of the Service**

6.1 During 2017/18, the Planning Service continued its Managed Service arrangement with Brentwood Borough Council, whereby the Service provides management support to Brentwood's Development Management team. The relationship has continued to be successful, resulting in an improved service at Brentwood (both in terms of quality and performance) and by providing an income stream for Thurrock which protects jobs and services locally.

6.2 The success of the Managed Service arrangement with Brentwood was been of interest to others and in late 2017 the Planning Service began working with Basildon Borough Council on a phased improvement plan allowing further investment back into Thurrock's own Planning Service.

6.3 Crucially, these trading opportunities offer a way by which the Service can positively contribute to the Council's wider financial Strategy, without having to cut jobs and services locally.

## **7.0 Conclusion**

7.1 2017/18 saw the Planning Service continue to perform to a high level recognised by MHCLG performance tables as being amongst the very highest performing authorities in the Country. Through a modern and proactive approach to service delivery and relationships with the

development Industry, the team has maintained its strong track record and has secured significant investment within the Borough, contributing £7.8million toward the Thurrock economy.

7.2 Furthermore, by championing design quality, the Service has started to demonstrably change perceptions of the Borough. The track record and reputation of the Service has also created commercial opportunities to expand and strengthen the Service for the benefit of Thurrock's residents and businesses.

## **8.0 Consultation (including overview and scrutiny, if applicable)**

8.1 N/A

## **9.0 Impact on corporate policies, priorities, performance and community impact**

9.1 No direct impacts arising from this report, but more widely the Service makes a significant contribution to the delivery of the Council's growth and regeneration ambitions.

## **10.0 Implications**

### **10.1 Financial**

Implications verified by: **Laura Last**  
**Management Accountant**

The planning approvals in 2017/18 translate to over £7.8 million to Thurrock's economy. In the same period, £1,457,708 was secured through s.106 agreements to provide essential infrastructure to mitigate the impact of new development in the Borough. These capital projects are vital in ensuring that the Borough is not burdened by new development but rather it can flourish.

### **10.2 Legal**

Implications verified by: **Benita Edwards**  
**Principal Regeneration Solicitor**

There are no legal implications to this report.

### **10.3 Diversity and Equality**

Implications verified by: **Natalie Warren**  
**Strategic Lead Community Development and Equalities**

There are no direct diversity implications to this report.

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

None.

11. **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 planning documents including application forms, drawings and other supporting documentation can be viewed online: [www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning). The planning enforcement files are not public documents and should not be disclosed to the public.

12. **Appendices to the report**

- None

**Report Author:**

Leigh Nicholson

Strategic Lead - Development Services

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<b>Reference:</b> 18/00404/FUL	<b>Site:</b> Land east of Purfleet Thames Terminal and south of railway line London Road Purfleet
<b>Ward:</b> West Thurrock and South Stifford	<b>Proposal:</b> Development of a car storage building with associated site works and ecological mitigations.

<b>Plan Number(s):</b>		
Reference	Name	Received
6169_SK001	Redline Plan	15.03.18
6169_SK002	Location Plan	15.03.18
L898-BLP-00-GF-DR-S-0002 Rev. P03	Car Storage Site Plan	15.03.18
L898-BLP-00-GF-DR-S-0003 Rev. P01	Car Storage Site Plan - (Planning)	15.03.18
L898-BLP-00-00-DR-S-0001 Rev. P02	Car Storage – Ground Floor	15.03.18
L898-BLP-00-01-DR-S-0001 Rev. P02	Car Storage – First Floor	15.03.18
L898-BLP-00-02-DR-S-0001 Rev. P02	Car Storage – Second Floor	15.03.18
L898-BLP-00-03-DR-S-0001 Rev. P02	Car Storage – Third Floor	15.03.18
L898-BLP-00-04-DR-S-0001 Rev. P02	Car Storage – Fourth Floor	15.03.18
L898-BLP-00-05-DR-S-0001 Rev. P02	Car Storage – Fifth Floor	15.03.18
L898-BLP-00-06-DR-S-0001 Rev. P02	Car Storage – Sixth Floor	15.03.18
L898-BLP-00-ZZ-DR-S-0101 Rev. P01	Typical Fire Egress Stair Details	15.03.18
L898-BLP-00-ZZ-DR-S-0102 Rev. P01	Typical Fire Fighting Lift and Fire Egress Stair Details	15.03.18
L898-BLP-00-ZZ-DR-S-1001 Rev. P01	North Elevation	15.03.18
L898-BLP-00-ZZ-DR-S-1002 Rev. P01	East Elevation	15.03.18
L898-BLP-00-ZZ-DR-S-1003 Rev. P01	South Elevation	15.03.18
L898-BLP-00-ZZ-DR-S-1004 Rev. P01	West Elevation	15.03.18
L898-BLP-00-ZZ-DR-S-1005 Rev. P01	Section 1-1	15.03.18
L898-BLP-00-ZZ-DR-S-1006 Rev. P01	Section 2-2	15.03.18
L898-BLP-00-ZZ-DR-S-1007 Rev. P01	Section 3-3	15.03.18
L898-BLP-00-VS-DR-S-0001 Rev. P01	3D View and Standard Notes	15.03.18

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> <li>• Archaeological and Geo-archaeological Evaluation;</li> <li>• Design and Access Statement;</li> <li>• Environmental Statement;</li> <li>• Flood Risk Assessment;</li> <li>• Landscape and Visual Appraisal;</li> </ul>
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<ul style="list-style-type: none"> <li>Planning Statement;</li> <li>Preliminary Risk Assessment,</li> <li>Site Waste Management Report;</li> <li>Transport Assessment;</li> <li>Waste Assessment Report; and</li> <li>Waste Hierarchy and Regulatory Constraints Report.</li> </ul>	
<b>Applicant:</b> Purfleet Real Estate Ltd	<b>Validated:</b> 22 March 2018 <b>Date of expiry:</b> 21 July 2018
<b>Recommendation:</b> Grant planning permission, subject to conditions.	

## 1.0 DESCRIPTION OF PROPOSAL

### Background

- 1.1 The Purfleet Thames Terminal (PTT) is owned by Purfleet Real Estate and operated by C.RO Ports London Ltd. C.RO Ports have operated the site since 1992. The existing PTT site extends to c.42 Ha in area and in 2017 handled approximately 420,000 trailers and containers and the import / export of some 235,000 vehicles. The terminal is served by a roll-on roll-off (RO-RO) jetty which can accommodate two vessels. The jetties were refurbished earlier this year. The terminal is served by sailings to and from Rotterdam and Zeebrugge with approximately 1,200 vessel calls annually.
- 1.2 In summary, this application proposes the construction and operation of a car storage building to be used for the temporary storage of cars associated with the operation of the existing Terminal. The main elements of the proposals are summarised in the table below:

Site Area	5.3 Ha
Floorspace	210,000 sq.m. (GIA)
Building Height	c. 21.4m (top deck) c. 26m (top of stair / lift enclosures) c. 30.4m (top of lighting columns on top deck)
Car Storage Capacity	Ground Floor: 1,294 spaces First Floor: 1,239 spaces Second Floor: 1,471 spaces Third Floor: 1,471 spaces Fourth Floor: 1,471 spaces Fifth Floor: 1,471 spaces Sixth Floor (roof top): 1,471 spaces

TOTAL: 9,888 spaces
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- 1.3 The proposed building would comprise a steel-framed decked structure providing car storage across seven levels, including at roof top level. The building would measure a maximum of c.173m (east-west) and c.207m (north-south). Space for the loading and unloading of car transporters would be provided within the building along with internal ramps to access between floors.
- 1.4 The building would be accessed from its northern elevation and linked to the rest of the Purfleet Terminal via a new access road (not yet constructed) which was granted planning permission in 2016 (ref. 16/00644/FUL). Areas for ecological mitigation are proposed, principally located adjacent to the eastern, west and southern boundaries.
- 1.5 Within the submitted Planning Statement the applicant notes that the development is *"required in order to sustain commercial activity in the face of transformational political and economic conditions and associated changes to the port's operational requirements"*. The Statement notes that the applicant is *"currently faced by an unprecedented situation in the form of Brexit ... and in particular the need to accommodate new and increased customs requirements at UK ports, has driven a need for more storage facilities at the Terminal. The distribution model for international vehicle movements is projected to change, with the strong likelihood that more vehicles will need to be held in UK ports awaiting dispatch"*. The proposed car storage therefore responds to the potential for longer dwell-times.

## **2.0 SITE DESCRIPTION**

- 2.1 The site comprises a roughly triangular-shaped land parcel bordered by the Purfleet – Grays railway line to the north, Stonehouse Sewer (main river) and the Unilever site to the west and the private access road serving Purfleet aggregates terminal to the east. The site is largely occupied by open rough grassland. Historic Ordnance Survey mapping suggests that this area formed part of the adjacent margarine works from approximately the 1940's and a railway siding crossed the site from north-east to south-west. This siding was partially covered by a long shed building and a series of storage silos were positioned at the end of the siding. The railway sidings and associated structures have now been removed. The site is unused and largely overgrown with vegetation. This part of the site extends to approximately 5.3Ha in area. The site is located within the high risk flood zone (Zone 3a), although benefits from tidal defences adjacent to the River Thames. The site is allocated as land for new development within a primary industrial and commercial area.

## **3.0 RELEVANT HISTORY**

Ref.	Description of Proposal	Decision
49/00131/FUL	New soap works	Approved
54/00315/FUL	Erection of factory premises	Approved
54/00388/FUL	Erection of industrial buildings	Approved
74/01061/FUL	Land to be used for parking of commercial vehicles	Approved
99/00378/FUL	Temporary storage of motor vehicles	Approved
02/00509/TBC	Construction of a two lane single carriageway road from London Road. A new roundabout, a new bridge and other ancillary works	Withdrawn
02/00515/FUL	Construction of a new access to the east of Van Den Bergh foods to the new access road from London Road	Approved
12/00954/FUL	Erection of a Class B8 warehouse and ancillary offices, car parking, manoeuvring area and hard standing and landscaping	Finally disposed of
16/00644/FUL	Construction of a private estate road on land to the east of Purfleet Thames Terminal, south of railway line	Approved
16/00877/SCO	Request for an Environmental Impact Assessment (EIA) Scoping Opinion: Proposed expansion of port facilities to increase capacity and improve operational efficiencies comprising (i) new primary site access in the form of a new roundabout at the London Road / Jurgen's Road junction (ii) secondary (optional) access onto London Road (iii) internal four lane bridge crossing the Purfleet - Grays railway line (iv) new internal access road network (v) realignment of internal railroad tracks (vi) demolition / removal and replacement of existing berths and construction of new berths (vii) surface multi-purpose storage and multi-storey car decks (viii) new container yard equipment and (ix) new workshop, hanger and employees' facilities	Advice given
16/01698/FUL	Full planning permission for the demolition of existing buildings and structures and the erection of new buildings, structures, port infrastructure (including road, railways, tracks, gantries and surfacing) landscaping,	Approved

	<p>drainage, and other ancillary works in association with continued use of the port for the storage and transfer of trailers, containers and cars, including the erection of a car storage building on the former Paper Mills land, a workshop in South Park, and a new areas of open storage and transfer trailers, containers and cars on land at Purfleet Farm and south of the railway line. Outline planning permission for the expansion of the existing Pre-Delivery Inspection Building.</p>	
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- 3.1 Planning permission was granted in July 2016 (ref. 16/00644/FUL) for the construction of a new section of road located parallel with, and south of the railway line, to link the existing Purfleet terminal (to the west) with the current application site. This permission has not been implemented although the details for a number of pre-commencement planning conditions have been discharged. The time limit for implementation of this planning permission expires in July 2019.
- 3.2 More recently in May 2017 planning permission was granted (ref. 16/01698/FUL) for a re-organisation and expansion of existing terminal activities, including new areas of open storage for trailers, containers and cars on additional land adjacent to existing port operations. The current application site forms part of this 2017 permission and the approved site layout plan shows an area for the storage and transfer of containers, trailers and cars on the site, with an area of retained and new habitat creation adjacent to the eastern, western and southern boundaries.
- 3.3 It is also notable that the applicant has recently secured planning permission for development within and adjacent to the existing Terminal as follows:

<p>Purfleet Farm site (south of London Road, east of Jurgen’s Road):</p>
<p>11/50431/TTGETL                  Extension of time limit to implement permission ref.- 07/01217/TTGOUT (Mixed use development of B2 (general industry) and B8 (storage and distribution)).</p>
<p>16/00958/REM                  Application for the approval of reserved matters (layout, scale, access (within the site), appearance, landscaping) following outline approval ref. 11/50431/TTGETL (Infilling and levelling of existing development platforms and mixed use development of up to 20,000 sq.m. Class B2 / B8 development) together with details to discharge condition no. 22 (ecological survey).</p>
<p>14/01392/FUL                  Use of part of land for vehicular storage for use in association with Purfleet Thames</p>

Terminal, formation of hardstanding, associated landscape and infrastructure works including erection of a gatehouse building, lighting columns, erection of fencing, drainage infrastructure including a surface water balancing pond, infill and alteration to levels, alterations to vehicular access to London Road.

Former ExxonMobil Site:

14/01387/FUL

Use of part of the land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hardstanding, associated infrastructure works including erection of lighting and CCTV columns, erection of fencing, drainage infrastructure on land at the former Exxon Mobil Lubricants site, London Road, Purfleet.

Former Paper Board Mills Site:

15/00268/FUL

Use of land for vehicular storage, formation of hardstanding and associated infrastructure works including erection of lighting and CCTV columns, erection of fencing, and drainage infrastructure on land at the former Paper Mills site, London Road, Purfleet.

Land at and adjacent to Stonehouse Corner junction:

16/01574/FUL

Demolition of existing structures and construction of new roundabout and highway works at Stonehouse Corner/London Road, new secure site entrance and exit facilities, along with landscaping, drainage and associated works.

Land at northern part of Purfleet Terminal:

16/01582/FUL

Demolition of existing structures and construction of new internal access roads, structures (including bridge over railway) and railways, along with landscaping, drainage and associated works.

Terminal Jetties:

16/01601/FUL

Demolition of the existing downstream jetty and demolition of the out-of-service part of the existing upstream jetty. Construction of a new replacement downstream jetty.

Land at existing Terminal, including land at former Paper Board Mills site, former ExxonMobil site, Purfleet Farm site and the current (former Unilever site):

16/01698/FUL

Full planning permission for the demolition of existing buildings and structures and the erection of new buildings, structures, port infrastructure (including road, railways, tracks, gantries and surfacing) landscaping, drainage, and other ancillary works in association with continued use of the port for the storage and transfer of trailers, containers and cars, including the erection of a car storage building on the former Paper Mills land, a workshop in South Park, and a new areas of open storage and transfer trailers, containers and cars on land at Purfleet Farm and south of the railway line. Outline planning permission for the expansion of the existing Pre-Delivery Inspection Building.

- 3.4 The above planning history is relevant in that parts of the Port ‘estate’ (Purfleet Farm / former Paper Board Mills site / former ExxonMobil site) benefit from more than one planning permission. In order to inform a robust assessment, the Environmental Statement (ES) accompanying the application includes a cumulative assessment of these extant permissions as well as the submitted Purfleet Centre redevelopment proposal.

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

#### 4.2 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters, press advert and site notice. The application has been advertised as a major development accompanied by an Environmental Statement. No responses have been received.

- 4.3 The following consultation replies have been received.

#### 4.4 ENVIRONMENT AGENCY:

No objections, subject to planning conditions to address ground contamination.

#### 4.5 ESSEX FIRE & RESCUE SERVICES:

Access appears to be satisfactory. Detailed observations are offered referring to water supplies and the use of sprinkler systems.

#### 4.6 HIGHWAYS ENGLAND:

Offer no objection.

#### 4.7 NATURAL ENGLAND:

No objection in relation to statutory nature conservation sites. Advice is offered in relation to protected species etc.

#### 4.8 ENVIRONMENTAL HEALTH:

Air Quality – No objections – the impacts of the proposals are not significant.

Contaminated Land – the recommendations within the submitted risk assessment are agreed.

Construction – a planning condition requiring a CEMP is recommended.

#### 4.9 FLOOD RISK MANAGER:

Raise a holding objection on the basis of perceived inadequacies in the surface water drainage strategy, limitation of run-off rates, storage capacity, pump failure considerations and water quality.

#### 4.10 HIGHWAYS:

No objections, subject to planning conditions requiring a CEMP and substantial completion of the new access arrangements (ref. 16/01574/FUL) prior to operational use.

#### 4.11 LANDSCAPE & ECOLOGY:

No objections. The proposal will have low or negligible impact on landscape receptors and there will be no significant additional ecological impacts compared to the consented scheme,

#### 4.12 HEALTH & SAFETY EXECUTIVE:



The site is located within the 'outer' consultation zone drawn around the Vopak West Thurrock hazardous installation and also the 'inner', 'middle' and 'outer' zones drawn around the Civil and Marine Slag Cement Ltd hazardous installation. Accordingly, the details of the application have been interrogated using the HSE's planning advice web app. On the basis of the proposals being considered as 'parking areas' the HSE do not advise on safety grounds against granting planning permission.

## **5.0 POLICY CONTEXT**

### **5.1 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:

- Building a strong, competitive economy;
- Promoting sustainable transport;
- Requiring good design;
- Promoting healthy communities;
- Meeting the challenge of climate change, flooding and coastal change; and
- 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 48 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Air quality;
- Design;
- Determining a planning application;
- Environmental Impact Assessment;
- Flood risk and coastal change;
- Light pollution;
- Natural environment;
- Noise;
- Travel plans, transport assessments and statements; and
- Use of planning conditions

## 5.2 Local Planning Policy

### Thurrock Local Development Framework (2015)

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. The following policies apply to the proposals:

#### OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

- OSDP1: Promoting Sustainable Growth and Regeneration in Thurrock

#### SPATIAL POLICIES

- CSSP2 (Sustainable Employment Growth)

#### THEMATIC POLICIES

- CSTP6: Strategic Employment Provision
- CSTP14 (Transport in the Thurrock Urban Area: Purfleet to Tilbury)
- CSTP17: Strategic Freight Movement and Access to Ports
- CSTP18: Green Infrastructure
- CSTP19 (Biodiversity)
- CSTP22 (Thurrock Design)
- CSTP25 (Addressing Climate Change)
- CSTP27 (Management and Reduction of Flood Risk)
- CSTP28 (River Thames)

#### POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)

- PMD2 (Design and Layout)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)
- PMD15 (Flood Risk Assessment)

### 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. Consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in 2018.

### Thurrock Design Guide

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy. The relevant sections from the RAE Design Guide are:

- Commerce and Industry Typology.

## **6.0 ASSESSMENT**

### 6.1 Procedure

The development proposal is considered to be a development requiring Environmental Impact Assessment (EIA), therefore the application has been accompanied by an Environmental Statement (ES). The ES considers the environmental effects of the proposed development during construction and operation and includes measures to prevent, reduce or offset any significant adverse effects on the environment. The ES is accompanied by technical appendices. The contents of the ES comprise:

1. Introduction;
2. EIA Methodology;
3. Description of Reasonable Alternatives and Design Iteration;
4. Description of Proposed Development;
5. Ecology and Nature Conservation;
6. Traffic and Transport;

7. Air Quality;
8. Noise and Vibration;
9. Cumulative Assessment;
10. Mitigation Measures.

6.2 The Council has a statutory duty to consider environmental matters and an EIA is an important procedure for ensuring that the likely effects of new development are fully understood and fully taken into account before development proceeds. EIA is, therefore, an integral component of the planning process for significant developments. EIA leads to improved decision making by providing the development management process with better information. EIA not only helps to determine whether development should be permitted but also facilitates the drafting of planning conditions and legal agreements in order to control development, avoid or mitigate adverse effects and enhance beneficial effects. Therefore, it is vital that the environmental issues raised by the application are assessed in a robust and transparent manner.

6.3 In order to fulfil the requirements of the EIA Regulations it is necessary to ensure (a) that the Council has taken into account the environmental information submitted, and (b) that any planning permission granted is consistent with the development which has been assessed. To achieve this second objective the Council has the ability to impose conditions and secure mitigation measures by Section 106 obligations as necessary.

6.4 The issues for consideration in this case are:

- I. Principle of the development
- II. Traffic and transport impact
- III. Impact on air quality
- IV. Noise and vibration
- V. Flood risk and drainage
- VI. Ground conditions
- VII. Ecology
- VIII. Landscape and visual impact
- IX. Cumulative assessment
- X. Other matters.

#### I. PRINCIPLE OF THE DEVELOPMENT

6.5 With reference to the Core Strategy Local Plan policies map the site is designated as employment land and allocated as 'Land for New Development in Primary (Employment) Areas'. Core Strategy policies CSSP2 (Sustainable Employment Growth) and CSTP6 (Strategic Employment Provision) apply to the site. Spatial

policy CSSP2 defines the Borough's Key Strategic Economic Hubs and states that the Council will *"promote and support economic development in the Key Strategic Economic Hubs that seeks to expand upon their existing core sectors and/or provide opportunities in the growth sectors"*. Purfleet is described as a hub possessing the core sectors of storage, warehousing and freight transport. In referring to the Primary and Secondary Industrial and Commercial Areas, thematic policy CSTP6 safeguards land for employment uses. In general terms, the proposals would support the continued operation and expansion of the existing Terminal site and consequently there is no conflict with these relevant Core Strategy policies.

- 6.6 The NPPF states that *"the purpose of the planning system is to contribute to the achievement of sustainable development"* (paragraph 6). The following paragraph of the Framework describes the three dimensions to sustainable development as including an economic role, as well as social and environmental roles. One of the core land-use planning principles described by paragraph 17 of the NPPF is that planning should *"proactively drive and support sustainable economic development to deliver the ... business and industrial units, infrastructure and thriving local places that the country needs"*. Under the heading of 'Building a strong, competitive economy' paragraph 19 of the NPPF notes that *"planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."* Finally, under the heading of 'Promoting sustainable transport', paragraph 22 of the NPPF states that *"when planning for ports, airports and airfields that are not subject to a separate national policy statement, plans should take account of their growth and role in serving business ... needs"*.
- 6.7 The application site (Unilever land) does not currently form part of the operational Terminal. However, there is an extant planning permission (ref. 16/01698/FUL) for use of the site as surface storage and transfer of containers, trailers and cars. In simple terms the proposed development would comprise a more intensive use of the site compared to the approved scheme. Nevertheless, the principle of the proposed land use is compatible with surrounding land uses and has already been accepted. Accordingly there are no objections under this heading.

## II. TRAFFIC & TRANSPORT IMPACT

- 6.8 When the 'site-wide' planning application (16/01698/FUL) was considered by Planning Committee in April 2017 the accompanying report presented the current baseline of the Terminal, potential Terminal capacity, trip generation and subsequent impacts on the highways network.

6.9 With reference to existing baseline conditions, the principal access into the Terminal site is via the ‘Exxonmobil’ road located on the southern side of London Road in between Long Reach House and The Fleet public house. This access is used by/for:

- all HGVs associated with freight (trailers, containers and other cargo);
- staff and visitors associated with the Terminal;
- the departure of cars to be stored at the C.RO Dartford site
- the arrival of cars from the C.RO Dartford site for pre-delivery inspection (PDI); and
- the arrival of cars undergoing vehicle testing.

This road is not adopted and the route uses a private level crossing to access the ‘South Park’ area of the Terminal and the riverside berths.

6.10 There is a secondary access for the Terminal onto Jurgen’s Road, on the eastern boundary of the Terminal site. Jurgen’s Road, which provides access for the Unilever and Pura Foods sites via a level crossing, is a private road linking to London Road a short distance to the west of the HS1 viaduct. The access onto Jurgen’s Road is used by the Terminal for:

- all car transporters associated with stored cars; and
- departure of cars undergoing testing.

6.11 Existing cargo (vehicles, trailers and containers) imported into the terminal is unloaded via the two river berths and stored at the North and South park areas. Containers and trailers are stored closest to the berths, with more easily moved vehicles stored further from the berths.

6.12 The baseline of new Terminal capacity established by the ‘site-wide’ planning permission and as presented to Planning Committee in April 2017 is set out in the table below:

<u>Cargo</u>	<u>Terminal Location</u>	<u>Previous Permissions</u>	<u>2017 Permission (16/01698/FUL)</u>	<u>Assumed Additional Capacity</u>
Vehicles	Purfleet Farm	2,290	436	-1,854
	former Exxon site	1,652		-1,652
	Unilever land		2,500	+2,500
	former Paper Board Mills site	1,836	8,800	+6,694
	TOTAL	5,778	11,736	+5,958

Trailers	Purfleet Farm			
	former Exxon site	22	87	+65
	Unilever land			
	former Paper Board Mills site			
	TOTAL	22	87	+65
Containers	Purfleet Farm			
	former Exxon site	195	170	-25
	Unilever land			
	former Paper Board Mills site			
	TOTAL	195	170	-25

- 6.13 Therefore, assuming that the 2017 'site-wide' planning permission is implemented in preference to the 'previous permissions' (i.e. the individual planning permissions for the Purfleet Farm, former Exxon and former Paper Board Mills sites) there would be an increase of 5,958 in vehicle storage capacity and relatively small changes to trailer capacity (+65) and container capacity (-25). The permitted increase in vehicle storage capacity is largely associated with a decked car storage building located on the former Paper Board Mills site.
- 6.14 The current proposal would involve a more intensive use of the Unilever land for vehicle storage. The 2017 permission assumes 2,500 vehicle spaces at surface level whereas the current scheme would provide 9,888 spaces in a decked building, an increase of 7,388. If the current proposal and 2017 permission (as amended by the current scheme) were to be implemented vehicle storage capacity at the Terminal would increase by 13,346.
- 6.15 When Planning Committee considered the site-wide proposals in April 2017 proposals for new access arrangements (ref. 16/01574/FUL) and a new bridge within the Terminal over the railway line (ref. 16/01582/FUL) were also considered and approved. If implemented, these elements would relocate access into the Terminal via a new arm from the Stonehouse Corner roundabout, thereby reducing HGV movements along London Road and avoiding an Air Quality Management Area. A planning condition of the site-wide approval requires no increase in Terminal capacity until the new access arrangements (16/01574/FUL) are operational.
- 6.16 The Transport Assessment submitted with this application forecasts that the current proposal will generate 118 two-way daily HGV movements on the public highway, with a maximum of 7 two-way daily HGV movements during the AM and PM peak periods. The Assessment concludes that the forecast increase in daily HGV movements is likely to be less than the daily variation in traffic flows on the public

network. The impact on the operation of the surrounding network and junctions is assessed as imperceptible.

- 6.17 The Council's Highways Officer notes the recently consented new access and bridge permissions and considers that the operation of the proposed car deck, in conjunction with these approved developments, will not significantly impact on the public highway network. This is because additional vehicle trips will be made within the Terminal estate aside from the exportation of new vehicles (via transporters) from the main terminal gate for delivery. Consequently, there are no highways objections to the proposals in conjunction with the permitted developments. Nevertheless, it is noted that the 2017 site-wide permission restricts any increase in terminal capacity until such time as the new access is operational. Suggested planning condition no. 4 (below) replicates the requirements of the 2017 permission in restricting terminal capacity until operation of the approved access arrangement.

### III. IMPACT ON AIR QUALITY

- 6.18 The accompanying ES includes an air quality assessment. With regard to baseline conditions there are a number of existing and proposed Air Quality Management Areas (AQMA) in the area close to the site as follows:

- AQMA 8 – hotel to west of jct. 31 of the M25 (NO<sub>2</sub> & PM<sub>10</sub>)
- AQMA 9 - hotel to north of jct. 31 of the M25 (NO<sub>2</sub>)
- AQMA 10 – Jarrah Cottages, London Road NO<sub>2</sub> & PM<sub>10</sub>)
- AQMA 12 – Watts Wood estate, A1306 (NO<sub>2</sub>)
- AQMA 21 – hotel on Stonehouse Lane (NO<sub>2</sub>)
- AQMA to be declared on Purfleet Bypass

(NO<sub>2</sub> – Nitrogen Dioxide. PM<sub>10</sub> – Particulates)

- 6.19 From the above list the closest AQMA to the site is located immediately to its north along London Road. This AQMA includes Jarrah Cottages and land immediately east and west of these residential properties.
- 6.20 Comments from the Council's Environmental Health Officer (EHO) responding to the site-wide proposals confirmed no objections on air quality grounds provided that the new access arrangements are completed before any increase in operational activities. EHO comments on the current scheme refer to the consented revised access arrangements into the terminal which will effectively remove HGVs from London Road and thereby remove HGVs from AQMA 10. On the basis of the



implementation of the revised access there are no air quality objections to the current application.

#### IV. NOISE AND VIBRATION

- 6.21 During the construction phase the ES predicts that noise levels would be no more than the daytime noise threshold level at any of the nearest noise-sensitive receptors. As mitigation, the applicant proposes a management plan and the EHO recommends a 'standard' planning condition requiring the submission and operation of a CEMP.
- 6.22 Noise from the operation of the development is also assessed by the ES. Levels at nearby receptors when compared to existing background noise levels would result in impacts ranging from 'low' to 'moderate' adverse. However, in the context of noise impacts associated with the site-wide approval, the 'additional' noise levels associated with the proposed car deck would be negligible.

#### V. FLOOD RISK AND DRAINAGE

- 6.23 The application is accompanied by a Flood Risk Assessment (FRA) as the site falls within the high risk flood area (Zone 3). The Stonehouse Sewer, described by the Environment Agency as a 'main river' is forms the western boundary of the site and discharges to the south into the River Thames. The risk of fluvial (river) flooding at the site from Stonehouse Sewer and the River Mardyke (to the west of the site) is considered by the FRA to be low. However, it is the risk of tidal flooding from the River Thames which places the application site, and the wider Purfleet and West Thurrock area, within the high flood risk zone. Nevertheless, the site benefits from existing tidal flood defences adjacent to the Thames foreshore which offer a 1 in 1,000 year event standard of protection. The actual risk of tidal flooding is low, though there is a residual risk flooding if the defences were overtopped (by wave action) or if there was a breach event resulting from a failure of the tidal defence.
- 6.24 The consultation response received from the Environment Agency confirms the following:
- the site is currently protected by flood defences with an effective crest level of 6.80m AOD so is not at risk of flooding in the present-day 0.5% (1 in 200) annual probability flood event. These defences will continue to offer protection over the lifetime of the development, provided that the TE2100 policy is followed and the defences are raised (dependent on future funding) in line with climate change;
  - during the 0.5% (1 in 200) annual probability including climate change breach flood event flood levels could reach 6.70 m AOD and during the 0.1% (1 in

1000) annual probability including climate change breach flood event flood levels could reach up to 7.17 m AOD (up to the year 2109);

- assuming a velocity of 0.5m/s the flood hazard is danger for all including the emergency services in the 0.5% (1 in 200) annual probability flood event including climate change;
- finished ground floor levels have been proposed at 1.21m AOD. This is below the 0.5% annual probability breach flood level including climate change of 6.70m AOD and therefore at risk of flooding by 5.49m depth in this event; and
- flood resilience/resistance measures and a flood evacuation plan have been proposed.

#### 6.25 Sequential Test

The general aim of national planning policy and guidance for flood risk is to steer new development to areas with the lowest probability of flooding, by applying the Sequential Test (where relevant). National PPG allocates new land uses / development to a 'flood risk vulnerability classification' in order to assess whether the uses / development are compatible with their flood zone. In this case, the FRA states that the proposals fall within the 'less vulnerable' classification.

6.26 Table 3 of PPG describes a flood risk vulnerability and flood zone compatibility matrix within which 'less vulnerable' development is 'appropriate' in Flood Zone 3a, subject to the Sequential Test. The proposed car storage building would constitute a functional element of the Terminal and is needed within the operational land of the Terminal. There are no other locations within the Terminal which are at a lower risk of flooding and accordingly it is considered that the Sequential Test is passed for the proposal. The FRA notes that a site specific flood warning and evacuation plan will be developed and maintained for the lifetime of the development.

6.27 The consultation response received from the Environment Agency raises no objections to the planning application, providing the local planning authority takes into account the considerations which are their responsibility (i.e. application of the Sequential Test as appropriate and the submission of a site-specific FRA). The Agency confirms the location of the site within the high risk flood zone and that the site is protected by existing defences. The Agency notes that the FRA includes flood resilience measures and a flood evacuation plan for the site.

#### 6.28 Surface Water Drainage:

The Terminal Site has a number of existing surface water and highways drainage systems which ultimately discharge, via pumping stations and interceptors, to Stonehouse Sewer and to the River Thames. The FRA includes a proposed high level drainage strategy.

- 6.29 Essex County Council was appointed as the Lead Local Flood Authority's statutory consultee for Thurrock in 2016. The consultation response received from the County Council raises a holding objection and considers the proposed surface water drainage strategy to be inadequate, with particular regard to storage, pumping station capacity and water treatment. The applicant has provided a reply to these concerns and at the time of writing an updated response from the County Council is awaited. The applicant has however confirmed that the principles of the surface water drainage strategy for the site wide planning permission are unchanged. It is considered that a planning condition can be used to require implementation of the submitted strategy.

## VI. GROUND CONDITIONS

- 6.30 Although the site is largely open, it was until very recently crossed by a railhead serving adjacent industrial uses. These former uses could have resulted in ground contamination (spillages etc.) as well as the possibility that the site has been contaminated through the movement of groundwater from nearby activities. The application is therefore accompanied by a Preliminary Risk Assessment.
- 6.31 Subject to the imposition of 'standard' planning conditions addressing risk assessment and remediation the Environment Agency do not object under the heading of contaminated land. The Council's EHO has reviewed the submitted Risk Assessment and agrees with its recommendations.

## VII. ECOLOGY

- 6.32 No part of the application site is within a statutory site designated for nature conservation importance. The site was surveyed for ecological interest in 2016 and the existing habitat of this low-lying and flat land parcel comprises bare ground, sparse ephemeral vegetation and ruderal vegetation. The site includes areas of a Habitat of Principal Importance, namely open mosaic habitat on previously developed land.
- 6.33 The proposal would result in the loss of a substantial part of this habitat. However, the approved site-wide proposals involving the Unilever land also involved a substantial loss of habitat and the impact of this proposal compared to the approved scheme is similar. The site-wide proposals allowed for the provision of ecological mitigation measures around the boundaries of the Unilever land and the current proposals allow for the retention of these areas. As the site-wide consent involved only surface level storage compared to the decked building currently proposed an additional impact associated with the shading of mitigation areas is

now raised. In order to compensate for this additional impact, an additional area of habitat is proposed.

- 6.34 In responding to the site-wide proposals the Council's Landscape and Ecology Advisor noted that the current site is of value for invertebrates, although the areas of highest value were concentrated in the north and south of the site. The Unilever land has previously been identified as meeting Local Wildlife Site criteria during the Borough-wide Local Wildlife Site review. However the boundary of the site has not been agreed nor the designation yet confirmed. The draft citation recognises the value of the site primarily for invertebrates, but also for reptiles which are associated with the areas of Open Mosaic Habitat. Nevertheless, it is considered that the proposed mitigation is satisfactory. No objection to the proposals has been raised by the Council's Landscape and Ecology Advisor.

#### VIII. LANDSCAPE AND VISUAL IMPACT

- 6.35 The application is accompanied by a Landscape and Visual Appraisal (LVIA). With regard to existing landscape character, the Thurrock Landscape Capacity Study (2005) was produced on behalf of the Council to assess the sensitivity and capacity of different landscapes in the Borough to accommodate potential development. Nevertheless, this document is useful in allocating and describing the various landscape character types in Thurrock. This Study places the application site within the 'West Thurrock and Purfleet Urban Area', which exhibits key characteristics including "*heavy industrial buildings associated with the Purfleet Thames Terminal (e.g. Esso)*" and the "*strong influence of associated utilities infrastructure*". The High Speed 1 viaduct and A282 Dartford Crossing are elevated structures forming prominent visual features in the area. With reference to visual receptors, the closest residential properties to the site are located on London Road and some 400m to the north-west. Views of the site are available from public footpaths on both the northern and southern banks of the River Thames. The public footpath on the northern bank of the river is some 450m from the site.
- 6.36 Historically the site has always been open (apart from the rail siding and associated rail shed) and the site-wide planning permission permits surface level only storage on the site. The proposed introduction of a decked car storage building to a height of 26m (to the top of the proposed lift shafts) would represent a substantial change to the open nature of the site. However, the site lies within an industrial area characterised by commercial buildings, yards, plant and transport infrastructure south of London Road and both east and west of the A282. This landscape area has a low sensitivity to change and the impact on landscape character would be negligible. Similarly the site is located within an area where artificial lighting is common-place, therefore the impact of lighting columns on the roof deck of the building would be minimal.

6.37 The LVIA assesses the impact on the nearest sensitive visual receptors comprising residential properties and footpath users. Impacts on these receptors are assessed as negligible and these conclusions are agreed by the Council’s Landscape and Ecology Advisor.

IX. CUMULATIVE ASSESSMENT

6.38 Schedule 4 (5)(e) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 require Environmental Statement to include a description of the likely significant effects of the development on the environment resulting from, inter-alia:

*“the cumulation of effects with other existing and / or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources ...”*

6.39 The Regulations do not provide a definition of what cumulative effects means. However, the European Commissions’ “Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions” (May 1999) refers to a definition of “cumulative impacts” as:

“Impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project”

6.40 The ES includes a cumulative assessment which considers major development and infrastructure projects within a 1km radius of the site and which have a reasonable prospect of coming forward before or at the same time as the current proposals. Based on these criteria the ES considers those EIA developments with planning permission which are either under construction or have not yet commenced and those EIA developments where an application has been submitted and there is likely to be a resolution to grant planning permission.

6.41 The ES therefore considers the following list of projects:

Ref.	Site	Proposal	Status
14/01392/FUL	Purfleet Farm	Use of part of land for vehicular storage for use in association with Purfleet Thames Terminal, formation of hard standing, associated landscaping and infrastructure works including erection of a gatehouse	Permission granted – not implemented

		building, lighthouse columns, erection of fencing, drainage infrastructure including a surface water balancing pond, infill and alteration to levels, alterations to vehicular access to London Road.	
16/01574/FUL	Stonehouse Corner junction	Construction of new roundabout and highway works at Stonehouse Corner/London Road, new secure site entrance and exit facilities, and associated landscape works.	Permission granted – not implemented
16/01582/FUL	Purfleet Thames Terminal	Demolition of existing structures and construction of new internal access roads, structures (including bridge over railway) and railways, along with landscaping, drainage and associated works	Permission granted – not implemented
16/01601/FUL	Purfleet Thames Terminal	Demolition of the existing downstream jetty and demolition of the out-of-service part of the existing upstream jetty. Construction of a new replacement downstream jetty.	Permission granted
16/01644/FUL	Land south of Burnley Road	The erection and operation of bitumen product plant, ancillary facilities and access.	Permission granted
16/01698/FUL	Purfleet Thames Terminal	Demolition of existing buildings and structures and the erection of new buildings, structures, port infrastructure (including road, railways, tracks, gantries and surfacing) landscaping, drainage, and other ancillary works in association with continued use of the port for the storage and transfer of trailers, containers and cars, including the erection of a car storage building on the former Paper Mills land, a workshop in South	Permission granted

		Park, and a new areas of open storage and transfer trailers, containers and cars on land at Purfleet Farm and south of the railway line. Outline planning permission for the expansion of the existing Pre-Delivery Inspection Building.	
17/01171/FUL	Former Smurfit Kappa Lokfast Site	Proposed construction of part three /part four-storey, 6-form entry secondary school for 1,150 students (including 250 sixth form pupils) in 8,850 sq.m. new school building.	Permission granted
17/01668/OUT	Purfleet Centre	Application for outline planning permission, with all matters reserved for subsequent approval, except for means of access, for mixed-use redevelopment involving the demolition of existing buildings and other structures, site preparation works, and the development of up to 2,850 dwelling houses (Use Class C3) etc.	Under consideration
17/01705/FUL	DSV Road Ltd. site	Demolition and partial demolition of existing buildings and construction of extension to the existing warehouse to provide additional warehouse floorspace etc.	Under consideration

6.42 The potential for cumulative impacts of the current proposal in combination with the projects listed above is presented in a topic by topic basis within the ES. Therefore, potential cumulative impacts for terrestrial ecology, traffic and transport, air quality and noise and vibration are assessed cumulatively.

6.43 The cumulative impacts on ecological interests are assessed within the ES as insignificant and this conclusion is agreed. The increase in vehicle movements on the public highway as a result of this proposal is negligible and within the daily variation of traffic flows. Consequently it is considered that there are no significant cumulative impacts. Subject to appropriate mitigation, to be secured by

implementation of a CEMP, the residual cumulative impacts on air quality and noise are assessed as not significant.

## X. OTHER MATTERS

### Major Hazard Sites

- 6.44 The site is located within the 'outer' consultation zone drawn around the Vopak West Thurrock hazardous installation and also the 'inner', 'middle' and 'outer' zones drawn around the Civil and Marine Slag Cement Ltd hazardous installation. The Health and Safety Executive (HSE) direct local planning authorities to utilise their PADHI+ consultation system in order to generate a consultation response. With reference to the proposed storage use on the Unilever land the PADHI+ system has been used to generate a response which "does not advise against" the granting of planning permission. This response is on the basis that the proposed car deck is a storage facility which is not normally occupied.

### Impact of the proposals on the emerging Purfleet Centre Redevelopment Scheme:

- 6.45 The report on the site-wide planning application presented to Planning Committee in April 2017 included an assessment of the Terminal proposals on the Purfleet Centre project. At that time an outline planning permission for the project (ref. 11/50401/TTGOUT) has been granted but it was considered unlikely that this permission would be implemented. Since April 2017 a revised outline planning application has been submitted (17/01668/OUT) and is currently under consideration. The current application site is physically separate from the land subject to 17/01668/OUT and is also some considerable distance (c. 1km) away. In these circumstances it is considered that the proposals would not conflict with the emerging proposals for Purfleet Centre.

## **7.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION**

- 7.1 The application site is currently open and unused. However, permission has been granted for a road to link the site to the rest of the Purfleet Terminal estate. In addition the recent site-wide planning permission established the principle of open storage on the site. The site is allocated for employment use and there can be no objection, in land use policy terms, to the proposed storage use. As noted above and subject to appropriate planning conditions there are objections to the proposals in terms of impact on highways, ecology, noise, air quality, flood risk, ground conditions or landscape and visual.
- 7.2 In coming to its view on the proposed development the Council has taken into account the content of the ES submitted with the application as well as



representations that have been submitted by third parties. The ES considers the potential impacts of the proposal and on occasions sets out mitigation measures. Subject to appropriate mitigation, which can be secured through planning conditions, the ES concludes that any impact arising from the construction and operation of the development would be within acceptable limits. Having taken into account representations received from others, Officers consider that the proposed development is acceptable, subject to a number of planning conditions that are imposed upon the permission. Therefore, it is recommended that planning permission is granted subject to the recommendation set out below.

## 8.0 RECOMMENDATION

Grant planning permission subject to the following conditions:

### Definitions

1. Within the following conditions the definitions listed below apply –

#### Site Preparation Works:

Includes the following enabling work required to prepare the site for development:

- site clearance works
- demolition of existing structures including removal of asbestos, the stripping out of buildings, disconnecting services and grubbing up foundations
- removal of existing and surplus rubble
- removal of services including service trenches
- archaeological and ground investigations
- remedial work
- carrying out CAT scans to confirm all existing services are clear
- the erection of a hoarding line
- providing piling matting
- providing clear health and safety information
- piling works.

#### Advanced Infrastructure Works:

Includes the following enabling infrastructure:

- installing drainage infrastructure
- installing services and utilities
- construction of foundations and ground floor/level slab
- ground levelling works.

Construction Works:

Superstructure works above the ground floor level/slab required to erect a building or structure.

Landscape Works:

Surface landscaping works required to implement internal routes, storage areas and green infrastructure.

First Operation:

Refers to the first commencement of the use of a building or land.

Time Limit

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

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

Approved Plans

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

6169_SK001	Redline Plan
6169_SK002	Location Plan
L898-BLP-00-GF-DR-S-0002 Rev. P03	Car Storage Site Plan
L898-BLP-00-GF-DR-S-0003 Rev. P01	Car Storage Site Plan - (Planning)
L898-BLP-00-00-DR-S-0001 Rev. P02	Car Storage – Ground Floor
L898-BLP-00-01-DR-S-0001 Rev. P02	Car Storage – First Floor
L898-BLP-00-02-DR-S-0001 Rev. P02	Car Storage – Second Floor
L898-BLP-00-03-DR-S-0001 Rev. P02	Car Storage – Third Floor
L898-BLP-00-04-DR-S-0001 Rev. P02	Car Storage – Fourth Floor
L898-BLP-00-05-DR-S-0001 Rev. P02	Car Storage – Fifth Floor
L898-BLP-00-06-DR-S-0001 Rev. P02	Car Storage – Sixth Floor
L898-BLP-00-ZZ-DR-S-0101 Rev. P01	Typical Fire Egress Stair Details
L898-BLP-00-ZZ-DR-S-0102 Rev. P01	Typical Fire Fighting Lift and Fire Egress Stair Details
L898-BLP-00-ZZ-DR-S-1001 Rev. P01	North Elevation
L898-BLP-00-ZZ-DR-S-1002 Rev. P01	East Elevation

L898-BLP-00-ZZ-DR-S-1003 Rev. P01	South Elevation
L898-BLP-00-ZZ-DR-S-1004 Rev. P01	West Elevation
L898-BLP-00-ZZ-DR-S-1005 Rev. P01	Section 1-1
L898-BLP-00-ZZ-DR-S-1006 Rev. P01	Section 2-2
L898-BLP-00-ZZ-DR-S-1007 Rev. P01	Section 3-3
L898-BLP-00-VS-DR-S-0001 Rev. P01	3D View and Standard Notes

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

### Phasing

4. The development hereby permitted shall be carried out in accordance with the construction phasing set out in Chapter 4.0 the Environmental Statement submitted with the application and there shall be no increase in capacity (associated with this application) at the Terminal until the roundabout and security gate complex (subject to planning permission ref. 16/01574/FUL) are operational, unless otherwise agreed in writing with the local planning authority.

Reason: In order to comply with the terms of the submitted application and the associated assessments.

### CEMP

5. Prior to the commencement of any works, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the local planning authority. The submitted details shall include:
  - i construction vehicle routing;
  - ii construction access;
  - iii areas for the loading and unloading of plant and materials during construction;
  - iv wheel washing facilities;
  - v flood Warning and Evacuation Plan for the construction stage;
  - vi measures to be in place for control and minimisation of fugitive dust during construction;
  - vii water management during construction, including waste water and surface water discharge;
  - viii method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals, during construction; and
  - ix construction Stage Waste Management Plan.

The development shall thereafter be implemented in accordance with the

approved measures detailed within the 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 DPD (as amended) (2015).

#### Ecological Mitigation

6. Prior to the commencement of development, details of mitigation measures and long term management and maintenance for an area of retained and / or enhanced open mosaic habitat as shown on Figure 5.1 of the Environmental statement shall be submitted and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the agreed measures.

Reason: To ensure that the effects of the development upon the natural environmental are adequately mitigated in accordance with Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

#### Landscape Protection

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

Reason: To ensure that all existing vegetation to be retained is properly protected in the interests of visual amenity and to accord with Policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

#### Nesting Birds

8. Demolition and clearance of vegetation or other potential bird nesting sites shall not be undertaken within the bird breeding season (1st March to 31st July) except where a suitably qualified ecological consultant has confirmed in writing to the local planning authority that such clearance works would not affect any

nesting birds. In the event that an active bird nest is discovered outside of this period and once works have commenced, then a suitable stand-off 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 environment are adequately mitigated in accordance with Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

#### Hours of Construction

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

Monday to Friday 0800 - 1800 hours

Saturdays 0800 - 1300 hours

unless in association with an emergency or the prior written approval of the local planning authority has been obtained. If impact piling is required, these operations shall only take place between the hours of 0900 - 1700 hours on weekdays.

Reason: In the interests of protecting surrounding residential amenity in accordance with Policy PMD1 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

#### Ground Contamination

10. Prior to Site Preparation Works, a Preliminary Contamination Risk Assessment and Scheme of Investigation shall be submitted and approved in writing by the local planning authority. The details shall include a Scheme of Investigation based on the Preliminary Risk Assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

11. Prior to Advanced Infrastructure Works, the Contamination Risk Assessment and Site Investigation shall be conducted in accordance with the approved Scheme of Investigation and Preliminary Risk Assessment, and the Remediation Scheme shall be submitted and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

12. Prior to first operation, the Contamination Remediation Scheme shall be implemented as approved and a Verification Report shall be submitted and approved in writing by the local planning authority. The submitted details shall include:
  - a. results of sampling and monitoring; and
  - b. a long term monitoring and maintenance plan with arrangements for contingency action.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

13. If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a Remediation Strategy has been submitted to, and approved in writing by, the local planning authority. The Remediation Strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy PMD1 of the Thurrock LDF

Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

#### Levels

14. Prior to Advanced Infrastructure Works, details of finished site levels and the associated levelling and infilling works required shall be submitted to, and approved in writing by, the local planning authority. The development shall accord with the agreed details.

Reason: In order to protect the amenities of surrounding occupiers and to ensure the satisfactory development of the site in accordance with policies PMD1 and PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

#### Foundation Design

15. Prior to Advanced Infrastructure Works, details of foundation design and other works below existing ground shall be submitted to, and approved in writing by, the local planning authority. The development shall accord with the agreed details.

Reason: In order to ensure the satisfactory development of the site in accordance with policy PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

#### Surface Water Drainage

16. The development shall accord with the details of the surface water drainage scheme submitted with the application, 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 in accordance with policy PMD15 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

#### Archaeology

17. Prior to Site Preparation Works, a Written Scheme of Archaeological Investigation for the development shall be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that investigation and recording of any archaeological remains takes place in accordance with Policy PMD4 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

18. Prior to Advanced Infrastructure Works, an Archaeological Mitigation Strategy shall be submitted and approved in writing by the local planning authority. All works shall be carried out in accordance with the approved Mitigation Strategy.

Reason: To ensure that investigation and recording of any archaeological remains takes place in accordance with Policy PMD4 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

#### Boundary Treatments

19. Prior to Landscaping Works, details of the design, colour and materials of all boundary treatments shall be submitted to, and approved in writing by, the local planning authority. The boundary treatments shall be installed in accordance with the approved details prior to operation.

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

#### HGV Routing

20. Prior to first operation, a routing strategy for HGVs shall be submitted to, and approved in writing by, the local planning authority. Thereafter, operation shall be in accordance with the agreed strategy.

Reason: In the interests of highway and pedestrian safety and amenity in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

#### FWEP

21. Prior to first operation, a Flood Warning and Evacuation Plan (FWEP) shall be submitted to, and approved in writing by, the local planning authority. The approved FWEP shall be operational upon first use of the Development Component and shall include details of internal refuge facilities, signage and an



on-site warning system.

Reason: In order to ensure that adequate flood warning and evacuation measures are available for all users of the development in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

### External Lighting

22. Prior to the first operational use of the development details of the means of external lighting shall be submitted to and agreed in writing with the local planning authority. The details shall include the siting and design of lighting together with details of the spread and intensity of the light sources and the level of luminance. The lighting shall be installed in accordance with the agreed details prior to first operational use of the development and retained and maintained thereafter in the agreed form, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity and to ensure that the development can be integrated within its immediate surroundings in accordance with Policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (as amended) (2015).

### ES Mitigation

23. 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.

INFORMATIVE

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

 **thurrock.gov.uk**

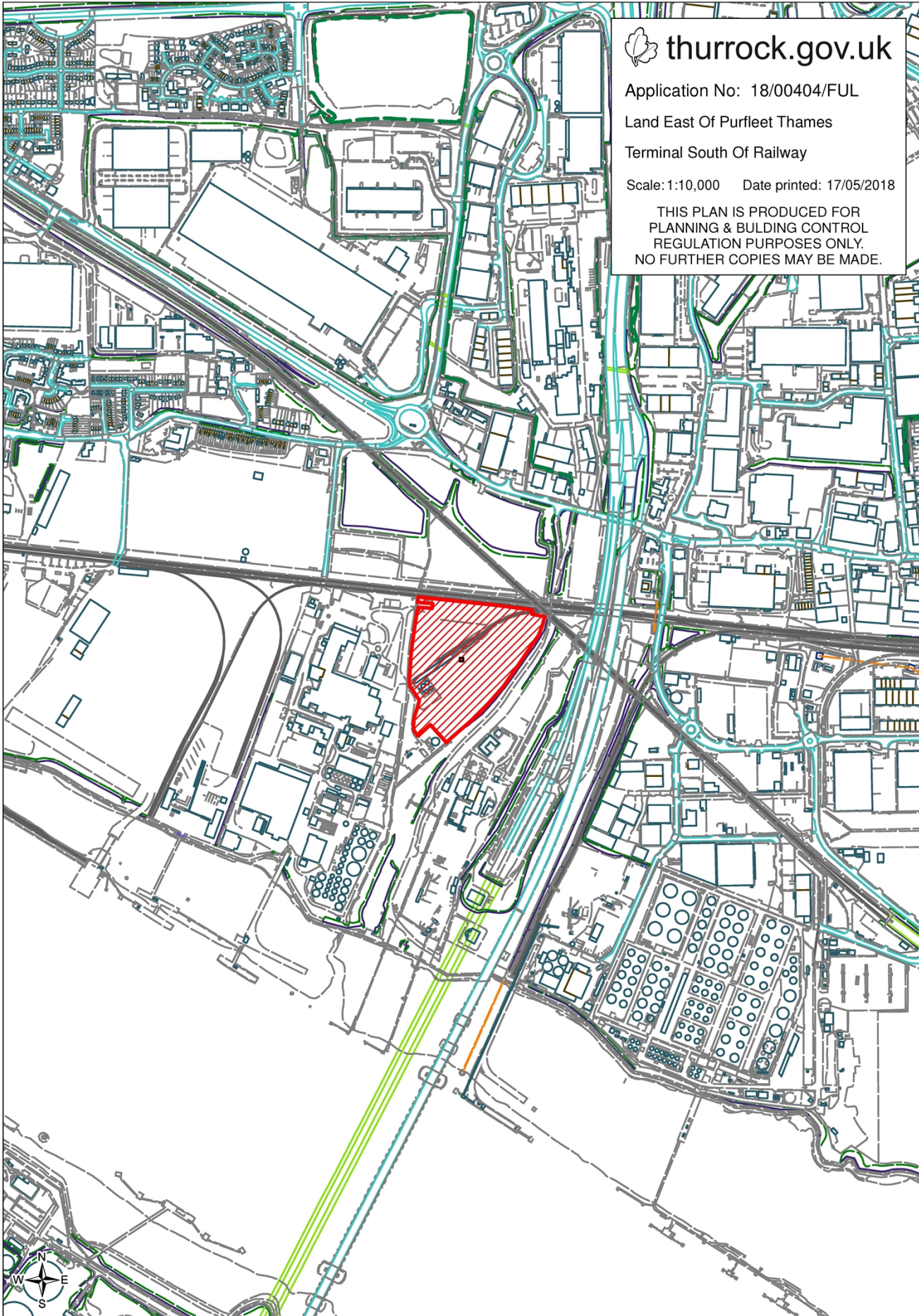
Application No: 18/00404/FUL

Land East Of Purfleet Thames

Terminal South Of Railway

Scale: 1:10,000 Date printed: 17/05/2018

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PLANNING & BUILDING CONTROL  
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<p><b>Reference:</b> 18/00308/REM</p>	<p><b>Site:</b> Former Ford Motor Company Arisdale Avenue South Ockendon Essex RM15 5JT</p>
<p><b>Ward:</b> Ockendon</p>	<p><b>Proposal:</b> Approval of reserved matters (layout, scale, appearance, landscaping and internal access) for Phase 4 and 5 of the Arisdale Avenue development (LPA Application Ref. 09/50035/TTGOUT), comprising the construction of 230 residential dwellings, new public open space, car parking and associated infrastructure works.</p>

<b>Plan Number(s):</b>		
Reference	Name	Received
XX-00-DR- A- -09000	Location Plan	24th February 2018
XX-00-DR- A- -09001	Proposed Site Layout	24th February 2018
XX-00-DR- A- -09002	Proposed Plans	24th February 2018
XX-00-DR- A- -09003	Proposed Plans	24th February 2018
XX-00-DR- A- -09004	Proposed Plans	15th May 2018
XX-00-DR- A- -09005	Proposed Plans	24th February 2018
XX-00-DR- A- -09006	Proposed Plans	24th February 2018
XX-00-DR- A- -09007	Proposed Plans	24th February 2018
XX-00-DR- A- -09008	Proposed Plans	24th February 2018
XX-00-DR- A- -09009	Proposed Plans	24th February 2018
XX-00-DR- A- -09010	Proposed Plans	24th February 2018
XX-00-DR- A- -09011	Proposed Plans	15th May 2018
XX-00-DR- A- -09012	Proposed Plans	24th February 2018
XX-00-DR- A- -09013	Proposed Site Layout	24th February 2018
XX-00-DR- A- -09020	Proposed Elevations	24th February 2018
XX-00-DR- A- -09021	Proposed Elevations	24th February 2018
XX-00-DR- A- -09022	Proposed Elevations	24th February 2018
XX-00-DR- A- -09023	Proposed Elevations	24th February 2018
01-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
01-ZZ-DR- A- -10002	Proposed Floor Plans	24th February 2018
01-ZZ-DR- A- -10003	Proposed Floor Plans	24th February 2018

01-ZZ-DR- A- -10004	Proposed Plans	15th May 2018
01-ZZ-DR- A- -20001	Proposed Plans	24th February 2018
02-ZZ-DR- A- -10001	Proposed Plans	24th February 2018
02-ZZ-DR- A- -10002	Proposed Plans	24th February 2018
02-ZZ-DR- A- -20001	Proposed Plans	24th February 2018
03-ZZ-DR- A- -10001	Proposed Plans	24th February 2018
03-ZZ-DR- A- -10002	Proposed Plans	24th February 2018
03-ZZ-DR- A- -20001	Proposed Plans	24th February 2018
04-ZZ-DR- A- -10001	Proposed Plans	24th February 2018
04-ZZ-DR- A- -20001	Proposed Plans	24th February 2018
04-ZZ-DR- A- -20002	Proposed Plans	24th February 2018
01-ZZ-DR- A- -10001	Proposed Plans	24th February 2018
01-ZZ-DR- A- -10002	Proposed Plans	24th February 2018
01-ZZ-DR- A- -10003	Proposed Plans	24th February 2018
01-ZZ-DR- A- -10004	Proposed Plans	24th February 2018
02-ZZ-DR- A- -10001	Proposed Plans	24th February 2018
02-ZZ-DR- A- -10002	Proposed Plans	24th February 2018
02-ZZ-DR- A- -20001	Proposed Plans	24th February 2018
03-ZZ-DR- A- -10001	Proposed Plans	24th February 2018
03-ZZ-DR- A- -10002	Proposed Plans	24th February 2018
03-ZZ-DR- A- -20001	Proposed Plans	24th February 2018
04-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
04-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
04-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
05-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
05-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
06-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
06-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
06-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
07-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
07-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
07-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
08-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
08-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
09-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
09-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
10-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
09-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
10-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018

10-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
12-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
12-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
13-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
13-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
13-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
14-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
14-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
15-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
15-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
16-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
16-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
16-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
17-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
17-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
17-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
18-ZZ-DR- A--10001	Proposed Floor Plans	24th February 2018
18-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
18-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
19-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
19-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
20-ZZ-DR- A--10001	Proposed Floor Plans	24th February 2018
20-ZZ-DR- A--20001	Proposed Elevations	24th February 2018
21-ZZ-DR- A -10001	Proposed Floor Plans	24th February 2018
21-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
21-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
XX-ZZ-DR- A--40001	Proposed Plans	24th February 2018
XX-ZZ-DR- A- -40002	Proposed Plans	24th February 2018
XX-ZZ-DR- A--40003	Proposed Plans	24th February 2018
XX-ZZ-DR- A- -40005	Proposed Floor Plans	24th February 2018
XX-XX-DR- A- -V0001	Proposed Plans	24th February 2018
XX-XX-DR- A- -V0002	Proposed Plans	24th February 2018
XX-XX-DR- A- -V0003	Proposed Plans	24th February 2018
XX-XX-DR- A- -V0004	Proposed Plans	24th February 2018
2044 02 C	Proposed Plans	24th February 2018
2044 03 B	Proposed Plans	24th February 2018
2044 04 B	Proposed Plans	24th February 2018
2044 05 B	Proposed Plans	24th February 2018
2044 06 B	Proposed Plans	24th February 2018

2044 07 C	Proposed Plans	24th February 2018
2044 08 C	Proposed Plans	24th February 2018
DR-C-05001-P08 8	Other	24th February 2018
DR-C-05002-P02 2	Other	24th February 2018
DR-C-90001-P05 5	Other	24th February 2018
DR-C-90002-P04 4	Other	24th February 2018
DR-X-91001-P02 2	Other	24th February 2018
DR-C-91002-P07 7	Other	24th February 2018
DR-C-91003-P04 4	Other	24th February 2018
DR-C-91004-P06 6	Other	24th February 2018
DR- S-01003-P01 1	Other	24th February 2018
DR-C-95001-P03 3	Other	4th May 2018
DR-C-95002-P03 3	Other	24th February 2018
DR-C-95003-P02 2	Other	24th February 2018
DR-C-95004-P02 2	Other	24th February 2018
DR-C-95101-P04 4	Other	24th February 2018
DR-C-95105-P05 5	Other	24th February 2018
DR-C-95102-P04 4	Other	24th February 2018
DR-C-95103-P04 4	Other	24th February 2018
DR-C-95104-P06 6	Other	24th February 2018
DR-C-95106-P04 4	Other	24th February 2018
DR-C-95107-P04 4	Other	24th February 2018
DR-C-95108-P04 4	Other	24th February 2018
DR-X-95109-P05 5	Other	24th February 2018
DR-C-95201-P02 2	Other	4th May 2018
DR-C-72001-P06	Other	4th May 2018
DR-D-72002-P011	Other	24th February 2018
2376-D-01 A	Other	24th February 2018

The application is also accompanied by:

- Planning Statement
- Drainage Strategy
- Landscape Maintenance Schedule
- Lighting Report
- Noise Report
- Transport Statement

**Applicant:**  
St Modwen Homes Ltd

**Validated:**  
27 February 2018  
**Date of expiry:**



	15 June 2018
<b>Recommendation:</b> Approve, subject to conditions.	

This application is scheduled for determination by the Council’s Planning Committee because the application is considered to have significant policy or strategic implications (in accordance with Part 3 (b) Section 2 2.1 (a) of the Council’s constitution).

**1.0 BACKGROUND AND DESCRIPTION OF PROPOSAL**

1.1 In April 2011 Thurrock Thames Gateway Development Corporation (TTGDC) granted outline planning permission for the ‘Demolition of existing buildings and redevelopment of the site for up to 650 residential dwellings, associated car parking, roads, landscaping and public open space. Outline application with all matters reserved except for the points of access to the site’, ref: 09/50035/TTGOUT. The outline permission was subject to a number of planning conditions and a s106 legal agreement.

1.2 The reserved matters for Phase 1 [92 residential units] and Phase 2 [185 residential units] have both been constructed and are occupied, and construction has commenced on Phase 3 [113 residential units].

1.3 This application relates to Phases 4 and 5 which are proposed to be constructed at the same time and comprise the submission of the following reserved matters: Access [within the site], Layout, Scale, Appearance and Landscaping. The reserved matters seeks approval for the erection of 230 dwellings [houses and flats], plus associated roads, paths, drives, car parking, ancillary structures, public open space and landscaping.

1.4 A summary of the development is as follows:

<b>Height</b>	Flats: mix of 4/5-storey, Dwellings 2/3 storeys						
<b>Site Area (Gross)</b>	4.71ha						
<b>Units (All)</b>	<b>Type (ALL)</b>	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4-bed</b>	<b>5-bed</b>	<b>TOTAL</b>
	Houses	0	25	32	51	3	111
	Flats	33	86				119
	<b>TOTAL</b>	<b>33</b>	<b>111</b>	<b>32</b>	<b>51</b>	<b>3</b>	<b>230</b>
<b>Affordable Units</b>	The outline permission establishes a mechanism for setting the percentage of affordable housing based upon a minimum of 10% with any increase being assessed through						

	<p>a viability appraisal. The level for this Phase has been assessed pursuant to the s106 agreement and will deliver 10%.</p> <table border="1"> <thead> <tr> <th>Type (ALL)</th> <th>1-bed</th> <th>2-bed</th> <th>3-bed</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>Houses</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Flats</td> <td>7</td> <td>15</td> <td>0</td> <td>22</td> </tr> <tr> <td><b>TOTAL</b></td> <td><b>7</b></td> <td><b>16</b></td> <td><b>0</b></td> <td><b>23</b></td> </tr> </tbody> </table>	Type (ALL)	1-bed	2-bed	3-bed	TOTAL	Houses	0	0	0	0	Flats	7	15	0	22	<b>TOTAL</b>	<b>7</b>	<b>16</b>	<b>0</b>	<b>23</b>
Type (ALL)	1-bed	2-bed	3-bed	TOTAL																	
Houses	0	0	0	0																	
Flats	7	15	0	22																	
<b>TOTAL</b>	<b>7</b>	<b>16</b>	<b>0</b>	<b>23</b>																	
<b>Car parking</b>	<p>Flats: 1 allocated space per unit in parking courtyards                      Houses: All three-four-five bedroom houses would have 2 allocated spaces per unit. All two-bedroom houses would have 1 allocated space per unit. All spaces would be either on plot, within on plot garages or with allocated on street parking bays.                      Total allocated: 314 (Average of 1.4 per unit)                      Total Visitor: 34 spaces (Average 0.15 per unit)                      Total: 352 (1.53 per unit)</p>																				
<b>Amenity Space</b>	<p>Minimum 60 sq.m                      Average between 70 sq.m to 90 sq.m                      Maximum 175 sq.m</p>																				
<b>Public Open Space</b>	0.32ha																				
<b>Density</b>	49 units per ha for the whole site																				

1.5 Below is a description of the proposal as it relates to the reserved matters:

1.6 **Access:** Vehicular access to the whole of the former Ford site was approved with the outline permission; principally four points of access along Arisdale Avenue and one of these provides the vehicle access into land identified through the outline permission as the Phase 5 site, which forms part of this application. The layout plan shows the proposed road and pedestrian layout within the site and identifies three road/pedestrian connections into Phase 3 to the south. A dedicated ‘Secondary Street’ pedestrian access would be provided towards the south part of Phase 4.

1.7 **Layout:** The layout broadly follows the illustrative Masterplan from the outline permission and features street blocks comprising houses and flats, areas of public open space, roads and footways. The flatted development is proposed to be located towards the northern boundary of the site with houses to the south of this, linking in with Phase 3 housing areas. Each house would have off street car parking or within an off street parking arrangement. The flats would have car

parking arrangements in parking courts mainly behind the flats. Each house would have a private garden and flats would have balconies.

- 1.8 **Scale:** The development would have mainly 2 to 3 storey houses, and the flats would range between 4 and 5 storeys high.
- 1.9 **Appearance:** Modern contemporary design to reflect continuation of the earlier phases at this site.
- 1.10 **Landscaping:** The public open space would be 0.32 hectares and would incorporate a local area of play [LAP] of 0.03 hectares with associated landscaping. Trees are proposed to be planted at locations within the site.

**2.0 SITE DESCRIPTION**

- 2.1 The site is approximately 4.72 hectares of the 12.69 hectare Former Ford Factory wider site situated to the northern edge of South Ockendon. The Former Ford Factory was demolished following the granting of outline planning permission in 2011. The site area for Phase 4 roughly measures 220m long by 200m wide and is a vacant flat area of land that has been prepared for development and has secured fenced boundaries.
- 2.2 Phase 3 of the development is located directly to the south of the site. To the north is a warehouse building, to the east is the branch railway line linking Upminster to Grays, and to the west is Arisdale Avenue and beyond is an area of former quarry land that has since been restored to a more natural state.
- 2.3 South Ockendon railway station is located to the north-east of the site. A pedestrian scissor bridge across the railway line is located 650m to the south of the rail station and connects Ardmore Road to the west with Tamarisk Road to the east. The site is within walking distance of the shops and services within South Ockendon centre at Derwent Parade to the south west and to Ockendon Village centre to the north east.

**3.0 RELEVANT PLANNING HISTORY**

3.1 The following table provides the relevant planning history:

Reference	Description	Decision
09/50035/TTGOUT Outline Planning	Demolition of existing buildings and redevelopment of the site for up to 650 residential dwellings, associated car	Approved 28.04.2011

Permission	parking, roads, landscaping and public open space. Outline application with all matters reserved except for the points of access to the site'. S106 secured; (A) Affordable housing. (B) Public Open Space and play equipment (C) SUD's Management / Maintenance (D) To pay Phased Financial contributions (E) Highway Scheme - The scheme means works of improvement to Arisdale Avenue. (F) Parking management strategy	
11/50443/TTGREM Phase 1	Submission of Reserved Matters pursuant to Outline Planning Permission ref: 09/50035/TTGOUT with regard to the creation of 92 no. two, three and four bedroom houses and apartments, plus associated roads, paths, drives, car parking, ancillary structures and landscaping	Approved 29.06.2012
14/00950/REM Phase 2	Submission of Reserved Matters pursuant to outline planning permission 09/50035/TTGOUT for the creation of 185 no. two and three bedroom houses and apartments, plus associated roads, paths, drives, car parking, ancillary structures and landscaping.	Approved 17.11.2014
16/01617/CONDC	Discharge of condition 4 from approved planning application 09/50035/TTGOUT – Phase 3 dwelling numbers increased to 113 from 99 as Phase 1 was built with less dwellings than originally Phased	Approved 13.01.2017
16/01726/REM Phase 3	Approval of reserved matters (layout, scale, appearance and landscaping) for Phase 3 of the outline planning permission 09/50035/TTGOUT comprising of the construction of 113 residential dwellings new public open space, car parking and associated infrastructure.	Approved 26.06.2017
18/00384/CV	Application for the variation of condition no 2 and 3 [to allow for an increase in height for development for phases 4 and 5] of planning permission ref 09/50035/TTGOUT (Outline planning	Pending Determination

	permission is sought for demolition of existing buildings and re development of the site for up to 650 residential dwellings, associated car parking, roads, landscaping and public open space. All matters to be reserved except access points into the site)	
18/00309/CONDC	Application for the approval of details reserved by condition nos. 6, 9, 10, 11, 12, 13, 16, 17, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29 for phases 4 and 5 of planning permission ref. 09/50035/TTGOUT (Outline planning permission is sought for demolition of existing buildings and re development of the site for up to 650 residential dwellings, associated car parking, roads, landscaping and public open space. All matters to be reserved except access points into the site.).	Pending Consideration

**4.0 CONSULTATION 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](http://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 notice which has been displayed nearby. No responses have been received.

**4.3 ANGLIAN WATER:**

No objection subject to a condition.

**4.4 ENVIRONMENT AGENCY:**

No response.

**4.5 ENVIRONMENTAL HEALTH:**

No objection.

#### 4.6 HEALTH AND WELLBEING:

No objection.

#### 4.7 HIGHWAYS:

No objection subject to conditions.

#### 4.8 LANDSCAPE AND ECOLOGY ADVISOR:

No objection.

### 5.0 POLICY CONTEXT

#### 5.1 National Planning policy Framework

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

- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 8. Promoting healthy communities
- 10. Meeting the challenge of climate change, flooding and coastal change
- 11. Conserving and enhancing the natural environment

#### 5.2 Planning Policy 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 numerous subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Climate change
- Design
- Determining a planning application
- Flood Risk and Coastal Change
- Health and wellbeing
- Light pollution
- Natural Environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning obligations
- Renewable and low carbon energy
- Transport evidence bases in plan making and decision taking
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions

### 5.3 Thurrock Local Development Framework (2015)

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. The following policies apply to the proposals:

#### OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

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

#### SPATIAL POLICIES

- CSSP1 (Sustainable Housing and Locations)
- CSSP3 (Infrastructure)

#### THEMATIC POLICIES

- CSTP1 (Strategic Housing Provision)
- CSTP2 (The Provision Of Affordable Housing)
- CSTP9 (Well-being: Leisure and Sports)
- CSTP15 (Transport in Greater Thurrock)<sup>3</sup>
- CSTP18 (Green Infrastructure)
- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)<sup>2</sup>
- CSTP25 (Addressing Climate Change)<sup>2</sup>

- CSTP26 (Renewable or Low-Carbon Energy Generation)<sup>2</sup>
- CSTP27 (Management and Reduction of Flood Risk)<sup>2</sup>

## POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)<sup>2</sup>
- PMD2 (Design and Layout)<sup>2</sup>
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)<sup>3</sup>
- PMD8 (Parking Standards)<sup>3</sup>
- PMD9 (Road Network Hierarchy)
- PMD12 (Sustainable Buildings)<sup>2</sup>
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation)
- PMD15 (Flood Risk Assessment)<sup>2</sup>
- PMD16 (Developer Contributions)<sup>2</sup>

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

### 5.4 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 2018.

### 5.5 Thurrock Design Strategy

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

## 6.0 **ASSESSMENT**

6.1 The assessment below covers the following material considerations:

- I. Principle of the Development
- II. Access, Parking and Highway Safety
- III. Layout, Site Coverage and Density
- IV. Scale and Design



- V. Open Space, Landscaping and Amenity Space
- VI. Housing Mix and Affordable Housing
- VII. Noise and Vibration
- VIII. Effect on Neighbouring Properties
- IX. Refuse/Recycling Facilities
- X. Other Matters

#### I. PRINCIPLE OF THE DEVELOPMENT

- 6.2 The principle of the residential development on the Former Ford Factory site for up to 650 residential units was established through an outline planning permission granted in 2011 by the Thurrock Thames Gateway Development Corporation. The outline permission was subject to a number of planning conditions which require information to be provided for the reserved matters including the Design Code [condition 3], which are assessed below.
- 6.3 The outline consent was also subject to a planning obligation which secured financial contributions towards education facilities, community facilities, healthcare improvements, highway works, station accessibility improvements and sport and recreation, in addition to affordable housing. It is not possible to revisit the terms of the s.106 through the assessment of this application; this application seeks approval only for the matters that were reserved at the outline stage.

#### II. ACCESS, PARKING AND HIGHWAY SAFETY

- 6.4 The proposed main vehicular access point accords with the access points approved as one of the four accesses from the outline permission. This access point is shown through Design 'ds4 spatial typologies' as a 'Main Street' from its 'T' junction with Arisdale Avenue. A second access from Arisdale would be a pedestrian access a 'Secondary Street' from Design Code 'ds4 spatial typologies'. Three internal roads within these phases of development would connect and link with phase 3 to the south and accord with the requirements of Design Code 'ds4' [spatial typologies] with these road links being one 'Park Street' and two 'Mews' street arrangements. These access arrangements locations are acceptable, raise no objection from the Council's Highway Officer and comply with policy PMD9.
- 6.5 Two of the key design parameter requirements of condition 2 of the outline permission are to 'ensure vehicle movements in a hierarchical approach' [page 81 of the DAS], and to 'create pedestrian and cycle network routes through the site' [page 82 of the DAS]. The proposal shows that the development would link into the existing road and footway connections from phase 3 to ensure these network and access arrangements are achieved, which is required to meet policy PMD9.

- 6.6 Condition 13 of the outline permission and the approved Design Code requires highway details for consideration with the reserved matters. In addition to the access point requirements of Design Code 'ds4' [spatial typologies] the layout of the development meets with the following Design Code requirements 'ds6 main street', 'ds8' [park street], 'ds9' [park edge], 'ds10' [mews court], 'ds11' [park square], and 'ds12' [parking courtyard]. The layout shows the 'Main Street' would provide the main vehicle access route into this part of the development, although the development areas in phase 4 are also likely to be accessed via the 'Main Street' into phase 3. The 'Park Street' would provide the main north-south vehicle route into phase 3. All roads would have footways for pedestrian access and the public open space includes paths through this area. It is recognised that the proposed road typologies and network follow the Design Code requirements and the illustrative masterplan, and no objections are raised with regard to policy PMD9.
- 6.7 In terms of surface finishes, all roads within the site would have either asphalt or buff coloured block paving. The parking courts and private driveways would also have buff coloured block paving (phase 2 included a pinkish colour). The details of the external street lighting, street furniture, signage, estate road construction and geometry, and drainage are acceptable for the purposes of the Design Code but are also likely to be determined separately to the planning process under the Highways Act.
- 6.8 For parking, condition 13, 17 and a clause in the s106 agreement of the outline permission requires parking details and a parking strategy to be provided with the reserved matters. Design Code 'pr6' [parking arrangements] requires a minimum of 1.3 car off street parking spaces per dwelling. The proposed parking provision for this development, as set out in the 'Parking Strategy' shows that an average of 1.5 parking spaces would be provided. All flats would have 1 parking space and all houses would have either 1 or 2 spaces, depending on the house size i.e. 3 and 4 bedroom units have 2 off street parking spaces. The proposal includes 34 visitor parking spaces and in total there would be 352 parking spaces with 314 parking spaces for 230 dwellings which comply with the Design Code requirement. Details of the proposed parking management strategy are required through condition 17 to the outline permission and within the Appendix of the Transport Statement there is a 'Parking Management Strategy' which explains that a management company would operate and enforce a permit system for parking on any parking courts or estate roads, and would ensure visitor parking spaces are not used by residents. The parking provision complies with policy PMD8.
- 6.9 For cycle parking, condition 16 of the outline permission requires details to be provided with the reserved matters and Design Code 'pr4' [cycle parking/storage] requires 'on plot cycle parking facilities and cycle parking facilities within the public realm'. The 'Parking Strategy' would provide for 1 cycle space per dwelling and 28

visitor cycle spaces. A dedicated secure and covered parking storage area would be provided in each block of flats and each dwelling would have room for cycle parking to be provided, for example within a garden shed. Cycle parking racks would be provided to the southern end of the public open space adjacent to the local area of play [LAP]. All of these arrangements are considered acceptable. The cycle parking provision complies with policy PMD8.

### III. LAYOUT, SITE COVERAGE AND DENSITY

- 6.10 The layout and site coverage of this phase of development is required to meet a number of requirements as set out in the conditions of the outline permission and the Design Code. For this phase of development the plans show that the proposal would follow the street block structure as required through the Design Code 'bf1' [block typologies], would provide a range of frontage types as required through Design Code 'bf4' [frontage typologies] and a gateway typology, in terms of the buildings to be positioned either side of the main vehicular entrance to the site, in the form of a block of flats to one side and a three storey end of terrace dwelling to the other side of the 'Main Street' into the site, as required through Design Code 'bf5' [gateway typologies]. The layout plan shows that dwellings have been carefully considered with regard to their corner treatment to meet Design Code 'bf8' [corner treatment]. The layout shows consideration of wayfinding and legibility through the site. The overall layout of the development is considered acceptable with regard to policies CSTP22 and PMD2.
- 6.11 Design Code 'bf1' [block typologies] also refers to density with the western side of the site required to have the higher density levels. The 'Design and Access Statement' demonstrates that the density range varies and it is shown that: one area of the site, 'Block Type A', to the western half of the site would be high density ranging from 55-70 dwellings per hectare (dph); the eastern side of the site, 'Block Type B', would have a density range of between 40-55 dph; and the northern section of the site in phase 5, 'Block Type C', would have the highest density range of 70-115 dph. The proposed development for this phase meets the density requirements of the Design Code and is also acceptable with regard to policy PMD2.

### IV. SCALE AND DESIGN

- 6.12 The Design and Access Statement from the outline permission, which is subject of the requirements of condition 2 sets out the maximum building heights and for these phases of development the proposed layout shows the building heights would accord with these requirements which allow for a height range up to 4 storeys. The recent application to vary conditions 2 and 3, reference 18/00384/CV, allows for a variation in height to allow for development up to five stories in height. Within the northern part of the site, the phase 5 area, the proposed three blocks of

flats would each have an element of five storey development occupying part of the roof area, with the remainder of the building proposed as four storeys. Away from the blocks of flats all dwellinghouses would be within the range of 2 to 3 storeys in height, which is in keeping with the earlier phases of the development.

- 6.13 The design and appearance of these phases of development seeks to continue the form and massing levels of the earlier phases of development. The overall design follows a simple contemporary form. Some of the design features include gable ends, large windows, solid coarsing above windows, framing elements around windows, enclosed balconies and porch canopies. The overall design would create uniformity and rhythm throughout including a defined character along both the eastern and western side of the park.
- 6.14 Design Code 'tp1' [colour and materials palettes] requires each phase of development to adopt a specific colour palette. The range of colour palettes are based on inspiration of the sites former use as a car building factory and the colour schemes follow the colours offered for the production of the original Ford Escort. Phase 1 adopted the blue colour palette, Phase 2 the orange colour palette with both being evident in the built form, and Phase 3 the green colour palette with green and grey weatherboarding to be used as part of the design feature detailing on some of buildings and green coloured front entrance doors to each building. Within these phases there are elements of the grey and blue colours used in phase 1.
- 6.15 In terms of the various Design Codes referenced in the above section the elevations show a range of frontage types 'bf4', building heights 'bf3', gateway typologies 'bf5', building lines and projections 'bf7', corner treatments 'bf8', elevational composition 'bf9', as well as consideration of the placement of entrances 'bf10', which are acceptable.
- 6.16 Condition 8 of the outline permission requires sustainable design and construction for each phase of development. For these phases a rainwater harvesting plan [to also comply with condition 28] would be provided for each dwelling. One block of flats would have photovoltaic panels installed on the roof. These details would accord with the requirements of policies PMD12 and PMD13 for sustainable development and the use of renewable energy sources. To accord with condition 9 of the outline permission and policy CSTP1 all dwellings would be built to meet 'Lifetime Home' standards including 3 dwellings with full wheelchair access.
- 6.17 One of the requirements of condition 11 of the outline permission is for boundary treatment details to be provided with the reserved matters. Design Code 'pr3' [edges, boundaries and thresholds] provide criteria for types of boundary treatment and heights of boundary treatment. A mix of boundary treatment is proposed

including 2m and 1.8m high brick walls alongside boundaries fronting onto a street, 2m and 1.8m high close boarded fenceings between gardens for rear and side boundaries, 1.2m high railings along the front boundaries of plots fronting Arisdale Avenue, and 1.2m high timber knee railings around the public open space. Some dwellings/flats would have additional landscaped treatment to the front of the plot including grass/hedge/tree planting. The proposed boundary treatment accords with the Design Code 'pr3' [edges, boundaries and thresholds] and matches the boundary treatment used on the earlier phases.

- 6.18 For scale and design proposal accords with the requirements of the outline permission and the Design Code with certain exceptions justified to accord with policies CSTP22 and PMD2.

#### V. OPEN SPACE, LANDSCAPE AND AMENITY SPACE

- 6.19 Conditions 2 [f] and 5 of the outline permission require a series of public open spaces throughout the overall development. The layout plans show the inclusion of the area of public open space and square to accord with the illustrative masterplan from the outline permission. A clause within the s106 agreement to the outline permission, and the requirement of Design Codes 'pr7' [parks and green spaces], 'pr8' [park design briefs] and 'pr9' [play spaces], show that the proposed layout plan would provide the minimum of 0.35 hectares of public open space and would contain a Local Area of Play [LAP].
- 6.20 Condition 11 of the outline permission requires specific landscaping details to be provided with the reserved matters for each phase of development. The public open space would contain the majority of trees and a small number of street trees are proposed throughout the phases, which is acceptable. The provision of trees is necessary for meeting the requirement of Design Code 'pr10' [street trees]. In addition to trees the development would incorporate hard and soft landscaping in areas such as the 'square'.
- 6.21 Design Code 'bf13' [garden sizes and private amenity] stipulates the requirements for the development and garden sizes must be at least 60m<sup>2</sup>, and any garden below 80m<sup>2</sup> should have a usable balcony, terrace or winter garden. These features are apparent in phase 1 but less so in phase 2 and the consented phase 3. All dwellings would have at least 60m<sup>2</sup> with average range between 70m<sup>2</sup> and 90m<sup>2</sup>. There are no usable balcony, terrace or winter gardens for the houses but this would be difficult to include without affecting the design of the development, which is considered to be a high quality form of development sufficient to warrant an exception of the design code in this instance. For flats the balconies need to be 5m<sup>2</sup> and flats that are 2 bedrooms or more must have at least 25m<sup>2</sup> of amenity area provided in close proximity. The flats would all have balconies with the top floor

units have generous sized balconies. One area of communal amenity space would be provided adjacent to block 1 but given that all flats are adjacent to the proposed area of public open space, it is more likely that the proposed area of public open space would be used as the amenity space for residents of the flats, in addition to the balconies.

- 6.22 In addition to the compliance requirements of the outline permission and the Design Codes the open space, landscaping and amenity space provision need to be assessed with regard policies CSTP18, CSTP20 and PMD2 and is considered acceptable.

## VI. HOUSING MIX AND AFFORDABLE HOUSING

- 6.23 Condition 7 of the outline permission specifies the housing mix for the totality of the development to create a balanced community and housing supply but does allow for some variation through the phased reserved matters. In addition to this requirement the latest [May 2016 and update 2017] Strategic Housing Marketing Assessment [SHMA] is a material consideration and sets out the housing need and mix requirements for the Borough but also the wider context of South Essex. The SHMA identifies there is a prevalent need for 3 bedroom semi-detached and terraced houses and 1 and 2 bedroom flats. These phases of development would provide both family dwellings and flatted development as needed in the SHMA and to comply with policy CSTP1. For these phases of development it is important to continue the identified housing mix and it is proposed for 49% houses and 51% flats. For these phases of development it is important to continue the identified housing mix with more houses [53%] than flats [47%] to meet the requirements of condition 7 and the proposal shows that there would be 55% houses and 45% flats, which accords with the requirement of the condition.
- 6.24 The level of affordable housing will be agreed in accordance with the s106 agreement requirements to the outline permission and is therefore a separate matter not for consideration with this reserved matters application. However for Members information, the level of affordable housing is likely to be around 10% for this phase of development which would meet with the minimum requirements of the s106. The 'Tenure Strategy Plan' identifies the location of the affordable housing to be 23 flats, split as 7x1 bedroom unit and 16x2 bedroom units. These would be a mix of social rented and shared ownership units.

## VII. NOISE AND VIBRATION

- 6.25 Condition 10 of the outline permission requires a scheme for noise insulation of the proposed dwellings including mitigation measures. The application includes a noise report and in terms of the noise environment the noise report states that *'overall*

*noise climate is determined by traffic noise from Arisdale Avenue with additional intermittent noise from the warehouse site to the north and the railway line to the east*. The layout of these phases of development continues the alignment of dwellings along Arisdale Avenue from Phases 1, 2 and 3, proposes three blocks of flats towards the site's northern boundary and includes dwellings with side elevations in close proximity of the eastern site boundary [plots 97 and 111 being closest but without any openings in their side elevation]. The noise report outlines mitigation measures for noise, vibration and ventilation. These include: specific glazing units to windows for living rooms and bedrooms in the northern elevation of the flatted development to the north of the site; all units overlooking the road and railway to be provided with mechanical ventilation; solid barrier garden boundaries to various plots and the entire northern and eastern boundaries.

- 6.26 The Council's Environmental Health Officer (EHO) has raised no objection subject to the noise report mitigation measures being implemented and this will ensure the amenities of future residents are not subject to noise disturbance, in accordance with policy PMD1.

#### VIII. EFFECT ON NEIGHBOURING PROPERTIES

- 6.27 Design Code 'bf12' [privacy and back to back distances] requires a 22m distance back to back distance from habitable rooms to avoid unnecessary privacy intrusion. The majority of these phases of the development meet this requirement, with the exception of a few plots which would achieve a 21m back to back distance but this is considered acceptable for exception to the Design Code requirement in this instance as the distance between the proposed building would not lead to any significant loss of privacy for future occupiers..
- 6.28 The layout of the development with houses and flats fronting onto the internal road network around the public open space would provide a level of natural surveillance to comply with Design Code 'pr2' [overlooking of public spaces] and would provide an attractive outlook for future residents of these properties.
- 6.29 The nearest existing neighbouring properties are those located in Phase 3 that back onto the site but the layout of these phases of the proposed development would not harmfully impact upon the amenities of those neighbouring occupiers to the south. Overall the proposal would be acceptable with regard neighbouring impact and policies PMD1 and PMD2.

#### IX. REFUSE AND RECYCLING

- 6.30 Condition 25 of the outline permission requires refuse details to be provided with the reserved matters along with Design Code 'pr5' [bin storage/recycling] which

identifies that access needs to be provided for refuse/recycling purposes. A 'Site Refuse Strategy Plan' shows that each dwelling would have room for refuse/recycling provision and for the flatted development individual detached refuse/recycling stores would be provided within the car park area adjacent to the site's northern boundary. All refuse/recycling facilities would be within 20m distance for collection vehicles to comply with policy PMD2.

## X. OTHER MATTERS

- 6.31 Details of road junction construction, the construction environmental management plan, surface and foul water for this phase of development are subject to a separate application process to discharge the relevant planning conditions from the outline permission, reference 18/00309/CONDC.
- 6.32 Unless removed by way of planning condition, the proposed dwellings would benefit from permitted development rights which include the ability to build limited extensions and outbuildings, and undertake alterations in certain circumstances. Whilst the exercise of permitted development rights for extensions and outbuildings would reduce the amount of garden area, it is considered that this is a matter of choice for the individual householder and, therefore, it is not recommended that these rights be removed in this instance, which in terms of consistency follows the same approach taken with phases 1, 2 and 3.

## 7.0 CONCLUSIONS AND REASONS FOR APPROVAL

- 7.1 This proposal would bring forward the final fourth and fifth phases of development at this site and would complete this development, which would provide a total of 630 dwellings over the five phases of development providing a range of housing for this area. The overall development contributes to the Council's 5 year housing land supply in terms of paragraph 47 of the NPPF and towards the housing requirements identified in Core Strategy policies CSSP1 and CSTP1. The proposal would bring forward a high quality designed development which would accord with the requirements of the Design Code and policies CSTP22, PMD2. The development would also have the effect of continuing the transformation of the site from commercial to residential use, whilst creating a place of character and distinctiveness to reflect the requirements of policy CSTP23. The proposal would also provide an area of public open space and a local area of playspace for the benefit of occupiers and local people.
- 7.2 The application has been subject to a consultation and publicity process and all material considerations relevant to this reserved matters application have been assessed and are considered acceptable with regard to compliance with the conditions of the outline permission and the Design Code, as well as the requirements of the NPPF and Core Strategy policies.



**8.0 RECOMMENDATION**

8.1 That the Reserved Matters be Approved, subject to the following conditions:

**In accordance with the plans**

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

<b>Plan Number(s):</b>		
Reference	Name	Received
XX-00-DR- A- -09000	Location Plan	24th February 2018
XX-00-DR- A- -09001	Proposed Site Layout	24th February 2018
XX-00-DR- A- -09002	Proposed Plans	24th February 2018
XX-00-DR- A- -09003	Proposed Plans	24th February 2018
XX-00-DR- A- -09004	Proposed Plans	15th May 2018
XX-00-DR- A- -09005	Proposed Plans	24th February 2018
XX-00-DR- A- -09006	Proposed Plans	24th February 2018
XX-00-DR- A- -09007	Proposed Plans	24th February 2018
XX-00-DR- A- -09008	Proposed Plans	24th February 2018
XX-00-DR- A- -09009	Proposed Plans	24th February 2018
XX-00-DR- A- -09010	Proposed Plans	24th February 2018
XX-00-DR- A- -09011	Proposed Plans	15th May 2018
XX-00-DR- A- -09012	Proposed Plans	24th February 2018
XX-00-DR- A- -09013	Proposed Site Layout	24th February 2018
XX-00-DR- A- -09020	Proposed Elevations	24th February 2018
XX-00-DR- A- -09021	Proposed Elevations	24th February 2018
XX-00-DR- A- -09022	Proposed Elevations	24th February 2018
XX-00-DR- A- -09023	Proposed Elevations	24th February 2018
01-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
01-ZZ-DR- A- -10002	Proposed Floor Plans	24th February 2018
01-ZZ-DR- A- -10003	Proposed Floor Plans	24th February 2018
01-ZZ-DR- A- -10004	Proposed Plans	15th May 2018
01-ZZ-DR- A- -20001	Proposed Plans	24th February 2018
02-ZZ-DR- A- -10001	Proposed Plans	24th February 2018
02-ZZ-DR- A- -10002	Proposed Plans	24th February 2018
02-ZZ-DR- A- -20001	Proposed Plans	24th February 2018
03-ZZ-DR- A- -10001	Proposed Plans	24th February 2018
03-ZZ-DR- A- -10002	Proposed Plans	24th February 2018

03-ZZ-DR- A- -20001	Proposed Plans	24th February 2018
04-ZZ-DR- A- -10001	Proposed Plans	24th February 2018
04-ZZ-DR- A- -20001	Proposed Plans	24th February 2018
04-ZZ-DR- A- -20002	Proposed Plans	24th February 2018
01-ZZ-DR- A- -10001	Proposed Plans	24th February 2018
01-ZZ-DR- A- -10002	Proposed Plans	24th February 2018
01-ZZ-DR- A- -10003	Proposed Plans	24th February 2018
01-ZZ-DR- A- -10004	Proposed Plans	24th February 2018
02-ZZ-DR- A- -10001	Proposed Plans	24th February 2018
02-ZZ-DR- A- -10002	Proposed Plans	24th February 2018
02-ZZ-DR- A- -20001	Proposed Plans	24th February 2018
03-ZZ-DR- A- -10001	Proposed Plans	24th February 2018
03-ZZ-DR- A- -10002	Proposed Plans	24th February 2018
03-ZZ-DR- A- -20001	Proposed Plans	24th February 2018
04-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
04-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
04-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
05-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
05-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
06-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
06-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
06-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
07-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
07-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
07-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
08-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
08-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
09-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
09-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
10-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
09-ZZ-DR- A--10001	Proposed Floor Plans	24th February 2018
10-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
10-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
12-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
12-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
13-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
13-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
13-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
14-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018

14-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
15-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
15-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
16-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
16-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
16-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
17-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
17-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
17-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
18-ZZ-DR- A--10001	Proposed Floor Plans	24th February 2018
18-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
18-ZZ-DR- A- -20002	Proposed Elevations	24th February 2018
19-ZZ-DR- A- -10001	Proposed Floor Plans	24th February 2018
19-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
20-ZZ-DR- A--10001	Proposed Floor Plans	24th February 2018
20-ZZ-DR- A--20001	Proposed Elevations	24th February 2018
21-ZZ-DR- A -10001	Proposed Floor Plans	24th February 2018
21-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
21-ZZ-DR- A- -20001	Proposed Elevations	24th February 2018
XX-ZZ-DR- A--40001	Proposed Plans	24th February 2018
XX-ZZ-DR- A- -40002	Proposed Plans	24th February 2018
XX-ZZ-DR- A--40003	Proposed Plans	24th February 2018
XX-ZZ-DR- A- -40005	Proposed Floor Plans	24th February 2018
XX-XX-DR- A- -V0001	Proposed Plans	24th February 2018
XX-XX-DR- A- -V0002	Proposed Plans	24th February 2018
XX-XX-DR- A- -V0003	Proposed Plans	24th February 2018
XX-XX-DR- A- -V0004	Proposed Plans	24th February 2018
2044 02 C	Proposed Plans	24th February 2018
2044 03 B	Proposed Plans	24th February 2018
2044 04 B	Proposed Plans	24th February 2018
2044 05 B	Proposed Plans	24th February 2018
2044 06 B	Proposed Plans	24th February 2018
2044 07 C	Proposed Plans	24th February 2018
2044 08 C	Proposed Plans	24th February 2018
DR-C-05001-P08 8	Other	24th February 2018
DR-C-05002-P02 2	Other	24th February 2018
DR-C-90001-P05 5	Other	24th February 2018
DR-C-90002-P04 4	Other	24th February 2018
DR-X-91001-P02 2	Other	24th February 2018

DR-C-91002-P07 7	Other	24th February 2018
DR-C-91003-P04 4	Other	24th February 2018
DR-C-91004-P06 6	Other	24th February 2018
DR- S-01003-P01 1	Other	24th February 2018
DR-C-95001-P03 3	Other	4th May 2018
DR-C-95002-P03 3	Other	24th February 2018
DR-C-95003-P02 2	Other	24th February 2018
DR-C-95004-P02 2	Other	24th February 2018
DR-C-95101-P04 4	Other	24th February 2018
DR-C-95105-P05 5	Other	24th February 2018
DR-C-95102-P04 4	Other	24th February 2018
DR-C-95103-P04 4	Other	24th February 2018
DR-C-95104-P06 6	Other	24th February 2018
DR-C-95106-P04 4	Other	24th February 2018
DR-C-95107-P04 4	Other	24th February 2018
DR-C-95108-P04 4	Other	24th February 2018
DR-X-95109-P05 5	Other	24th February 2018
DR-C-95201-P02 2	Other	4th May 2018
DR-C-72001-P06	Other	4th May 2018
DR-D-72002-P011	Other	24th February 2018
2376-D-01 A	Other	24th February 2018

**Reason:** For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved with regard to policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### Implementation of the 'Landscape Scheme'

- The 'Landscape Scheme' provided as one of the reserved matters for this application as required by condition 11 of the outline planning permission [reference 09/500035/TTGOUT] shall be implemented in its entirety prior to occupation of the 150<sup>th</sup> dwelling unit through this development.

**Reason:** To ensure that the proposed development is satisfactorily integrated with its immediate surroundings, enables high quality design, incorporates measures to promote biodiversity in accordance with the Extended Phase 1 Habitat Survey and that adequate provision is made for open space and play equipment in the interests of the amenity of future occupiers. To accord with policies CSTP18, CSTP19, CSTP20, PMD2, PMD5 and PMD7 of the adopted Thurrock LDF Core Strategy and Policies

for the Management of Development DPD [2015].

### **Noise mitigation**

3. Prior to first occupation of the development the noise mitigation measures as set out in the 'Report on existing noise climate 20/02/2018 Revision 3' dated 20 February 2018 shall be implemented as approved and retained as such at all times thereafter.

**Reason:** To ensure a 'good' internal noise standard in accordance with BS8233:2014 is achieved for the amenities of the future occupiers of dwellings facing Arisdale Avenue and for the amenities of the future occupiers of dwellings facing the railway in accordance with policies PMD1 and PMD2 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

### **Sight Splays and Speed Reduction Measures**

4. Notwithstanding the details shown on the plans prior to the commencement of development details of sight splays and speed reduction measures shall be provided at all proposed junctions and bends on the roads within the development. Such details shall be submitted to and approved by the Local Planning Authority. The sight splays as approved shall be maintained at all times thereafter so that no obstruction is present within the area above the level of the adjoining highway carriageway.

**Reason:** In the interest of highway safety and efficiency in accordance with policy PMD9 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

### **Positive and Proactive statement**

The Local Planning Authority has acted positively and proactively in determining this application and as a result, the Local Planning Authority has assessed the proposal in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

### **Informative:**

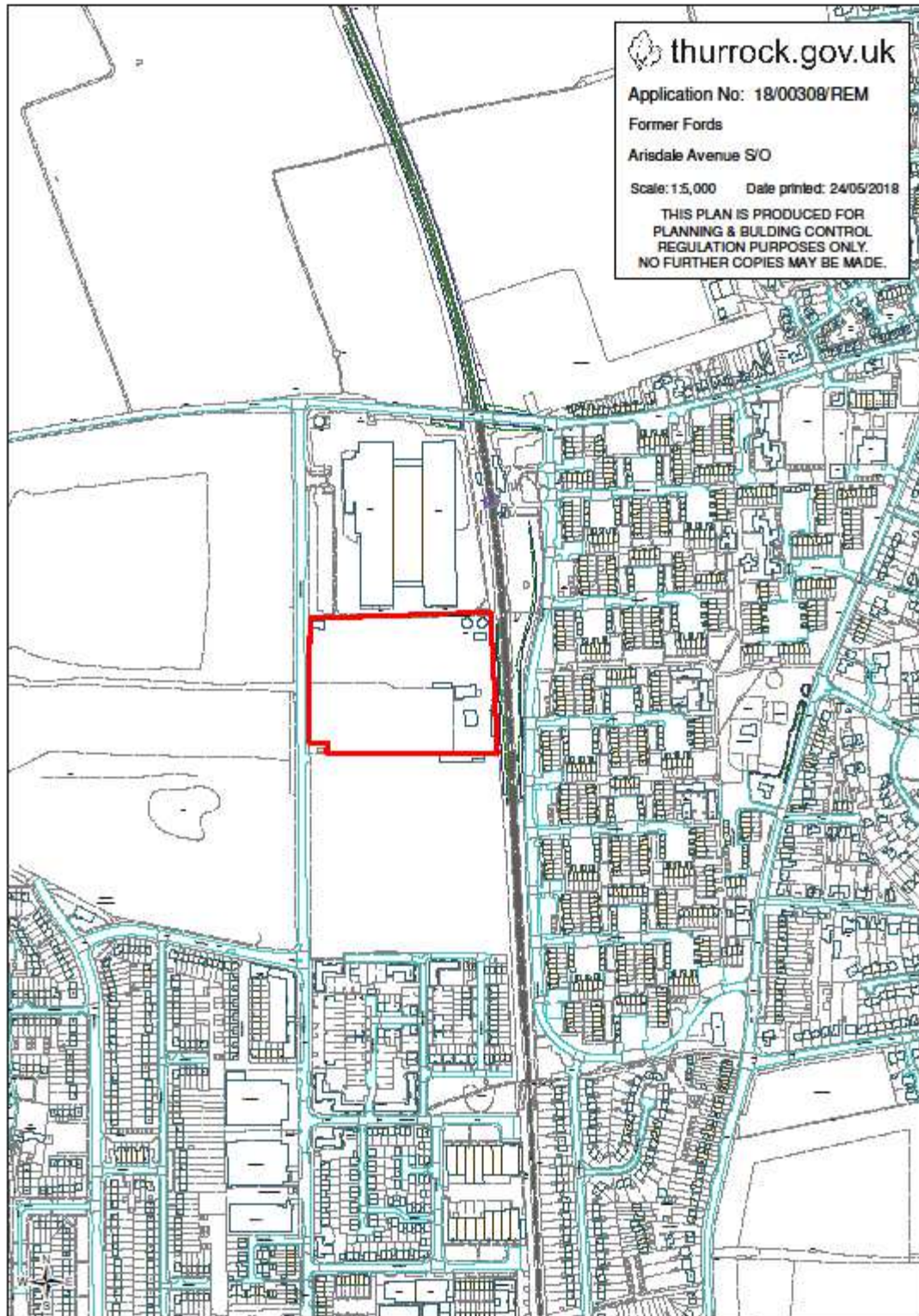
Please note that separate consent for Highways Works may be required through the Council's Highways Authority and the highway details provided with this application are therefore considered acceptable with regard to the relevant Design Code to the Outline Planning Permission but do not authorise any approval under

the Highways Act.

**Documents:**

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

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



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<b>Reference:</b> 18/00316/FUL	<b>Site:</b> Montrose 168 Branksome Avenue Stanford Le Hope Essex SS17 8DE
<b>Ward:</b> The Homesteads	<b>Proposal:</b> Demolition of the existing bungalow and the construction of 7 new dwellings

Plan Number(s):		
Reference	Name	Received
01	Location Plan 1:1250	26th February 2018
02	Existing Site Layout	26th February 2018
03D	Proposed Site Layout	7th May 2018
04	Proposed Plans – Plot 1	26th February 2018
05	Proposed Plans – Plot 2	26th February 2018
06	Proposed Plans – Plot 3	26th February 2018
07	Proposed Plans – Plots 4 & 5	26th February 2018
10A	Proposed Plans – Plot 6	4th April 2018
08B	Proposed Plans – Plot 7	7th May 2018
09	Street Scene – Branksome Ave	26th February 2018

The application is also accompanied by:	
<ul style="list-style-type: none"> <li>- Design and Access Statement</li> <li>- Planning Statement</li> <li>- Highway Note</li> </ul>	
<b>Applicant:</b> Mr D Darby	<b>Validated:</b> 26 February 2018  <b>Date of expiry:</b> 23 April 2018  <b>Extension of time:</b> 04 July 2018
<b>Recommendation:</b> To Refuse	

This application is scheduled for determination by the Council's Planning Committee because it has been called in by Cllrs Coxshall and Harden with the agreement of

Chair T Kelly in accordance with Part 3 (b) 2.1 (d)(i) of the Council's constitution due to concerns about overdevelopment, infill and conflict with H11.

## 1.0 BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission to demolish the bungalow at no.168 Branksome Avenue and construct a cul-de-sac of seven dwellings. All dwellings would have first floor accommodation in the roof space except for Plot 6 which would be a single bungalow with two bedrooms. Three properties would be four-bed detached dwellings and one would be a three-bed detached dwelling. One pair of semi-detached houses with three bedrooms each is proposed.
- 1.2 Two properties would be located on the frontage of Branksome Avenue; the cul-de-sac road would run between the properties into the rear of the site. The remaining 5 units would face towards one another around the turning head.
- 1.3 The key elements of the proposals are set out in the table below:

<b>Site Area (Gross)</b>	0.2 ha						
<b>Height</b>	One- and two-storey						
<b>Units (All)</b>	<b>Type (ALL)</b>	<b>1- bed</b>	<b>2- bed</b>	<b>3- bed</b>	<b>4- bed</b>	<b>5- bed</b>	<b>TOTAL</b>
	Houses		1	3	3		7
	Flats						
	<b>TOTAL</b>						<b>7</b>
<b>Affordable Units</b>	<b>Type (ALL)</b>	<b>1- bed</b>	<b>2- bed</b>	<b>3- bed</b>	<b>TOTAL</b>		
	Houses						
	Flats						
	<b>TOTAL</b>				<b>0</b>		
<b>Car parking</b>	Flats: N/A Houses: 14 Total allocated: 14 spaces (Average of 2 per unit) Total Visitor: 2 spaces (Average of 0 per unit) Total: 16						
<b>Amenity Space</b>	Minimum 75 sq.m Average between 75 sq.m to 100 sq.m Maximum 100 sq.m						

<b>Density</b>	35 units per ha
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## **2.0 SITE DESCRIPTION**

2.1 The site comprises 0.2 ha within The Homesteads in Stanford Le Hope. The site is an “L” shape, fronting Branksome Avenue and then including land beyond the rear of no 170 Branksome Avenue. There is residential development on all sides.

## **3.0 RELEVANT PLANNING HISTORY**

3.1 There is no relevant history on the site. There is a current Enforcement enquiry regarding the temporary fencing which is on hold pending the outcome of this application.

## **4.0 CONSULTATION 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](http://www.thurrock.gov.uk/planning)

### **4.2 PUBLICITY:**

This application has been advertised by way of individual neighbour notification letters.

Eighteen letters have been received. Concerns include the following –

- Proposal is contrary to CS policy H11
- Proposal is contrary to CS policies PMD1, PMD2 and CSTP22 in failing to respond to the sensitivity of the site and its surroundings and to contribute positively to the character of the local context and surroundings
- Contrary to NPPF para 53 protecting private gardens (suggests local authorities create policies to resist inappropriate development of private gardens)
- Cramped and over-developed
- Unacceptable impacts to immediate neighbours, particularly loss of privacy and outlook as well as some loss of light
- Proposal may prejudice a mature oak near proposed plot 7 which is covered by a TPO
- Planning Inspectors have opined that similar proposals would unacceptably harm the environmental quality of the Precinct
- Site is not a brownfield site
- Out of keeping

- Room sizes appear too small and no garages proposed (original Homestead properties are larger and include garages)
- No evidence of accessibility to emergency and refuse collection vehicles
- Loss of habitat
- Homesteads have a tendency to pond or partially flood, additional development would create surface water runoff issues to adjacent sites
- On-street parking is oversubscribed in the area, no visitors parking
- New road is too narrow and should not be shared with pedestrians
- Increased pollution from additional cars
- Additional burdens on services including sewer systems which do not appear sufficient to meet current density needs
- Additional impact on dentists and GPs,
- Impacts of the construction period

Other concerns which are not material to the consideration of the application include impacts to property values, reduced security to no.172 from adjacent rear gardens, civil covenants restricting each parcel of land to a single dwelling and damage to underground perforated piping system from use of diggers.

Two letters queried the publicity carried out, but the process of public engagement has been compliant with internal procedures and legislative requirements.

#### 4.3 ENVIRONMENTAL HEALTH:

No objection subject to conditions.

#### 4.4 HIGHWAYS:

The access is too narrow to allow both vehicles and pedestrians and there is insufficient parking overall.

#### 4.5 LANDSCAPE AND ECOLOGY ADVISOR:

Refusal recommended. Objection as (1) the quantum of development does not allow for good quality landscape mitigation measures and (2) potential impacts to protected trees. Additional comment that a tree survey has not been provided.

### 5.0 POLICY CONTEXT

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

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

- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design

## 5.2 Planning Policy 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 a range of subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Design

## 5.3 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 January 2015. The following Core Strategy policies apply to the proposals:

### THEMATIC POLICIES

- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)<sup>2</sup>

### POLICIES FOR MANAGEMENT OF DEVELOPMENT

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

- PMD8 (Parking Standards)<sup>3</sup>
- PMD9 (Road Network Hierarchy)
- PMD16 (Developer Contributions)<sup>2</sup>

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

#### 5.4 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 2018.

#### 5.5 Thurrock Design Strategy

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

#### 5.6 Thurrock Residential Alterations and Extension Design Guide (RAE)

In September 2017 the Council launched the RAE Design Guide which provides advice and guidance for applicants who are proposing residential alterations and extensions. The Design Guide is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

### **6.0 ASSESSMENT**

6.1 The issues for consideration in this case are:

- I. Principle of the Development
- II. Design and Layout
- III. Amenity and Impact of Development
- IV. Impact upon Protected Trees
- V. Traffic Impact, Access and Car Parking

## VI. Other Matters

### I. PRINCIPLE OF THE DEVELOPMENT

- 6.2 The site forms part of The Homesteads residential estate which was the subject of rapid house building in the 1960s – 1980s and extensive infilling and subdivision of large private gardens dramatically altered the character of the area.
- 6.3 Annexe 9 of the 1997 Local Plan was “saved” by the Council on 29<sup>th</sup> February 2012 for the determination of planning applications. This Annexe recognised the importance of retaining the original character of The Homesteads against further infilling and backland development.
- 6.4 The application site is not identified in Annexe 9 as one where development would be acceptable and the current proposal represents development of the character the policy seeks to guard against. There is therefore a fundamental and in-principle objection to intensification of use of this site and the proposed backland development.
- 6.5 Therefore, the proposal, due to the loss of this spacious plot within the Homesteads, would be harmful to the character of the area and therefore contrary to Policies PMD2, CSTP22 and CSTP23 of the Core Strategy and guidance in the NPPF.

### II. DESIGN AND LAYOUT

- 6.6 The proposed dwellings are generally designed to a high standard and each dwelling would be of its own character. There is no objection to the form, height, detailing or indicative materials palette. However, the positives of the scheme in terms of design do not overcome the harm that would be caused to the character and appearance of this part of the Homesteads.

### III. AMENITY AND IMPACT OF DEVELOPMENT

- 6.7 The gardens would be smaller in size than the surrounding properties and with the exception of Plot 6, would fall below the recommended minimum standards for dwellings of this size, contained in the Annexe 1 of the 1997 Local Plan.
- 6.8 Although they would provide useable space, the shortfall in size and difference in size between them and those of the adjacent dwellings are symptomatic of the overdevelopment of the site; which is out of character with the surroundings.
- 6.9 Annexe 1 (A1.2) sets out that new development must preserve existing private gardens and specifies a minimum distance of 20m from the window to the boundary. Private gardens in proposed housing should also be provided

with areas free from overlooking. The development would result in unacceptable overlooking from the upper floor windows of multiple dwellings into the private gardens of surrounding houses as well as the private gardens of the proposed houses.

- 6.10 The rear garden at 170 Branksome Avenue is currently free of overlooking. The rear bedroom window on Plot 1 would overlook the garden at a distance of less than 8m.
- 6.11 The rearmost side dormer on Plot 1 would overlook the private garden at Plot 2, also at a distance less than 8m
- 6.12 Additionally, the bedroom windows on the rear of Plot 2 would overlook the private garden at Plot 6 at a distance of approximately 10.4m.
- 6.13 The bedroom windows on the rear of Plots 4 and 5 would overlook the private garden at no172 Branksome Avenue at a distance of less than 10m (however an intervening outbuilding and indicative tree planting would mitigate views somewhat); and the rear bedroom windows at Plot 7 would overlook the garden at no166 Branksome Avenue, also at a distance of less than 10m.
- 6.14 There would be no loss of outlook, overbearing impact, and no unacceptable overshadowing due to the relative positions of the buildings and path of the sun. However, the loss of privacy identified above is contrary to Policy PMD1 and Annexe 1 of the Thurrock Local Plan 1997, which safeguards the amenity of current and future occupants of both existing and proposed dwellings.

#### IV. IMPACT UPON PROTECTED TREES

- 6.15 The adjacent site is covered by individual and area Tree Preservation Orders. One Oak in particular is within close proximity to the site of plot 7 and, as no Tree Survey was submitted with the application, the impact on the adjacent tree has not been determined. Due to the proximity of the tree to the proposed house, there would likely be pressure to reduce or remove the tree to prevent shading. The density of the proposal would also provide insufficient space for effective landscape mitigation measures.
- 6.16 In light of the above, the proposal is contrary to Policy PMD2 in that it may result in the damage or loss of a significant tree and landscape character and would fail to offer opportunities for new landscaping.

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

- 6.17 The proposal indicates the new estate road would be 4.8m wide and a shared surface. This is considered potentially hazardous as there are limited refuge facilities for pedestrians when confronted with a vehicle accessing the site. This raises issues of road and pedestrian safety particularly in the early section of the site.



- 6.18 The scheme proposes an access for the main cul-de-sac and two individual access for the properties fronting Branksome Avenue. The close proximity of these accesses has been identified by the Council's Highway Officer as an area of concern as the multiple accesses would make it difficult for pedestrians to negotiate. The development is considered to be contrary to Policy PMD9, and would be harmful to highway safety.
- 6.19 Each property, regardless of size, is shown to have 2 parking spaces. The spaces proposed are however slightly undersized and due to the layout would be difficult to enter/exit. The Council's Highway Officer requires 19 spaces throughout the site however the proposal provides just 16. Failure to provide sufficient, accessible parking spaces further points towards overdevelopment of the site, contrary to Policy PMD8 of the Core Strategy.
- 6.20 Furthermore, the application has not demonstrated how large vehicles such as refuse vehicles could access the site without overrunning areas outside the extent of the carriageway, including the footway. The scheme is therefore also considered to represent a potential safety risk to pedestrians. The proposal is therefore not considered to provide safe access for large vehicles, which would be contrary to Policy PMD2;

## VI. OTHER MATTERS

- 6.21 Policy PMD16 states that where needs would arise as a result of development; the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The Policy states that the Council will seek to ensure that development proposals contribute to the delivery of strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.22 There are no planning contributions or affordable housing required as the proposal falls short of the central government threshold of 10 units or more and no contribution requirements have been identified though the consultation process.

## 7.0 CONCLUSIONS AND REASONS FOR REFUSAL

- 7.1 The proposal is unacceptable in principle as it would erode the character of the area, contrary to Policies PMD2, CSTP22 and CSTP23. In terms of further harm, the proposal would result in overlooking of private gardens, fail to ensure safe access/egress arrangements, fail to provide sufficient parking and be likely to result in a threat to nearby protected trees.

## 8.0 RECOMMENDATION

- 8.1 To Refuse for the following reasons:

- 1 The application site is found within a part of the Homesteads precinct that is characterised by dwellings located on road frontages set in large grounds at a low density. The development of 7 dwellings in a cul de sac formation within the single residential plot would appear cramped, overdeveloped and out of keeping with the prevailing character of the area. Consequently the development would undermine the open character of the area, contrary to policies PMD2, CSTP22 and CSTP23 of the Core Strategy and guidance in the NPPF.
- 2 The proposal would result in unacceptable overlooking of private garden spaces at no's 166, 170 and 172 Branksome Avenue and would create an unacceptable level of overlooking from Plot 1 into Plot 2 and from Plot 2 into Plot 6 contrary to policy PMD1 of the Core Strategy.
- 3 The layout of the site is deficient in highways terms:
  - (a) The proposed three accesses off Branksome Avenue are considered to present a risk to highway safety contrary to policy PMD9 of the Core Strategy.
  - (b) The proposed access lacks footpaths and requires pedestrians, cyclists and motorists to share the 4.8m wide access which is considered poor, potentially hazardous, design contrary to policy PMD2 of the Core Strategy.
  - (c) The proposal would fail to make adequate provision for off street parking which would result in vehicles being displaced on-street to the detriment of highway safety and efficiency contrary to policy PMD8 of the Core Strategy
  - (d) It has not been demonstrated that large vehicles, including refuse vehicles, would be able to enter and exit the site without overrunning the carriageway. This presents a risk to pedestrian safety and is contrary to policy PMD2 of the Core Strategy.
- 4 The proposal, by reason of the proximity between Plot 7 and a protected Oak tree in an adjacent established plot, fails to demonstrate compatibility with protected trees near the boundary with no166 Branksome Avenue and may result in the damage or loss of a significant tree or pressure for inappropriate pruning works or removal in the future contrary to policy PMD2 of the Core Strategy.

### **Informative(s)**

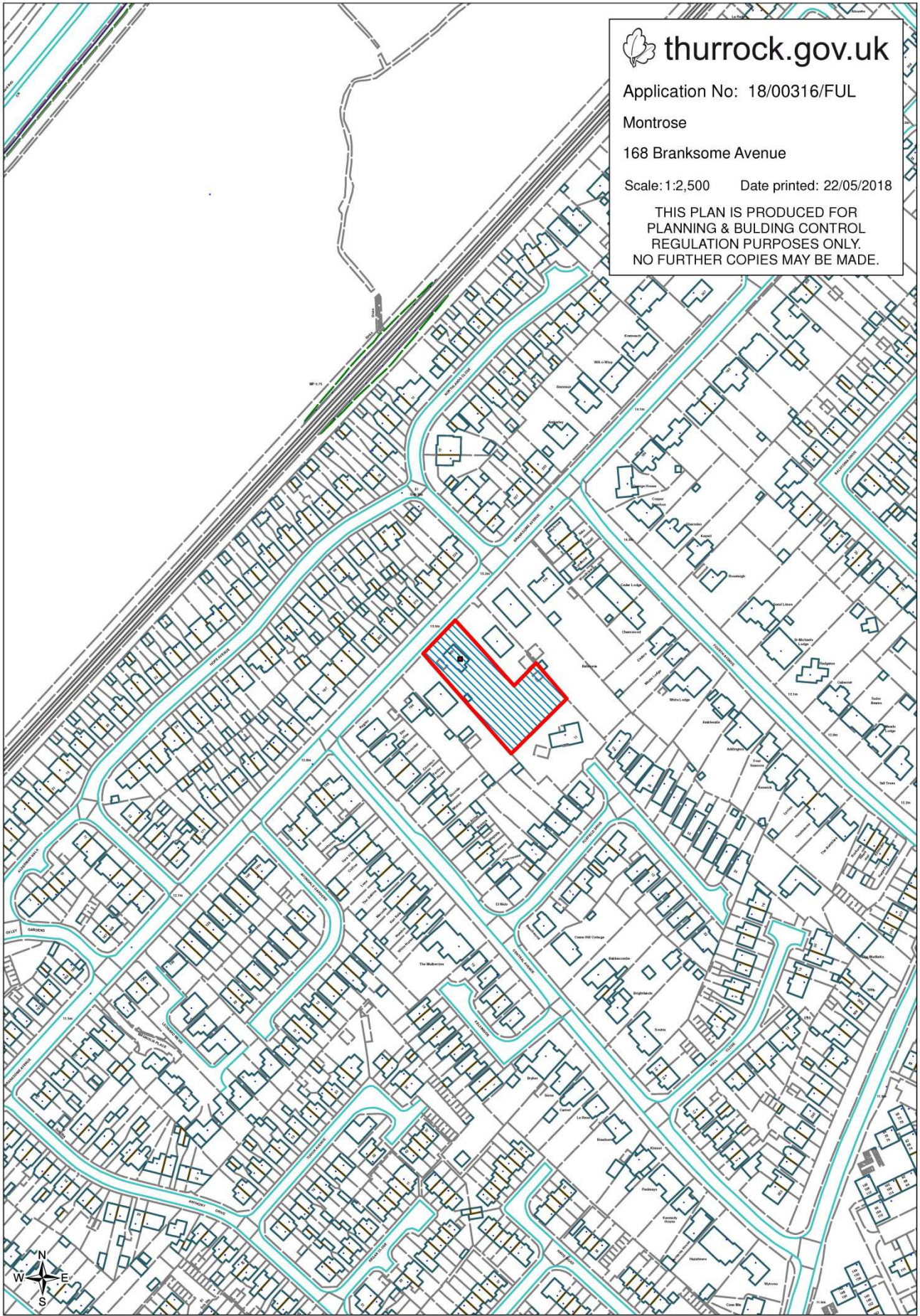
- 1 Positive and Proactive Statement

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing with the Applicant/Agent. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: <http://regs.thurrock.gov.uk/online-applications>



 **thurrock.gov.uk**  
Application No: 18/00316/FUL  
Montrose  
168 Branksome Avenue  
Scale: 1:2,500    Date printed: 22/05/2018  
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<b>Reference:</b> 17/01556/HHA	<b>Site:</b> The Olives Rectory Road Orsett Essex RM16 3EH
<b>Ward:</b> Orsett	<b>Proposal:</b> Proposed single storey rear extension with part glazed roof and proposed first floor extension and new attic floor

<b>Plan Number(s):</b>		
Reference	Name	Received
05	Existing Floor Plans	29th November 2017
01	Location Plan	20th November 2017
02	Site Layout	20th November 2017
04D	Proposed Floor Plans	25th April 2018

The application is also accompanied by:  <div style="text-align: center; margin-top: 20px;">-</div>	
<b>Applicant:</b> Terri Lines	<b>Validated:</b> 29 November 2017  <b>Date of expiry (agreed extension of time):</b> 15 June 2018
<b>Recommendation:</b> To Refuse	

This application is scheduled for determination by the Council's Planning Committee because it has been called in by Cllr Brian Little, Cllr James Halden, Cllr Sue Little, Cllr Deborah Huelin, and Cllr Shane Hebb, in accordance with Part 3 (b) 2.1 (d)(i) of the Council's constitution, for consideration of the visual impact on the Conservation Area and the historic nature of the buildings within.

## 1.0 BACKGROUND AND DESCRIPTION OF PROPOSAL

1.1 This application seeks planning permission for the erection of a single storey rear extension with part glazed roof and first floor extension with a gable design to the front with accommodation within the roof area.

## 2.0 SITE DESCRIPTION

2.1 The property is a two storey residential dwelling with an extended attached garage. The site is adjacent to Orsett Conservation Area and adjoins a Grade II designated heritage asset; The Larches and the stable range north of The Larches.

## 3.0 RELEVANT PLANNING HISTORY

3.1 The following table provides the planning history:

Reference	Description	Decision
68/00808/FUL	Doctors Surgery, Waiting Room and Double Garage Extension. (Details) Detached House, Plot 1.	Approved
67/00714A/FUL	Revised Elevations and additional garage (Details) - Plot 6	Approved
67/00048B/REM	Residential Development. Amended	Approved

## 4.0 CONSULTATION 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](http://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 notice which has been displayed nearby.

Eleven letters of objection were received in consultation with the first set of plans. The main objections are as follows:

- The development will detract from the adjacent Conservation Area;
- The Listed Building will be overshadowed;

- Excessive footprint;
- Out of proportion;
- Overshadowing;
- Street scene at risk;
- Cables from the electricity distribution substation very close to the site;
- Block view of the Listed Building.

Three letters of support were received in consultation with the first set of plans.

- Site has enough off street parking;
- Enhance the residential area of Rectory Road;
- Individual character of building design.

Amended plans have been received during the course of the application, the revised application was advertised by way of individual neighbour letters and a public site notice which was displayed nearby.

Three additional letters of objection were received in response to the amended plans, citing the following areas of concern:

- Overshadows The Old Bakery;
- Obscure the view of the Grade II Listed Building;
- Power cables underground that could be compromised by plant and development constructions;
- Overlooked;
- Development too large;
- Not much change in reducing the development.

#### 4.3 HISTORIC BUILDINGS ADVISOR:

Recommend refusal due to the adverse impact the proposed would have upon the character and appearance of the Conservation Area and Listed Building.

## 5.0 POLICY CONTEXT

### 5.1 National Planning policy Framework

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country

Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- Core Planning Principles
- Requiring good design
- Conserving and enhancing the natural environment

## 5.2 Planning Policy 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 a range of subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Conserving and enhancing the historic environment
- Design Determining a Planning Application

## 5.3 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 January 2015. The following Core Strategy policies also apply to the proposals:

### THEMATIC POLICIES

- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)<sup>2</sup>
- CSTP24 (Heritage Assets and the Historic Environment)

### POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)<sup>2</sup>
- PMD2 (Design and Layout)<sup>2</sup>
- PMD4 (Historic Environment)<sup>2</sup>



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

#### 5.4 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 2018.

#### 5.5 Thurrock Design Strategy

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

#### 5.6 Thurrock Residential Alterations and Extension Design Guide (RAE)

In September 2017 the Council launched the RAE Design Guide which provides advice and guidance for applicants who are proposing residential alterations and extensions. The Design Guide is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

### **6.0 ASSESSMENT**

6.1 The material considerations for this application are as follows:

- I. Principle of the development
- II. Design and appearance of the extended dwelling
- III. Impact on the Conservation Area and Listed Building
- IV. Neighbour amenity
- V. Parking and highways

#### I. PRINCIPLE OF THE DEVELOPMENT

6.2 The site forms part of the residential area of Orsett Village. An extension to the property would therefore be acceptable in principle. However, in considering any application the Local Planning Authority would need to ensure relevant Development Management standards are met and the proposal does not impact on nearby heritage assets.

## II. DESIGN AND APPEARANCE OF EXTENDED DWELLING

6.3 National Planning Policy Framework (NPPF) paragraphs 56 and 57 state that the Government attaches great importance to design of the built environment which is indivisible from good planning and that it is important to plan for high quality design for all development including individual buildings.

6.4 Policy PMD2 (Design and Layout) of the Core Strategy states that the Council requires all design proposals to respond to the sensitivity of the site and its surroundings, to fully investigate the magnitude of change that would result from the proposals, and mitigate against negative impacts. Amongst other criteria, this policy states that development must contribute positively to the character of the area in which it is proposed, and to surrounding areas that may be affected by it. It should seek to contribute positively to local views, townscape, heritage assets and natural features, and contribute to the creation of a positive sense of place.

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

6.6 Policy CSTP23 (Thurrock Character and Distinctiveness) of the Core Strategy seeks to protect, manage and enhance the character of Thurrock to ensure improved quality and strengthened sense of place.

6.7 The proposal seeks to considerably increase the internal accommodation and alters the buildings architectural style with the addition of a second projecting gable at first floor and combination of roof forms. The new side additions significantly increase the size of the existing dwelling.

6.8 The proposal would be considered to overdevelop the plot in a style inconsistent with the host property or local vernacular. The size of the proposed extensions is disproportionate to the original dwelling and the streetscene which is accentuated by the second projecting gable at first floor and assemblage of forms at ground floor.

6.9 As a result of its unsympathetic design, form and bulk the proposed side extension would have a detrimental impact upon the appearance of the existing building and the visual amenities of the surrounding street scene. For this reason the proposal is considered to be contrary to Core Strategy Policies CSTP22, CSTP23, PMD2 and the guidance in the NPPF.

## III. IMPACT ON THE CONSERVATION AREA AND LISTED BUILDING

- 6.10 Policy PMD4 (Historic Environment) of the Core Strategy states that the Council will require new development to take account of heritage assets, including Conservation Areas and indicates that applications must demonstrate that they contribute positively to the special qualities and local distinctiveness of Thurrock.
- 6.11 Policy CSTP24 (Heritage Assets and Historic Environment) of the Core Strategy indicates that all development proposals will be required to consider and appraise development options and demonstrate that the final proposal is the most appropriate for the heritage asset and its setting in accordance with (i) the objectives in protecting and enhancing heritage assets; (ii) the requirements of PMD4 Historic Environment; (iii) Conservation Area Character Appraisals and Management Proposals as appropriate; and (iv) Relevant national and regional guidance.
- 6.12 The property dwelling is set on the boundary of Orsett Conservation Area (which lies to the south) and to the southern boundary property is a Grade II designated heritage asset, the Larches and its associated stable block.
- 6.13 The existing dwelling is a twentieth century property; there are three in total adjacent to one another. Whilst the three twentieth century properties do not respond to local character their simple massing forms a consistent group which is distinctly different in character to the Conservation Area and thereby help define the boundary of this historic core. The separation of these two storey dwellings from the Conservation Area and listed building further assist in providing a visual separation which contributes to providing a clear transition between later suburbia and the historic settlement.
- 6.14 The proposed extension would bring the ground and first floor of the host property significantly closer to the boundary with the listed building and Conservation Area boundary. The changes to the building from its appearance as originally constructed would be significant. The loss of the current gap between the application property and The Larches would blur the current distinction between the twentieth century properties, which presently read as a distinct grouping, and the earlier buildings. This change is considered to be harmful.
- 6.15 This proposal by reason of its increased mass and bulk on the southern side, which makes it more dominant would have a detrimental impact on the character and appearance of the Conservation Area and harm the setting of a listed building. For this reason the proposal is considered to be contrary to Core Strategy Policies CSTP24, and PMD4 and the NPPF.

#### IV. NEIGHBOUR AMENITY

- 6.16 The proposed extensions are set back from the boundary with The Larches, given the size and distance from the neighbours, the proposal would not lead to overshadowing or overlooking of the neighbouring dwellings.

## V. PARKING AND HIGHWAYS

- 6.17 The property site would have sufficient parking spaces and will not lead to any off street parking.

## 7.0 CONCLUSIONS AND REASONS FOR REFUSAL

- 7.1 The proposed side extensions, by reason of their size, scale, mass and design, including the projecting front gable are poorly related to the existing property to the detriment of the character and visual amenity of that property and the wider area. Furthermore, due to the design, mass and bulk the extensions would bring the property closer to the boundary with the Conservation Area and listed building, resulting in a harmful impact to the heritage assets. The proposal is accordingly contrary to Policies PMD2, PMD4 and CSTP22, CSTP23 and CSTP24 of the Core Strategy and the relevant criteria of the NPPF.

## 8.0 RECOMMENDATION

To refuse for the following reasons:

- 1 National Planning Policy Framework (NPPF) Paragraphs 56 and 57 state that the Government attaches great importance to design of the built environment which is indivisible from good planning and that it is important to plan for high quality design for all development including individual buildings.

Policy PMD1 (Minimising Pollution and Impact on Amenity) states "Development will not be permitted where it would cause unacceptable effects on (i) the amenities of the area; (ii) the amenity of neighbouring occupants; or (iii) the amenity of future occupiers of the site"

Policy PMD2 (Design and Layout) states that the Council requires all design proposals to respond to the sensitivity of the site and its surroundings, to fully investigate the magnitude of change that would result from the proposals, and mitigate against negative impacts. Amongst other criteria, this policy states that development must contribute positively to the character of the area in which it is proposed, and to surrounding areas that may be affected by it. It 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 PMD4 (Historic Environment) states that the Council will require new development to take account of heritage assets, including Conservation Areas

and indicates that applications must demonstrate that they contribute positively to the special qualities and local distinctiveness of Thurrock

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

Policy CSTP23 (Thurrock Character and Distinctiveness) seeks to protect, manage and enhance the character of Thurrock to ensure improved quality and strengthened sense of place.

Policy CSTP24 (Heritage Assets and the Historic Environment) indicates that all development proposals will be required to consider and appraise development options and demonstrate that the final proposal is the most appropriate for the heritage asset and its setting in accordance with (i) the objectives in protecting and enhancing heritage assets; (ii) the requirements of PMD4 Historic Environment; (iii) Conservation Area Character Appraisals and Management Proposals as appropriate; and (iv) Relevant national and regional guidance.

(A) The proposed two storey side extensions would be considered to overdevelop the plot in a style inconsistent with the host property or local vernacular.

The size of the proposed extensions is disproportionate to the original dwelling and the streetscene which is accentuated by the second projecting gable at first floor and assemblage of forms at ground floor.

As a result of its unsympathetic design, form and bulk the proposed extension would have a detrimental impact upon the appearance of the existing building and the visual amenities of the surrounding street scene; for this reason the proposal is considered to be contrary to Core Strategy Policies CSTP22, CSTP23, PMD2 and the NPPF.

(B) The proposed extension would bring the ground and first floor of the host property significantly closer to the boundary with the listed building and Conservation Area boundary. The loss of the current gap between the application property and The Larches would blur the current distinction between the twentieth century properties, which presently read as a distinct grouping, and the earlier buildings. This change is considered to be harmful.

Therefore, the proposal by reason of its increased mass and bulk on the southern side, would have a detrimental impact on the character and appearance of the Conservation Area and harm the setting of a listed building.

For this reason the proposal is also considered to be contrary to Core Strategy Policies CSTP24, and PMD4 and the NPPF

## **Informative(s)**

### **1 Positive and Proactive Statement**

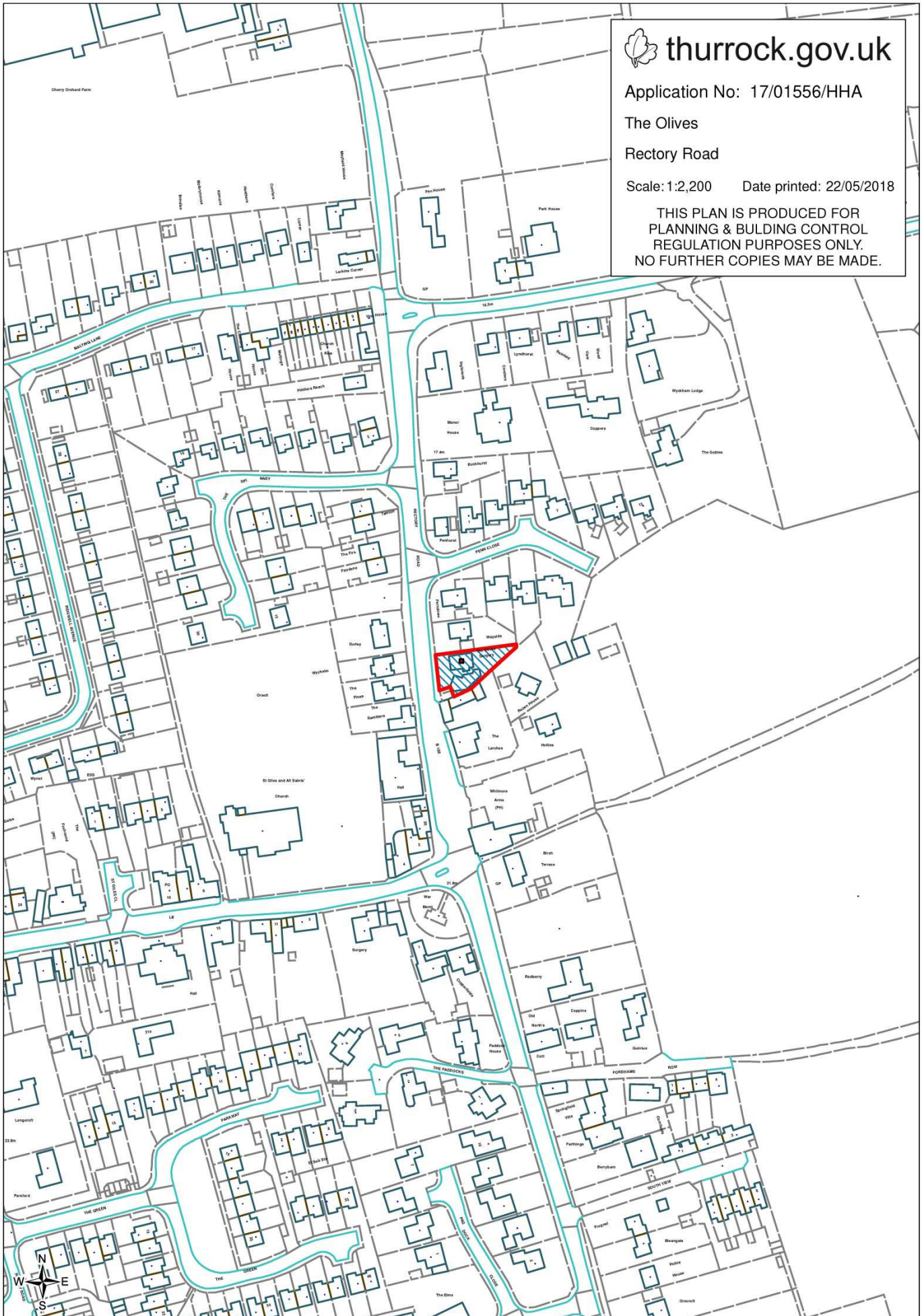
Town and Country Planning (Development Management Procedure)  
(England) Order 2015 - Positive and Proactive Statement:

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.

#### **Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:  
<http://regs.thurrock.gov.uk/online-applications>

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<b>Reference:</b> 18/00343/FUL	<b>Site:</b> Stanford Tyres And Servicing Rear Of 16 London Road Stanford Le Hope Essex SS17 0LD
<b>Ward:</b> Stanford Le Hope West	<b>Proposal:</b> Two storey block for A1 retail use, storage and office space

Plan Number(s):		
Reference	Name	Received
01A	Existing Floor Layout	15 May 2018
02A	Location Existing Roof Layout	15 May 2018
03	Existing Elevations	15 May 2018
04E	Proposed Ground Floor Layout	15 May 2018
05C	Proposed Roof Layout	15 May 2018
06C	Proposed Elevations	15 May 2018
07C	Location Plan	2 March 2018

The application is also accompanied by:	
<b>Applicant:</b> Merwin Amirtharaja	<b>Validated:</b> 5 March 2018  <b>Date of expiry:</b> 14 June 2018 (Extension of Time agreed)
<b>Recommendation:</b> Approve, subject to conditions.	

This application is scheduled for determination by the Council's Planning Committee because it has been called in by Cllrs Ojetola, Little, Gledhill, Piccolo and Hebb in accordance with Part 3 (b) 2.1 (d)(i) of the Council's constitution for considerations relating to amenity and of car parking.

**1.0 DESCRIPTION OF PROPOSAL**

This application seeks planning permission to remove the present workshop on the site and build a part single/part two storey building. The ground floor area would be split between an A1 retail use and store use with an office use on the first floor.

**2.0 SITE DESCRIPTION**

The site is to the rear of a petrol station and a shop. The lawful use of the site is as a car garage which operated within two single storey buildings. There are commercial uses to the north of the site and residential uses to the south.

**3.0 RELEVANT HISTORY**

Application Reference	Description of Proposal	Decision
17/00596/FUL	Demolition of workshop and construction of two storey – A1 (retail) use on ground floor and office use on first floor with parking	Refused – due to the scale, form, massing and unsympathetic design of the proposal which was determined as likely to have an obtrusive, overbearing impact, resulting in a loss of outlook and amenity
17/01349/FUL	Demolition of workshop and construction of two storey building – A1 (retail) use on ground floor and office use on first floor with parking (resubmission of 17/00596/FUL)	Refused - due to the scale, form, massing and unsympathetic design of the proposal which was determined as likely to have an obtrusive, overbearing impact, resulting in a loss of outlook and amenity

**4.0 CONSULTATIONS AND REPRESENTATIONS**

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

**PUBLICITY:**

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

One letter has been received objecting to the application for the following reasons:

- Inaccurate drawings, no height levels shown and incorrect building line;
- Increased parking problems;

- Overlooking, overbearing, overshadowing, loss of light;
- Excessive bulk, scale;
- Design looks like a house.

#### HIGHWAYS:

No objection

#### ENVIRONMENTAL HEALTH:

No objection subject to a condition

## 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:

- Building a strong competitive economy
- Requiring good design

#### 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:

- Design
- Determining a planning application

## 6.0 Local Planning Policy

### Thurrock Local Development Framework (2015)

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

#### Spatial Policies:

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

#### Thematic Policies:

- CSTP10 (Community Facilities)
- CSTP11 (Health Provision)
- CSTP14 (Transport in the Thurrock Urban Area: Purfleet to Tilbury)<sup>3</sup>
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)<sup>2</sup>

#### Policies for the Management of Development:

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

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

### 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 summer of 2018.

### Thurrock Design Strategy

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

## **7.0 ASSESSMENT**

The assessment below covers the following areas:

- I. Principle of the Development (Conformity with Planning Policies)
- II. Design and Layout
- III. Amenity Issues
- IV. Traffic Impact, Access and Car Parking
- V. Other Matters

### **I. PRINCIPLE OF THE DEVELOPMENT**

The site is within a mixed residential and commercial area in Stanford Le Hope and presently comprises two buildings with a commercial use. Therefore, the principle of further commercial use of this site is acceptable subject to other policy criteria being met.

### **II. DESIGN AND LAYOUT**

The NPPF focuses on the importance of good design. Paragraph 64 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy CSTP22 of the Core Strategy (as amended) 2015 indicates that development proposals must demonstrate high quality design founded on a thorough understanding of, and positive response to, the local context.

Policy PMD2 of the Core Strategy (as amended) 2015 requires that all design proposals should respond to the sensitivity of the site and its surroundings and must contribute positively to the character of the area in which it is proposed and

should seek to contribute positively to local views, townscape, heritage assets and natural features and contribute to the creation of a positive sense of place.

The application site is set away from the road; nonetheless it is visible within the street scene. The proposed building would include an additional floor to the western section of the site compared to the present building on the site.

The previous application (planning application ref. 17/01349/FUL) was refused due to the scale, form, massing and unsympathetic design of the proposal which was determined as likely to have an obtrusive, overbearing impact, resulting in a loss of outlook and amenity. A comparison of the scale of the scale has been carried out between the most recently refused application and the current proposal:

Application Reference	17/01349/FUL	Current Scheme
Overall height of single storey element	4.1m to ridge	4m
Height on boundary with Hollis House	2.65 eaves height	2.7m
Overall height of two storey element	6.6m to ridge	5.65m to ridge
Height of closest point on boundary with Hollis House	5.2m to eaves	Height of mono pitched roof varies as follows:  4.65m lowest point rising to 5.65m highest point

The proposed two storey building would be larger than the existing building but it includes a mono pitched roof that helps to minimise the sense of size and scale. Since the previous application was refused the front elevation of the building has been revised to incorporate a better quality design. Thus the first floor would include 5 windows with rendering either side and cedar timber cladding above and below the windows.

The ground floor shopfront would be fully glazed with eight panels, with fascia above along with doors either end serving the proposed retail unit on the ground floor and office to the first floor of the building.

The design of the proposed building represents a significant improvement on the previous proposal and is considered to be of satisfactory appearance creating a degree of visual interest and contributing to local distinctiveness.

With regard to the single storey element of the building, this would be used in conjunction with the retail premises number 16 London Road. The proposed building would have the appearance of a large garage as it includes roller shutters and an entrance door. This part of the building would include a pitched roof with four roof lights; two on the front roof slope and two on the roof slope to the rear of the building.

The proposed design, appearance, mass and scale of the building overall is considered acceptable, overcoming the previous design reasons for refusal, and would comply with Council policy.

### III. AMENITY ISSUES

Policy PMD1 of the Core Strategy (as amended) 2015 states that development will not be permitted where it would have an unacceptable impact on the amenity of neighbouring occupiers.

The proposed use is for A1 use, retail storage and offices, which would arguably have less of an effect on nearby residential uses than a vehicle garage in terms of noise and general disturbance.

The previous application was refused on the basis that the form, massing and unsympathetic design of the proposal was determined likely to have an obtrusive, overbearing impact, resulting in a loss of outlook and amenity. The current application has been amended with the view to overcoming these concerns, particularly in relation to the height and mass of the building.

The proposed single storey element would be comparable in height to the existing single storey building. It would have a maximum height of 4m to its ridge compared to the 3.6m height of the existing flat roofed building. It should be noted however that the eaves height of the proposed pitched roof would be 3.6m and it would be pitched away from the boundary with the neighbouring properties to the immediate East, Priors Lodge and Hollis House, on Ruskin Road.

It is considered that the impact of this element of the building on the amenities of the neighbouring occupiers would be similar to that of the existing building and it would not have a harmful impact in terms of loss of light or visual intrusion.

The proposed two storey element would be larger than the existing building. However, it includes a mono pitched roof which slopes up and away from nearby residential properties which serves to minimise its overall impact and scale.

The overall height of the single storey element has been reduced by 0.1m compared to the existing building with the highest part of the overall roof being reduced by 0.05m. While the reduction is modest the single storey building was not considered to be the most harmful aspect of the previous proposal. It is not considered that the single storey element of the building would result in any significant loss of light, outlook or overshadowing.

In relation to the two storey element of the building, this has been revised to include a mono pitched roof which descends to its lowest height of 4.65m. It is considered that the overall impact of the building in terms of bulk and scale is significantly reduced when compared to previous proposal.

Moreover, it is considered that concerns raised about excessive bulk scale and house design have been addressed; the building as revised includes varied height and bulk with the overall scale having been reduced with a commercial appearance which is considered appropriate.

Concerns about loss of privacy have also been addressed. The proposals do not include any windows to the side or rear elevation and the roof lights would face skyward.

Turning to the matter of opening times, the proposal seeks to operate during the following times:

06:00 to 21:00 hours Mondays to Saturdays and 07:00 to 09:00 hours Sundays and Bank Holidays. Given the site's location in relation to nearby residential properties it is recommended that the hours of operation are restricted to opening no later than 19:00 hours Mondays to Saturdays in the interests of neighbour amenity. An appropriate condition has been included.

On balance, and via the imposition of appropriate conditions, it is considered that the proposed building and use and the relationship between the proposed buildings and the neighbouring dwellings would not be so harmful as to justify refusal on amenity grounds. Therefore, the current proposal is considered to have overcome the previous concerns regarding amenity impacts and is considered to comply with Policy PMD1 of the Core Strategy.

#### IV. TRAFFIC IMPACT, ACCESS AND PARKING

Policy PMD2 of the Core Strategy (as amended) 2015 indicates that all development should allow safe and easy access while meeting appropriate standards.

Policy PMD8 of the Core Strategy (as amended) 2015 requires all development to provide a sufficient level of parking.

The Council's Highways Officer has indicated that although no parking is proposed, it is not considered that the impact would be severe enough to impact on the highway or justify a reason for refusal, given the existing use of the premises.

In addition the site is within an accessible location that benefits from a range of transport facilities and is close to the town centre and as such and given the nature of the use the proposal is considered acceptable in terms of traffic impact access and car parking.



**V. OTHER MATTERS**

The neighbour comment received has raised concerns about loss of amenity from the proposed uses. Amenity impacts have been considered earlier in the report and the Environmental Health Officer has raised no objections to the proposal subject to limiting the hours of construction and demolition. This is considered to be acceptable and accordingly the proposal is considered to be acceptable in regards to neighbour amenity impact, complying with Policy PMD1.

In relation to accuracy of the drawings, the applicant’s agent has revisited the site and has amended the drawings to reflect the relationship of the existing buildings on site. It is considered that the drawings now reflect the circumstances on site. Furthermore, the applicant has indicated within the application form that the relevant certificate of ownership notifications have been carried out in respect of land ownership.

**8.0 CONCLUSIONS**

It is considered that the proposed development would be acceptable in terms of design, appearance and relationship to neighbouring occupiers overcoming the previous reasons for refusal. In addition it is considered that the proposed mix of uses would not result in adverse amenity impacts or conditions relating to car parking given the restrictions within the area and the accessible nature of this location. The proposal would be acceptable and planning permission is therefore recommended.

**9.0 RECOMMENDATION**

Approve subject to 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:

01A	Existing Floor Layout	15 May 2018
02A	Location Existing Roof Layout	15 May 2018
03	Existing Elevations	15 May 2018
04E	Proposed Ground Floor Layout	15 May 2018
05C	Proposed Roof Layout	15 May 2018
06C	Proposed Elevations	15 May 2018

07C	Location Plan	2 March 2018
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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].

### **REFUSE AND RECYCLING STORAGE**

- 4 Prior to the commencement of development detailed plans detailing the number, size, location, design and materials of bin and recycling stores to serve the development together with details of the means of access to bin and recycling stores shall be submitted to and agreed in writing with the local planning authority. The approved bin and recycling stores shall be provided prior to the first occupation of the buildings and permanently retained in the form agreed.

Reason: In the interests of residential amenity and to ensure that the development can be integrated within its immediate surroundings in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **ANCILLARY OFFICES**

- 5 The proposed first floor offices shall be used only for purposes in conjunction with and ancillary to the primary use of the main building at 16 London Road and shall not be used separately as an independent business.

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].

### **HOURS OF OPENING**

- 6 Ground Floor A1 Retail Unit and Storage Unit

The ground floor A1 retail and storage uses hereby permitted shall only be undertaken between 06:00 hours and 19:00 hours from Monday to Saturday and between 07:00 hours and 09:00 hours on Sundays and Bank Holidays.

#### First Floor Office Unit

The first floor office use hereby permitted shall only be undertaken between 06:00 hours and 19:00 hours from Monday to Saturday and between 07:00 hours and 09:00 hours on Sundays and Bank Holidays.

**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].

## 7 USE OF PREMISES

The ground floor retail unit shall only be used for A1 retail purposes and for no other purpose including any purpose as defined within Class A1 of the Schedule to the Town & Country Planning [Use Classes] Order 1987 [as amended] [or in 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 immediate surroundings as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### Informative(s)

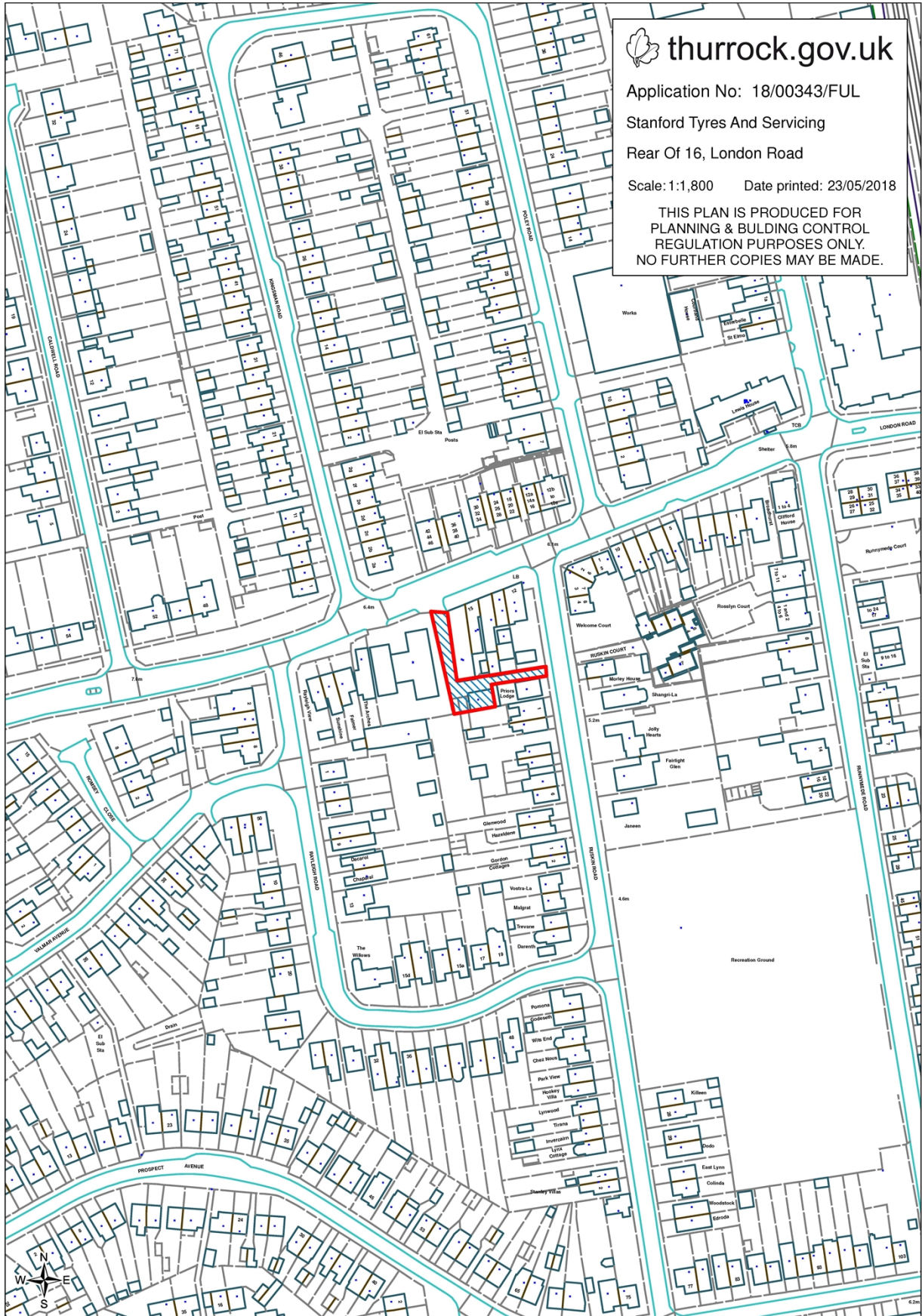
- 1 No bonfires should be permitted during construction and demolition activities.
- 2 The applicants are reminded that any asbestos containing materials in the existing tyre and services office building must be removed by a competent person prior to the commencement of the development.
- 3 **Town and 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](http://www.thurrock.gov.uk/planning)



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