

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 **6.00 pm** on **13 February 2020**

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

Membership:

Councillors Tom Kelly (Chair), Mike Fletcher (Vice-Chair), Gary Byrne, Colin Churchman, Angela Lawrence, David Potter, Gerard Rice, Sue Sammons and Sue Shinnick

Steve Taylor, Campaign to Protect Rural England Representative

Substitutes:

Councillors Qaisar Abbas, Abbie Akinbohun, Chris Baker, Daniel Chukwu, Garry Hague, Victoria Holloway and Susan Little

Agenda

Open to Public and Press

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1 Apologies for Absence	
2 Minutes	5 - 14
To approve as a correct record the minutes of the Planning Committee meeting held on 9 January 2020.	
3 Item of Urgent Business	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
4 Declaration of Interests	
5 Declarations of receipt of correspondence and/or any	

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

6 Planning Appeals 15 - 22

7 Public Address to Planning Committee

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

8 18/00551/FUL - Land Adjacent Curling Lane Helleborine And Meesons Lane, Grays, Essex 23 - 46

9 19/01662/FUL - Langdon Hills Golf And Country Club, Lower Dunton Road, Bulphan, Essex, RM14 3TY 47 - 128

10 19/01633/TBC - Aveley Recreation Ground, High Street, Aveley, Essex 129 - 138

11 19/01864/TBC - Household Waste And Recycling Centre, Buckingham Hill Road, Linford, Essex 139 - 172

Queries regarding this Agenda or notification of apologies:

Please contact Wendy Le, Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **5 February 2020**

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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 9 January 2020 at 6.00 pm

Present: Councillors Tom Kelly (Chair), Mike Fletcher (Vice-Chair), Gary Byrne, Colin Churchman, Angela Lawrence, David Potter, Gerard Rice, Sue Sammons and Daniel Chukwu (Substitute) (substitute for Sue Shinnick)

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillors Sue Shinnick

In attendance:

Leigh Nicholson, Interim Assistant Director of Planning, Transport and Public Protection
Julian Howes, Senior Highway Engineer
Sarah Williams, Service Manager, Education Specialist
Matthew Gallagher, Major Applications Manager
Nadia Houghton, Principal planner
Caroline Robins, Locum Solicitor
Wendy Le, Democratic Services Officer

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

58. Minutes

The minutes of the Planning Committee meeting held on 28 November 2019 was approved as a true and correct record.

59. Item of Urgent Business

There were no items of urgent business.

However, the Chair stated that planning application 18/00551/FUL had received a resident email that incorporated comments from the Essex Badger Protection Group. Therefore, the Applicant had requested that the application be deferred to the next Committee meeting to enable discussions between the Applicant and the Essex Badger Protection Group to be held. Regarding the notice of letters sent to affected residents regarding the application due at Committee that evening, he apologised for the late delivery of these letters and gave reassurance that notification would be sent out earlier when the item was due back at Committee next month.

60. Declaration of Interests

There were no declarations of interest.

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

The Chair declared on behalf of the Members of the Committee that all had received a resident email regarding application 18/00551/FUL (which was deferred as confirmed earlier).

Steve Taylor, Campaign to Protect Rural England Representative, declared that he had received an email from Essex Badger Protection Group.

62. Planning Appeals

The report was presented by Leigh Nicholson, Interim Assistant Director of Planning, Transport and Public Protection.

Councillor Rice asked for a summary of the number of applications that had been approved at Committee and awaiting section 106 contributions to be concluded. Leigh Nicholson replied that a summary could be provided and circulated to Members.

RESOLVED:

That the Planning Committee noted the report.

63. 18/00551/FUL Land Adjacent Curling Lane Helleborine and Meesons Lane, Grays, Essex

This item has been deferred to the next committee meeting.

64. 19/01331/FUL Windy Ridge, 251 Branksome Avenue, Stanford Le Hope, Essex, SS17 8DF

The report was presented by Nadia Houghton, Principal Planner. The application sought permission for the development of eight 2 bedroom dwellings consisting of four semi-detached pairs with car parking underneath. The site of the proposal, Windy Ridge, was situated in a corner plot of the Homesteads and the proposal focused on the rear garden of Windy Ridge. The site had been identified as suitable for development and was one of the last policy developed site.

Windy Ridge was modest in appearance and plots 1 – 4 were most visually prominent on the street scene as well as being too close to Windy Ridge. The proposal did not fit in with the appearance of the Homesteads and there was concern on parking on highways so the application was recommended for refusal.

The Vice Chair arrived at 18.12.

The Chair opened the item up to the Committee for questions.

Mentioning that the Homesteads was a protected precinct, the Chair said that there had been a number of planning applications in the area over the years. He questioned why this particular site was one that was not protected as part of the Homesteads.

Referring to page 45 of the agenda, Nadia Houghton said that the 1997 Local Plan had identified the Homesteads as a residential precinct due to the character of the area but some of the sites was identified in Annexe A9 where development was acceptable. This application's site was one of those identified and may be one of the last of the identified sites that had yet to be developed.

The Chair opened the item up to the Committee for debate.

Councillor Byrne commented that Branksome Avenue on Orchard within the Homesteads had created 15% more traffic when it had been built and if this was site was approved, it could eventually create 8% more traffic. He went on to say that the roads within the area were already dangerous and had traffic issues along with parking problems. Approving this site would end up causing more of these issues.

Councillor Lawrence agreed with the Officer's recommendation for refusal but she felt that more consultation needed to be undertaken between Planning Officers and Applicants to ensure applications came to committee with proposals that followed the council's standards.

The Chair felt the design of the proposed dwellings were bulky and the number of houses proposed were too many within the site.

Referring to Councillor Lawrence's comment, Nadia Houghton clarified that pre-application advice was given to Applicants prior to the submission of an application.

With the debate coming to a close, the Officer's recommendation for refusal was proposed by Councillor Byrne and seconded by Councillor Churchman. The Committee went on to the vote.

For: (8) Councillors Tom Kelly (Chair), Mike Fletcher (Vice-Chair), Gary Byrne, Colin Churchman, Angela Lawrence, David Potter, Gerard Rice and Sue Sammons.

Against: (0)

Abstained: (1) Councillor Daniel Chukwu.

Planning application 19/01331/FUL was refused.

65. 18/00313/REM Land Adjacent Church Hollow To Rear Of Hollow Cottages and North Of London Road, Purfleet

The report was presented by Matthew Gallagher, Major Applications Manager. He gave a brief summary to remind the Committee of the wider planning application 17/01668/OUT that had been granted outline planning permission on 20 December 2019 following consideration in April 2019 by the Planning Committee.

Following on from that, the current planning application was for the approval of reserved matters, for a parcel of land. The proposed number of dwellings and parking spaces was detailed in paragraph 1.2 on page 58 of the agenda. The woodland area of the site was protected by a Tree Preservation Order (TPO) so would be partly retained along with play areas and public open spaces forming around 32% of the site area.

The style of the houses was outlined in paragraph 1.5 on page 59 of the agenda. Reserved matters included the appearance of the house types proposed and the designs were not aiming to mimic the houses in the surrounding area and the appearance corresponded positively to the National Design Guidance. It would also provide opportunities for ecological enhancement.

The layout proposed responded positively to the Council's own design guidance as well national guidance. The proposal complied with the outline permission granted in April 2019.

There was one suggested change to condition 2 on page 89 of the agenda where after the wording, 'Prior to the commencement of the development', the following would be inserted, 'excluding preliminary works as defined on page 4 of the outline planning condition on 17/01668/OUT' which would enable preliminary works such as site investigations to be undertaken as long as it was consistent with the planning conditions that had been outlined on 17/01668/OUT. The application was recommended for approval subject to conditions.

The Chair opened the item up for questions to the Committee.

Referring to the proposed 61 dwellings, Councillor Rice sought clarification on the number of affordable units. He also asked if the proposed 94 parking spaces met with council standards.

Referring back to the debate that took place on planning application 17/01668/OUT, Matthew Gallagher reminded Committee that the outline permission approved at Committee had secured a minimum of 10% affordable units and, subject to viability reviews, could provide up to 35%. There had been discussions regarding the affordable homes nomination which had been resolved during the discussion of planning application 17/01668/OUT back in

April 2019 and the Applicant was required to follow the obligations set within the s106 agreement for the outline planning application permission.

Moving on to Councillor Rice's query on car parking spaces, Matthew Gallagher clarified that parking spaces had been assessed against the 2012 council draft standards for car parking spaces. The assessment had taken into consideration that the proposed dwellings would be within walking distance of the Purfleet train station and would be close to the future town centre. Page 84 of the agenda set out the provision of the 94 proposed parking spaces and paragraph 6.69 highlighted this. The parking spaces were within the suggested Council standards.

Julian Howes, Senior Highway Engineer, confirmed that the proposed dwellings had good accessibility to the train station and was within the range of parking spaces required within Council standards.

Regarding the maps and plans of the proposal, Steve Taylor noted that some of the proposed dwellings did not appear to have rear gardens as part of the design. Matthew Gallagher confirmed this was the case and that from page 73 of the agenda onwards, this was explained within the layout of the proposal. The National Design Guidance advised that the quality and utility of space were to be considered and following that, some proposed dwellings would not have a conventional rear garden but instead would have access to a private roof terrace or balcony. In addition, the site had convenient accessibility to the surrounding open spaces comprising of 32% of the site area. The focus was more on the quality of space rather than the size and this was acceptable following application of relevant guidance.

Steve Taylor noted the design of the mews style type of houses to be fine but commented that the proposed dwellings along London Road did not have gardens. Matthew Gallagher explained that there were ground level issues on London Road and the proposed dwellings there would have private terraces instead of rear gardens and would not be overlooked.

Councillor Byrne noted that page 62 of the agenda stated that the site was within a high flood risk zone and sought clarification on this. Matthew Gallagher confirmed that the high flood risk issue had been considered back in April 2019 when the original planning application 17/01668/OUT had been considered at Committee. This application had been through the sequential and exception tests and flood risk was not an issue when considering reserved matters.

Referring to Matthew Gallagher's comment on replanting of trees during the report's introduction, Councillor Churchman questioned whether the trees would be saplings or mature trees. Highlight paragraph 6.15 of the report, Matthew Gallagher answered that the trees would be of standard and a heavy standard with reasonable height on planting and not saplings.

The Chair sought more clarification on the number of affordable units being between 10% to 35% and when it would be known for certain the accurate

percentage available. Referring back to the debate of 17/01668/OUT in April 2019, Matthew Gallagher explained that National Planning Policy Guidance had introduced a minimum target of 10% of affordable units to be made available which was secured at the time of planning application 17/01668/OUT. This had been through the viability proposal and the Applicant was prepared to accept a lower return. At the early stages of the Purfleet Centre redevelopment, it may not be possible to achieve in excess of the 10% minimum but may eventually achieve a higher level of affordable housing provision subject to viability. Potentially, it would take time for viability to improve as a result of development costs but the early phases would provide a 10% minimum.

The Chair questioned why a one way traffic flow system was in place on Caspian Way. Matthew Gallagher explained that the proposal was to make a connection to Caspian Way to enable a southbound traffic flow but not northbound for cars. However, two way pedestrian and cycle movements would be possible. Adding to this, Julian Howes said that there was no highway reason but it would enable better accessibility and to avoid traffic wraparound from one development to another.

Noting the report highlighted the site as low density, the Chair questioned how this conclusion had been reached. He went on to say that parking was important and for homes to have its own rear garden and thought that it would be unusual in Thurrock for homes to not have a rear garden. He questioned whether the site would increase in density over time. Referring to page 58 of the agenda, Matthew Gallagher explained that the number of dwellings were divided per hectare of the site which gave a figure of 26 dwellings per hectare. Compared to the pre NPPF PPG (Housing), this was considered low density. He went on to remind Committee that the residential density parameter had been considered and approved by committee in planning application 17/01668/OUT back in April 2019.

Matthew Gallagher reiterated his point on the rear gardens and the private terrace/balcony design. He went on to say that the internal floor space of each proposed dwelling exceeded the nationally described standard and was a comfortable size.

Steve Taylor sought clarification on whether the entire site, including retained open spaces and woodland areas, was taken into the calculation of density. He thought these should not be considered as it was not proposed to be built on or could be built on due to tree preservation orders. Matthew Gallagher confirmed that the entire site was taken into the calculation and that it did not take into consideration factors such as retained open spaces or areas with tree preservation orders.

On parking spaces, Councillor Rice said that 61 proposed dwellings with a proposed 94 parking spaces would equal to 1.5 car park spaces per dwelling. He did not feel this was adequate as a household could have more than one car and that the reality was that people used their cars, not the buses or train. He stated that the parking spaces was insufficient per dwelling which would

cause issues in the long run and needed to be addressed as cars would end up parking around the development and ruin its appearance. He felt that the application should be deferred to enable a reconsideration of the parking spaces proposed.

Matthew Gallagher explained that the proposed parking spaces was within the range of the council's draft standards for parking provisions from 2012. He went on to say that Purfleet was within a controlled parking zone so there would be restrictions on where cars could park. The Applicant and Highways department were aiming to promote sustainable methods of transport and travel plans were highlighted within the section 106 agreement that was within the outlined planning permission granted on 17/01668/OUT. The Applicant had formulated the proposal to be within the range of the parking provisions outlined. The majority of roads within the development would not be adopted and were subject to estate management.

Councillor Chukwu agreed with Councillor Rice that car parking was an issue within the proposal and should be looked at before approval could be given.

Councillor Lawrence questioned which areas within the proposal would be privately managed. In response, Julian Howes said that from an initial consultation, the road that would be adopted would be only the main road into the development from London Road (Orchard Road). There were no plans for other roads to be adopted.

The Chair opened the item up to the Committee for debate which he started off by reminding the Committee that Ward Councillors had been supportive of the Purfleet Regeneration Scheme which was seen to be positive. He noted that the application proposed 61 dwellings in zone 1 out of an eventual 2,850 dwellings within the project.

Continuing on, the Chair said the number of parking spaces available somewhat concerned him but thought that people would be aware of the number of spaces available when buying these types of dwellings. This would be the same for the dwellings without a rear garden. He went on to say that he was pleased to see that the woodland area of the site would be retained as this had been a condition outlined in planning application 17/01668/OUT back in April 2019. He stated that he would be voting for approval of the application and against a deferral.

The Vice-Chair felt that the density of the site proposal and the number of parking spaces available was an issue to be reconsidered. Regarding density, he felt that it was unfair how density was calculated and on parking, he thought there was an optimism on how people travelled around. He pointed out that the train station was ideal for commuting purposes but not for a weekly shop. The issue was that enforcement of parking issues would only move cars to park elsewhere thus causing an issue elsewhere. He stated that he would support a deferral to ask officers to clarify how parking will be managed.

Although the scheme and layout of the proposal was good, Councillor Rice commented that the earlier application of 19/01331/FUL had been refused on the grounds of heavy density and lack of parking provisions available. He went on to say that the application should be deferred so that officers and the Applicant could reconsider the number of parking spaces proposed. With the 94 currently proposed, it could potentially mean cars parking around the development and end up spoiling the appearance of the area.

Councillor Byrne announced that he was in agreement with the Chair and went on to say that Purfleet residents and the council was positive of the Purfleet Regeneration Scheme. He would be against a deferral of the application.

Councillor Lawrence acknowledged both sides of the debate but stated that she would consider the application, as well future applications linked to the Purfleet Regeneration Scheme, on their own merits. She agreed that people buying the proposed dwellings would be aware of the parking provisions available with the dwelling.

Councillor Rice proposed that the application be deferred for the reasons stated as before and the Vice-Chair seconded this. The Committee went to the vote.

For: (3) Councillors Mike Fletcher (Vice-Chair), Gerard Rice and Daniel Chukwu.

Against: (6) Councillors Tom Kelly (Chair), Gary Byrne, Colin Churchman, Angela Lawrence, David Potter and Sue Sammons.

Abstained: (0)

The proposed motion for the application to be deferred was rejected.

The Officer's recommendation to approve the reserved matters subject to conditions and the amendment to condition 2, was proposed by the Chair with Councillor Byrne seconding it. The Committee went on to the vote.

For: (6) Councillors Tom Kelly (Chair), Gary Byrne, Colin Churchman, Angela Lawrence, David Potter and Sue Sammons.

Against: (3) Councillors Mike Fletcher (Vice-Chair), Gerard Rice and Daniel Chukwu.

Abstained: (0)

Planning application 18/00313/REM was approved subject to conditions.

The meeting finished at 7.24 pm

Approved as a true and correct record

CHAIR

DATE

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

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13 February 2020	ITEM: 6
Planning Committee	
Planning Appeals	
Wards and communities affected: All	Key Decision: N/A
Report of: Jonathan Keen, Interim Strategic Lead, Development Services	
Accountable Assistant Director: Leigh Nicholson, Interim Assistant Director, Planning, Transport and Public Protection.	
Accountable Director: Andrew Millard, Director, Place	

Executive Summary

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

1. Recommendation(s)

1.1 To note the report.

2. Introduction and Background

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

3. Appeals Lodged:

3.1 Application No: 19/01117/FUL

Location: 13 Crouch Road, Chadwell St Mary

Proposal: Erection of 6 bedroom house of multiple occupation on land adjacent to 13 Crouch Road with associated hardstanding

3.2 Application No: 19/00983/HHA

Location: 36 Rookery View, Grays

Proposal: Part single storey rear extension with roof lantern, first floor part rear and part side extension with roof alterations

with the addition of one roof light, Juliet balcony and front porch

3.3 Application No: 19/01180/FUL

Location: 17 College Avenue, Grays

Proposal: Full planning application for erection of a detached dwelling (Class C3), with associated access, parking and landscaping

3.4 Application No: 18/00649/FUL

Location: Water Tower, Kirkham Road, Horndon On The Hill

Proposal: Conversion of redundant water tower to residential dwelling, with part two/part single storey rear and side extension and associated hardstanding (resubmission of 16/00399/FUL Conversion of redundant water tower to residential dwelling)

3.5 Application No: 19/00379/FUL

Location: Montrose, 168 Branksome Avenue, Stanford Le Hope

Proposal: Demolition of the existing bungalow and the construction of 5 new dwellings with associated access road, hardstanding, landscaping and two vehicular access points (resubmission of 18/00316/FUL Demolition of the existing bungalow and the construction of 7 new dwellings)

4. Appeals Decisions:

The following appeal decisions have been received:

4.1 Application No: 19/00528/HHA

Location: The Olives, Rectory Road, Orsett

Proposal: Single storey rear extension and first floor side extension above the existing single storey side extension.

Decision: Appeal Dismissed

4.1.1 The Inspector considered the main issue is the effect the development would have on the character and appearance of the Orsett Conservation Area and on the setting of the nearby listed buildings.

- 4.1.2 It was considered that the proposed first floor extension and the introduction of a hipped roof over the existing garage would enclose the visual gap which currently exists between the properties and increase the massing of development in close proximity to the boundary with the Stable Range.
- 4.1.3 The proposal would, therefore, fail to preserve or enhance the setting, and thereby the significance of, the designated heritage assets of the Grade II Listed Buildings, The Larches and the Stable Range. It would also harm the setting of the Conservation Area and would not accord with the policies which seek to conserve and enhance the historic environment.
- 4.1.4 Accordingly the appeal was dismissed as it would have been contrary to policies PMD2, PMD4, CSTP22, CSTP23 and CSTP24 of the Core Strategy 2015.
- 4.1.5 The full appeal decision can be found online.

4.2 Application No: 19/00891/HHA

Location: 53 Catharine Close, Chafford Hundred, Grays

Proposal: Loft conversion with rear dormer, three front roof lights and side window

Decision: Appeal Allowed

- 4.2.1 The Inspector considered the main issue to be the effect of the proposed development on the character and appearance of the area.
- 4.2.2 The proposed rear dormer would be sited centrally within the roof slope and would be inset from each end of the roof, set below the ridge of the main roof and would face onto the rear garden of the property and views beyond to the Arterial Road North, which the Inspector considered would reasonably remain in place in perpetuity.
- 4.2.3 The Inspector considered that the rear roof slope should be considered as a rear roof slope that is not visible from a public space, and that the development would accord with the requirements of the RAE and its size and scale would not be overly dominant or overbearing. Furthermore, while the surrounding area is not characterised by dormer windows, it was not considered that the proposed dormer would be unacceptable and it was considered that the development would be subservient and in keeping with the character and appearance of the existing dwelling.
- 4.2.4 Accordingly, the development complied with the Core Strategy and the NPPF and the appeal was allowed, subject to conditions.
- 4.2.5 The full appeal decision can be found online.

4.3 Application No: 19/00164/FUL

Location: Land Adjacent Groves Barns And To The East Of North Road, South Ockendon

Proposal: Demolition of existing buildings and removal of existing hardstanding and redevelopment of site, including new access road, 9 dwellings with private car parking facilities 2 no. visitor car parking spaces to the north, 12no. visitor car parking spaces for the recreational fishing lakes that are currently under construction and new refuse storage facilities.

Decision: Appeal Dismissed

- 4.3.1 The Inspector considered the main issues to be whether the proposal constituted inappropriate development along with the impact of the development on the openness character of the Green Belt. The effects of surface water run from the site was also considered a main issue by the Inspector.
- 4.3.2 The proposal included redevelopment of the site of the buildings which served the former quarry. In considering the evidence, the Inspector held that the proposed housing would cover a greater area than that of the original buildings and areas of hardstanding. As a result, he concluded the proposal would not fall within the NPPF's exceptions to inappropriate development found in 145 of the Framework.
- 4.3.3 The Inspector noted the buildings at the former quarry have almost been completely demolished with limited walls remaining and areas of hardstanding had already been broken up. In the context of preserving openness character of Green Belt sites, the Inspector further commented that the proposals would be more intrusive than the existing buildings and would cover a large part of the site.
- 4.3.4 By adopting the approach from the NPPF and the Council's Local Plan Policy PMD6, the Inspector concluded that the proposals would result in harm by reason of inappropriateness and harm to openness contrary to policies OSDP1, CSSP4 and PMD6 of the Core Strategy 2015.
- 4.3.5 The Inspector also held that it was unclear how the proposed sustainable urban drainage system (SuDS) could reduce the risk of surface water flooding. In light of this, it was deemed insufficient information had been supplied and it would be difficult to determine the extent of flood water run off resulting from the proposals.
- 4.3.6 The appeal application was deemed inappropriate development in the Green Belt and harmful by definition. The appellant had put forward very special

circumstances to justify inappropriate development but the Inspector afforded limited weight to these factors. Accordingly the appeal was dismissed for matters of principle and detail.

4.3.7 The full appeal decision can be found online.

4.4 Application No: 19/00701/HHA

Location: 20 Furness Close, Chadwell St Mary

Proposal: Single storey front extension

Decision: Appeal Allowed

4.4.1 The main issue in this appeal was the effect of the development on the character of the area.

4.4.2 It was considered by the Inspector that while the appeal site formed a row of terraces that did not contain a front extension similar to the proposed, there are numerous extensions in the area. It was therefore considered that the appeal site does not form part of a strongly defined building line that is an important characteristic of the street.

4.4.3 It was concluded that the development would have an acceptable impact on the character and appearance of the area. The development would be in accordance with policies PMD2 and CSTP22 of the Core Strategy and guidance within the RAE.

4.4.4 The appeal was allowed subject to conditions

4.4.5 The full appeal decision can be found online.

4.5 Application No: 19/01190/HHA

Location: 12 San Marcos Drive, Chafford Hundred, Grays

Proposal: Retrospective application for single storey side extension

Decision: Appeal Dismissed

4.5.1 The main issue in this appeal was the effect of the development on the character and appearance of the area.

4.5.2 It was considered by the Inspector that while there is a variety in the style and size of properties that are constructed using varying materials, within the area there is still a degree of uniformity. While it was noted by the Inspector that properties within the area benefit from garages, they are set back from the principal elevation.

4.5.3 It was accepted by the Inspector that while there is a range of materials within the vicinity, the development fails to take cues from these, along with its flat roof and positioning the garage is an awkward and somewhat discordant form of development that is in stark contrast to the established character of the area. The forward projection of the development also added to its prominence within the street scene. Therefore, it was concluded that the development resulted in material harm to the character and appearance of the area, in conflict with Policies CSTP22 and PMD2. Accordingly the appeal was dismissed

4.5.4 The full appeal decision can be found online.

4.6 **Application No: 19/00603/HHA**

Location: Windy Corner, Kirkham Road, Horndon On The Hill

Proposal: Two storey side extension with front dormer and two rear roof lights

Decision: Appeal Dismissed

4.6.1 The main issues under consideration in this appeal were the effect of the proposal to the Green Belt and to the character and appearance of the dwelling and the wider area.

4.6.2 The Inspector considered the scale and design of the side extension and dormers would not be unduly dominant and disproportionate to the host dwelling, given its existing scale and form. Nonetheless, the Inspector did not consider that the very special circumstances necessary to justify the development in the Green Belt exist.

4.6.3 Accordingly the appeal was dismissed for being contrary to policy PMD6 of the Core Strategy and the NPPF.

4.6.4 The full appeal decision can be found online.

4.7 **Application No: 19/01094/FUL**

Location: Land to Rear Of 14 Corringham Road, Stanford Le Hope

Proposal: Demolition of existing garage and erection of three storey residential building providing 2 no. 2 bedroom residential units with undercroft parking

Decision: Appeal Dismissed

4.7.1 There were a number of issues under consideration in this appeal, with the effect of the proposal on: the character and appearance of the area; the living conditions of the future occupiers of the proposed flats; the living conditions of

the occupiers of neighbouring properties at Nos 3-5 Salisbury Avenue, with particular regard to outlook and whether the proposed parking layout would provide sufficient manoeuvring area for vehicles using the parking spaces.

4.7.2 The Inspector concluded that the proposed development would be harmful to the character and appearance of the area, would be harmful to the living conditions of the future occupiers of the proposed flats and would be harmful to the living conditions of the occupiers of Nos 3 & 5 Salisbury Avenue. Additionally, the proposed parking layout would not provide sufficient manoeuvring area for vehicles using the parking spaces.

4.7.3 Accordingly the appeal was dismissed for being contrary to Policies PMD1, PMD2, PMD8 and CSTP22 of the Core Strategy and contrary to paragraph 127 and Chapter 12 of the NPPF.

4.7.4 The full appeal decision can be found online.

5. APPEAL PERFORMANCE:

5.1 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	3	7	3	1	14	5	3	5	9	8			58
No Allowed	1	0	0	0	3	0	2	1	3	3			13
% Allowed	33.33%	0%	0%	0%	21.4%	0%	66.66%	20%	33.33%	37.50%			22.41%

6. Consultation (including overview and scrutiny, if applicable)

N/A

7. Impact on corporate policies, priorities, performance and community impact

7.1 This report is for information only.

8. Implications

8.1 Financial

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

There are no direct financial implications to this report.

8.2 Legal

Implications verified by: **Tim Hallam**
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').

8.3 Diversity and Equality

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

There are no direct diversity implications to this report.

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

None.

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

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

10. Appendices to the report

- None

Report Author:

Jonathan Keen
Strategic Lead, Development Services
Place

Reference: 18/00551/FUL	Site: Land Adjacent Curling Lane Helleborine And Meesons Lane Grays Essex
Ward: Grays Riverside	Proposal: Construction of 8 no. two bedroom semi-detached dwellings with associated access, car parking and amenity areas.

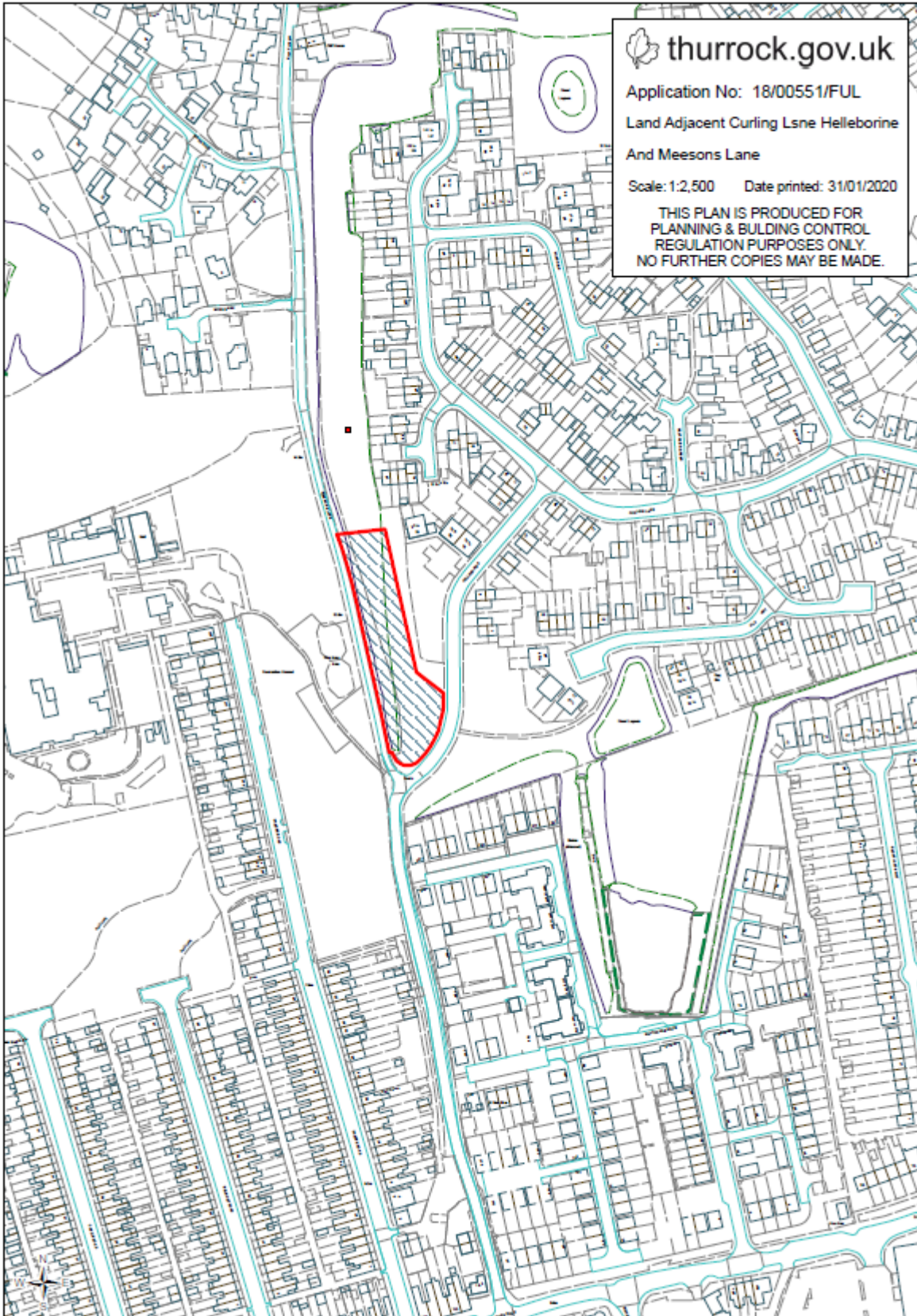
Plan Number(s):		
Reference	Name	Received
002E	Floor Layout	3rd December 2018
003C	Site Layout	3rd December 2018
200D	Sections	3rd December 2018
201C	Sections	3rd December 2018
(No Nos.)	Location Plan	20th April 2018
003	Proposed Plans	20th April 2018
Meesons Lane DAS	Meesons Lane Design & Access Statement	23rd November 2018
001J	Site Layout	23rd November 2018
0001K	Parking Block Plan	31st October 2019

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> - Design and Access Statement (Nov 2018) - Structural Statement by JNP Group Consulting Engineers (18 December 2018) - Transport Statement by Milestone Transport Planning (March 2018) - Conceptual Drainage Strategy (ref. M42800 RP-C-1001) by JNP Group Consulting Engineers (February 2019) - Ecological Report (re. 183031) - A A Environmental Ltd (April 2018) - Tree survey, Arboricultural impact assessment and tree protection plan (ref. J13) by Robert Toll and Dr Martin Dobson (28 March 2018) - Borehole Soakaway Infiltration Testing by JNP Group Consulting Engineers (26
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March 2019)	
Applicant: (Mr Rehan Khodabuccus) On behalf of: Zed Pods Ltd	Validated: 18 April 2018 Date of expiry: 17 February 2020 (Extension of Time agreed with Applicant)
Recommendation: Approve, subject to conditions.	

1.0 UPDATE FOR PLANNING COMMITTEE

- 1.1 This application was withdrawn from the agenda for the 9th January 2020 Planning Committee at the applicant's request in order that discussions could take place between the Council, the applicant and the Essex Badger Protection Group regarding to the existence of badgers on the application site.
- 1.2 On 27th January 2020 Council officers met with the applicant and representatives from the Essex Badger Protection Group to discuss the matter. The meeting included a joint site visit whereby evidence of badger activity on the site was investigated by both the Council's Ecology Advisor, the applicant's Ecology Consultant and the Essex Badger Protection Group. It was confirmed by all present that there was no evidence of badgers living anywhere on the application site. This position reflects the findings of both the Council's Ecology Advisor and those of the applicant in the previous surveys carried out in 2018.
- 1.3 The Essex Badger Protection Group advised that it had no objections to the proposal in relation to badgers, subject to appropriate conditions attached to any subsequent planning approval.
- 1.4 An appropriate planning condition ensuring the agreement of a Biodiversity Management Plan has been included in the recommendation for Members.
- 1.5 A copy of the previous report is attached as Appendix 1.



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Planning Committee: 09.01.2020	Application Reference: 18/00551/FUL
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Reference: 18/00551/FUL	Site: Land Adjacent Curling Lane Helleborine And Meesons Lane Grays Essex
Ward: Grays Riverside	Proposal: Construction of 8 no. two bedroom semi-detached dwellings with associated access, car parking and amenity areas.

Plan Number(s):		
Reference	Name	Received
002E	Floor Layout	3rd December 2018
003C	Site Layout	3rd December 2018
200D	Sections	3rd December 2018
201C	Sections	3rd December 2018
(No Nos.)	Location Plan	20th April 2018
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The application is also accompanied by:	
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Applicant: (Mr Rehan Khodabuccus)	Validated: 18 April 2018

On behalf of: Zed Pods Ltd	Date of expiry: 13 January 2020 (Extension of Time agreed with Applicant)
Recommendation: Approve, subject to conditions.	

1.0 DESCRIPTION OF PROPOSAL

1.1 The key elements of the proposals are set out in the table below:

Site Area (Gross)	0.245 Ha						
Height							
Units (All)	Type (ALL)	1-bed	2-bed	3-bed	4-bed	5-bed	TOTAL
	Houses		8				
	Flats						
	TOTAL		8				8
Affordable Units	Type (ALL)	1-bed	2-bed	3-bed	TOTAL		
	Houses						
	Flats						
	TOTAL				0		
Car parking	Flats: Houses: 17 spaces, including 1 disabled accessible space Total allocated: 1.5 to 2 spaces (Average of per unit) Total Visitor: 0.25 spaces (Average per unit) Total: 17 spaces						
Amenity Space	Minimum 33.7 sq.m Average 57.2 sq.m Maximum 91.8 sq.m						
Density	33 units per Ha for the whole site						

1.2 This application seeks permission for the development of the site for 8 x 2 bedroom dwellings comprising four semi-detached pairs, with car parking beneath. The dwellings would be built to reflect the contours of the land. To the western side of the site, where it adjoins Meesons Lane, the dwellings would appear as two storey and to the eastern side they would appear three storey.

1.3 Pedestrian access to the dwellings would be from above the car parking level and all vehicular access would be via Helleborine.

2.0 SITE DESCRIPTION

- 2.1 The site measures 0.25 Ha and is narrow and broadly rectangular in shape. It sits at the junction of Meesons Lane and Helleborine, with vehicular access from Helleborine only. Pedestrian and cycle access connections are available via the junction between Helleborine and Meesons Lane.
- 2.2 Ground levels slope steeply east to west from Meesons Lane towards Helleborine with the northernmost part of the site featuring the steepest gradient. The site comprises trees and vegetation principally along the western, northern and eastern boundaries with the remainder of the site grassed. Meesons Lane is situated to the immediate west of the application site with the recreation ground beyond. Helleborine borders to the immediate east. Residential properties on Helleborine are located to the immediate north and north east as is the Badgers Dene estate. The continuation of Meesons Lane and the recently developed Persimmon Homes site is situated to the south.
- 2.3 The site is located outside of a high risk flood zone.

3.0 RELEVANT PLANNING HISTORY

- 3.1 None.

4.0 CONSULTATIONS AND REPRESENTATIONS

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

At the time of writing the following have been received:

- a petition signed by 217 residents objecting to the proposal;
- Letters from the 3 Ward Councillors objecting to the proposals;
- A total of 93 letters have been received in objection to the application (24 of which are repeat objection letters from neighbours in response to revised plans) on the following grounds:
 - Access to Site
 - Additional Traffic
 - Loss of Wildlife and Green Space

- Loss of Amenity
- Materials to be used for the new dwellings would be unacceptable
- Out of Character
- Overlooking of properties
- Structural concerns relating to Meesons Lane

4.3 ANGLIAN WATER

No objection, subject to condition and informative.

4.4 EDUCATION

No education contribution is required

4.5 ENVIRONMENTAL HEALTH

No objection, subject to conditions.

4.6 FLOOD RISK ADVISOR

No objection, subject to conditions.

4.7 HIGHWAYS

No objection, subject to conditions.

4.8 HSE

No objection.

4.9 LANDSCAPE AND ECOLOGY ADVISOR

No objection, subject to conditions.

5.0 POLICY CONTEXT

National Planning Guidance

- 5.1 The NPPF was published on 27 March 2012 and amended on 24 July 2018 and again on 19 February 2019. Paragraph 10 of the Framework sets out a presumption in favour of sustainable development. Paragraph 11 of the Framework expresses a presumption in favour of sustainable development. This paragraph goes on to state that for decision taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date⁷, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

⁶ The policies referred to are those in this Framework relating to: habitats sites and/or SSSIs, land designated as Green Belt, Local Green Space, AONBs, National Parks, Heritage Coast, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change.

⁷ This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

Paragraph 2 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 and that the Framework is a material consideration in planning decisions. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

1. Achieving sustainable development;
5. Delivering a sufficient supply of homes;
9. Promoting sustainable transport;
11. Making effective use of land;
12. Achieving well-designed places; and
14. Meeting the challenge of climate change, flooding and coastal change.

Planning Practice Guidance

5.2 In March 2014 the former 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 number of 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;
- Effective use of land;
- Flood risk and coastal change;

- Noise;
- Travel Plans, Transport Assessments and Statements; and
- Use of planning conditions

5.3 Local Planning Policy

Thurrock Local Development Framework

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011 and amended in 2015. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- CSSP1 (Sustainable Housing and Locations)

Thematic Policies:

- CSTP1 (Strategic Housing Provision)
- CSTP2 (The Provision Of Affordable Housing)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)
- CSTP25 (Addressing Climate Change)
- CSTP26 (Renewable or Low-Carbon Energy Generation)
- CSTP27 (Management and Reduction of Flood Risk)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD8 (Parking Standards)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation)
- PMD14 (Carbon Neutral Development)

Thurrock Local Plan

5.4 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. In December 2018 the Council consulted on an Issues and Options (Stage 2 Spatial Options and Sites) document.

Thurrock Design Strategy

5.5 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 material considerations for this application are as follows:

- I. Principle of the development
- II. Design and Layout
- III. Landscaping and Ecology
- IV. Amenity Space
- V. Traffic Impact, Access and Car Parking
- VI. Flood Risk and Drainage
- VII. Effect on Neighbouring Properties
- VIII. Other Matters

I. PRINCIPLE OF THE DEVELOPMENT

6.2 The site is located in a residential area of Grays on the fringes of the Badgers Dene estate. The site currently forms an open area with landscaping on its boundaries with Meesons Lane. There are no in-principle land use objections to the proposals.

II. DESIGN AND LAYOUT

6.3 The dwellings would be regularly spaced facing east towards Helleborine, with vehicular access also from Helleborine. Access would comprise two points at the southern end of the site. Within the development a spine road would run north to south featuring a turning head at the northern end of the site.

6.4 It is recognised that this end of Helleborine is currently used as a drop-off by parents with children at the nearby Belmont Academy School. The scheme would provide an in-out access which would improve turning facilities at the end of Helleborine.

6.5 The proposal has been designed to work with the contours of the land with the built form over three levels featuring parking to the ground floor with the dwellings above. Pedestrian access would be via entrances on the first floor and all the properties would face Helleborine as their principal elevation.

- 6.6 The applicant refers to the proposals as “Maisonette Pods” which would be carbon-free units, built on top of a steel or concrete base. Placing the maisonettes on top of the platform would allow the floor level of the units be level with the back gardens which back onto Meesons Lane. This approach would help maintain the existing levels to form the back gardens, minimising the impact on Meesons Lane.
- 6.7 The proposed units would be designed with current modular building construction technology. The units would be constructed using a cement board cladding finish, with triple glazed windows and a PV solar panelled roof. The layout of the units would minimise any overshadowing of the electricity generating solar roofing panels, or overlooking of adjacent neighbouring gardens or windows. The proposals have been designed specifically to deliver a low/zero energy, zero carbon development
- 6.8 The Design & Access Statement and information accompanying the application provides a thorough understanding of the context of the site and the physical constraints influencing the opportunities for development of the site.
- 6.9 The proposed dwellings would have pitched roofs and windows of a traditional form. However, given the technology used to ensure the development would be sustainable and carbon-neutral, the external materials and form of the pairs would have a modern appearance. Given the mixed character of the area the proposed design is considered to be acceptable.
- 6.10 Letters have been received objecting to the development of the site on the grounds that the proposals would be out of character with surrounding residential development. The proposed layout would feature semi-detached dwellings reflecting the variety of semi-detached, detached and short terraced dwellings which make up the immediate character of housing locally.
- 6.11 It is acknowledged that the materials would be different, however, the proposals make an efficient use of land and the plans submitted show that the number of units can be accommodated on the site in an acceptable form. While it is recognised that the design of the properties would be different from the established properties in the immediate location, this is not considered to warrant a recommendation of refusal.
- 6.12 Accordingly the proposal is considered to satisfy the relevant criteria of Policies PMD1, PMD2 and CSTP22 of the Core Strategy.

III. LANDSCAPING AND ECOLOGY

- 6.13 The site does not form part of any area designated for nature conservation interest on either a statutory or non-statutory basis. An ecological survey has been provided which concludes that the site is generally of low ecological value. A follow up survey has found no evidence of badgers using the site.
- 6.14 The Council’s Landscape and Ecology Advisor agrees with the findings of the ecological surveys and has also found no evidence of current use by badgers. The Landscape and Ecology Advisor also agrees with the ecological surveys submitted that the existing trees do not contain features that would make them suitable for roosting bats. Features such as bird and bat boxes should be integrated into the new

buildings and an appropriate condition has been included. The Council is satisfied that the development would not adversely affect any protected species.

- 6.15 An Arboricultural Impact Assessment of the trees on and around the site has been provided which confirms that the belt of trees on the eastern side of the site would be retained, which is welcomed. The Landscape and Ecology Advisor has recommended that any changes in levels to facilitate the construction of the access road will need to consider the root protection area of the trees on Meesons Lane. The Landscape and Ecology Advisor has also recommended that a condition should be included seeking the replacement of an Elm hedge to the Meesons Lane side which should consist of a suitable 'instant hedge' comprising native species that will have ecological value and deliver immediate screening.
- 6.16 Subject to the conditions proposed, it is concluded that the impacts of the proposals on landscape, ecology and biodiversity interests are acceptable.

IV. AMENITY SPACE

- 6.17 Each of the dwellings would provide 79sqm of floor area, which would be considered an acceptable amount of internal space.
- 6.18 Each dwelling would have its own private amenity area backing on to Meesons Lane. Due to the nature of the site, the amount of private amenity space per dwelling would vary between the lowest at 33.7sqm to the greatest at 91.8sqm with the average of 57.2 sq.m per dwelling.
- 6.19 Council policy requires a private amenity space provision of 75 sq.m per dwelling (based on the size of the units) and some of the units would be below the 75sq.m. recommended minimum. However, the immediate context of the site should be considered and the location of the recreation ground opposite the site to the immediate west is relevant. It is not considered that a recommendation to refuse the application on the basis of a shortfall in private amenity space in this instance would be sustainable at appeal.

V. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.20 The proposed access arrangements, level of car parking provision and cycle storage proposed all comply with Council policy. The Council's Highways Officer raises no objection to the principle of the development on this site subject to conditions. Accordingly, subject to conditions, the proposal is considered to comply with Policies PMD8, PMD9, and PMD10.

VI. FLOOD RISK AND DRAINAGE

- 6.21 The site is not located in a high flood risk zone. The response from the Flood Risk Manager raises no objection subject to conditions relating to the Surface Water Drainage Strategy submitted.
- 6.22 Accordingly, subject to conditions, the proposal is considered to comply with Policies CSTP25 and CSTP27.

VII. EFFECT ON NEIGHBOURING PROPERTIES

- 6.23 The closest neighbouring dwellings to the proposed development are those located at the most southerly end of Helleborine at no's 1 to 5 and 15 to 26 (inclusive). Whilst the proposal could be viewed from these neighbouring properties, it is considered none of these neighbours would suffer from any significant loss of privacy, light or amenity as a result of the development due to the separation distance between principal windows and the orientation of the dwellings.
- 6.24 Accordingly, subject to conditions, the proposal is considered to comply with Policy PMD1.

VIII. OTHER MATTERS

- 6.25 Several neighbour letters have objected on the basis of concern regarding potential structural impact of the proposal upon Meesons Lane, which is an unadopted road. The applicant has carried out its own structural surveys and provided a further Structural Statement which demonstrates that there would be no adverse structural impacts upon Meesons Lane.
- 6.26 The Council's Environmental Health Officer has raised no objections subject to conditions relating to hours of construction, the control and suppression of dust during construction and that construction activities should be carried out using best practice with reference to BS 5228 (Control of noise from construction sites) to minimise the effect of construction on local residents.
- 6.27 Accordingly, subject to conditions, the proposal is considered to comply with Policy PMD1.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 This application seeks full planning permission for the residential development of the site. The site lies within a residential area and lies within the Badger Dene estate. Accordingly, the principle of the development is sound.
- 7.2 The proposed layout and all matters of detail would be acceptable to create a suitable modern development. Other matters such as surface water drainage, ecology and technical access details can be dealt with by appropriate conditions. The strong energy credentials of the scheme add further weight to the support for the scheme.

8.0 RECOMMENDATION

- 8.1 Approve, subject to the following planning conditions

Time Limit

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

Reason: To comply with Section 91(1) of The Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

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

Plan Number(s):		
Reference	Name	Received
002E	Floor Layout	3rd December 2018
003C	Site Layout	3rd December 2018
200D	Sections	3rd December 2018
201C	Sections	3rd December 2018
(No Nos.)	Location Plan	20th April 2018
003	Proposed Plans	20th April 2018
Meesons Lane DAS	Meesons Lane Design and Access Statement	23rd November 2018
001J	Site Layout	23rd November 2018
0001K	Parking Block Plan	31st October 2019

Reason: For the avoidance of doubt and to ensure the development accords with the approved plans with regard to policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Materials

- 3 No development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority. For the avoidance of doubt this should include grey window as shown on page 34 of the submitted Design & Access Statement.

Reason: In the interests of visual amenity & to ensure that the proposed development is satisfactorily integrated with its surroundings, in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Landscaping and Trees

- 4 No development above ground level shall take place until there has been submitted to and approved in writing by the local planning authority, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development in accordance with an Arboricultural Method Statement and a programme of maintenance. All planting, seeding or turving comprised in the approved scheme shall have regard to the biodiversity plan to be submitted for approval under condition 6, and shall be carried out in the first planting and seeding season following commencement of the development [or such other period as may be agreed in writing by the local planning authority] and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure the proposed development is satisfactorily integrated into its surroundings & provides for landscaping as required by Policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Landscape Protection - Fencing

- 5 All trees, shrubs and hedgerows 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 works on the site. No materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside this fencing; no changes in ground level may be made or underground services installed within the spread of any tree or shrub [including hedges] without the previous written consent of the local planning authority.

Reason: To ensure the proposed development is satisfactorily integrated into its surroundings & provides for tree & hedgerow retention/ landscaping as required by Policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Landscape protection – Hand dug excavations

- 6 Any excavations which are necessary within the canopy spread of the retained trees shall be undertaken by hand and no power tools or machinery shall be used unless otherwise agreed by the local planning authority. If any roots are exposed they should be covered with damp sacking which should remain in place until the roots are

permanently re-covered. All roots greater than 25 mm diameter should be retained and worked around. Care shall be taken to minimise damage to retained roots, including the bark around roots. Roots which are inadvertently damaged should be left without further disturbance. Roots in excess of 50 mm diameter shall not be severed without the prior written approval of the local planning authority.

Reason: To ensure the proposed development is satisfactorily integrated into its surroundings & provides for tree & hedgerow retention/ landscaping as required by Policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Biodiversity Management Plan

- 7 Prior to the commencement of development a 'Biodiversity Management Plan' shall be submitted to, and approved in writing by, the local planning authority. The Biodiversity Management Plan shall have regard to the recommendations and proposed mitigation strategy contained within the submitted Ecology Report (April 2018) by AA Environmental Limited accompanying the planning application, and shall include details of:

- I. any further survey work undertaken [including reptile and invertebrate surveys], the methodology, timing and findings of these surveys and how they have informed the measures outlined in the Biodiversity Management Plan;
- II. methodologies for translocation of protected species [where relevant];
- III. suitable receptor areas together with evidence produced by an ecologist that the receptor areas are capable of supporting the population displaced;
- IV. the methods for the protection of existing species in situ [where relevant];
- V. any seeding, planting and methods to promote habitat creation and establishment or habitat enhancement including bat and bird boxes;
- VI. general ecological mitigation applying to the timing/ program of construction works;
- VII. an assessment of the works required for management and who will undertake such works,

The Biodiversity Management Plan shall be implemented in accordance with the approved plan and timescale. Any translocation undertaken shall be verified in writing to the local planning authority by an independent qualified ecologist within 28 days of undertaking the translocation.

Reason: To ensure the proposed development makes satisfactory provision for conservation of the site's wildlife interest as required by Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Access roads, streets, footways and cycleways provision

- 8 None of the dwellings hereby permitted shall be occupied until the access road(s), street(s), footway(s) and cycleway(s) serving that dwelling have been constructed to the satisfaction of the local planning authority, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of securing a safe & accessible development in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Junction Sight Splay Details

- 9 Details of sight splays and speed reduction measures shall be provided at all proposed junctions and bends in the road such details shall be submitted to and approved to the satisfaction of the Local Planning Authority prior to commencement on site. Those sight lines thereafter maintained at all times so that no obstruction is present within such area above the level of the adjoining highway carriageway.

Reason: In the interests of securing a safe & accessible development in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Vehicle parking and turning areas

- 10 The parking, garaging and turning areas for each respective dwelling shall be provided before they are occupied, and shall thereafter be retained for the purposes of parking/ turning, and in the approved form, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway safety, efficiency and amenity and in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Vehicle access sight splays

- 11 Prior to any vehicle access serving the proposed dwellings being brought into use, clear to ground level sight splays of 1.5m x 1.5m from the back of footway shall be laid out either side of the proposed access within the site, and maintained in the approved form at all times, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of securing a safe & accessible development in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Temporary Access

- 12 Prior to commencement on site, details shall be submitted to and approved by the Local Planning Authority showing the layout, dimensions and construction specification of any temporary access to the highway.

Reason: In the interests of highway safety/to safeguard the amenities of nearby residents.

CEMP

- 13 Prior to the commencement of demolition, remediation or development, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not limited to, details of:

- (a) Hours and duration of works on site
- (b) Wheel washing and sheeting of vehicles transporting aggregates on to or off of the site
- (c) Details of construction access
- (d) Details of temporary hard standing
- (e) Details of temporary hoarding
- (f) Water management including waste water and surface water drainage
- (g) Road condition surveys before demolition and after construction is completed; with assurances that any degradation of existing surfaces will be remediated as part of the development proposals. Extents of road condition surveys to be agreed as part of this CEMP
- (h) Details of method to control wind-blown dust

All works and development shall be carried out in accordance with the approved CEMP and the measures contained therein.

Reason: To ensure construction phase does not materially affect the free-flow and safe movement of traffic on the highway; in the interest of highway efficiency, safety and amenity.

Surface Water Drainage Scheme

14 No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.

- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason: To ensure that a suitable surface water drainage strategy is agreed & implemented & flood risk interests are adequately managed in accordance with Policy CSTP27 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015]

Management of Off Site Flood Risk & Pollution – Construction Phase

15 No development shall commence until a scheme to minimise the risk to offsite flooding caused by surface water runoff and ground water during construction works, and prevent pollution, has been submitted to and approved in writing by the local planning authority. The scheme shall be subsequently implemented as approved, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that a suitable surface water drainage strategy is agreed & implemented for the construction phase & flood risk interests are adequately managed in accordance with Policy CSTP27 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Surface Water Drainage – Maintenance

16 No development shall commence until a Maintenance Plan detailing the maintenance arrangements for the site, including persons/bodies responsible for the respective elements of the surface water drainage system, including the maintenance activities and frequencies, has been submitted for approval in writing by the local planning authority. The applicant or any successor in title, should maintain yearly logs of maintenance carried out in accordance with any approved Maintenance Plan, which should be made available for inspection by the local planning authority upon its reasonable request.

Reason: To ensure that a suitable surface water drainage maintenance strategy is agreed & implemented & flood risk interests are adequately managed, in accordance with Policy CSTP27 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Flood Warning & Evacuation Plan

- 17 Prior to the occupation of any dwelling on the site, a Flood Warning and Evacuation Plan for the development shall be submitted to and approved in writing by the local planning authority. The approved measures within the Plan shall be operational upon occupation of the first dwelling and shall be permanently maintained thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of flood safety.

Garages for parking and Domestic Storage only

- 18 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 and Section 55 of the Town and Country Planning Act 1990, the garages hereby approved/permitted shall only be used for the parking of cars or incidental domestic storage purposes in connection with the residential use of the site and for no other purposes whatsoever. Garage spaces shall also be a minimum of 3 metres width by 7 metres length.

Reason: to ensure satisfactory off-street parking provision is maintained, in the interests of highway safety and visual amenities.

Bin stores

- 19 The bin and recycling stores as approved shall be provided prior to the first occupation of any of the residential units they serve and shall be constructed and permanently retained in the approved form, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that a suitable layout and design providing for appropriate waste management facilities is agreed, in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Permitted Development Restriction

- 20 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any subsequent re-enacting Order, no development

falling within Classes A, B, C, D, E or F of Part One of the Second Schedule of that Order shall be carried out on the site.

Reason: Given the sustainable design of the buildings, in the interests of neighbour amenity and the character and appearance of the locality in accordance with Policies PMD1, PMD2 and CSTP22 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Energy Efficiency

21 Renewable Energy

Prior to the commencement of development, details of measures to demonstrate how the development generates its energy needs through the use of decentralised, renewable or low carbon technologies shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented and operational upon the first use or occupation of the buildings hereby permitted and shall thereafter be retained in the agreed form unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that development takes place in an environmentally sensitive way in accordance with Policy PMD13 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Informatives:

Positive and Proactive Statement

1. The Local Planning Authority has acted positively and proactively in determining this application and as a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Any Works within the Highway

2. Any works, which are required within the limits of the highway reserve, require the permission of the Highway Authority and must be carried out under the supervision of that Authority's staff. The Applicant is therefore advised to contact the Authority at the address shown below before undertaking such works to apply for a Section 278 Agreement.

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

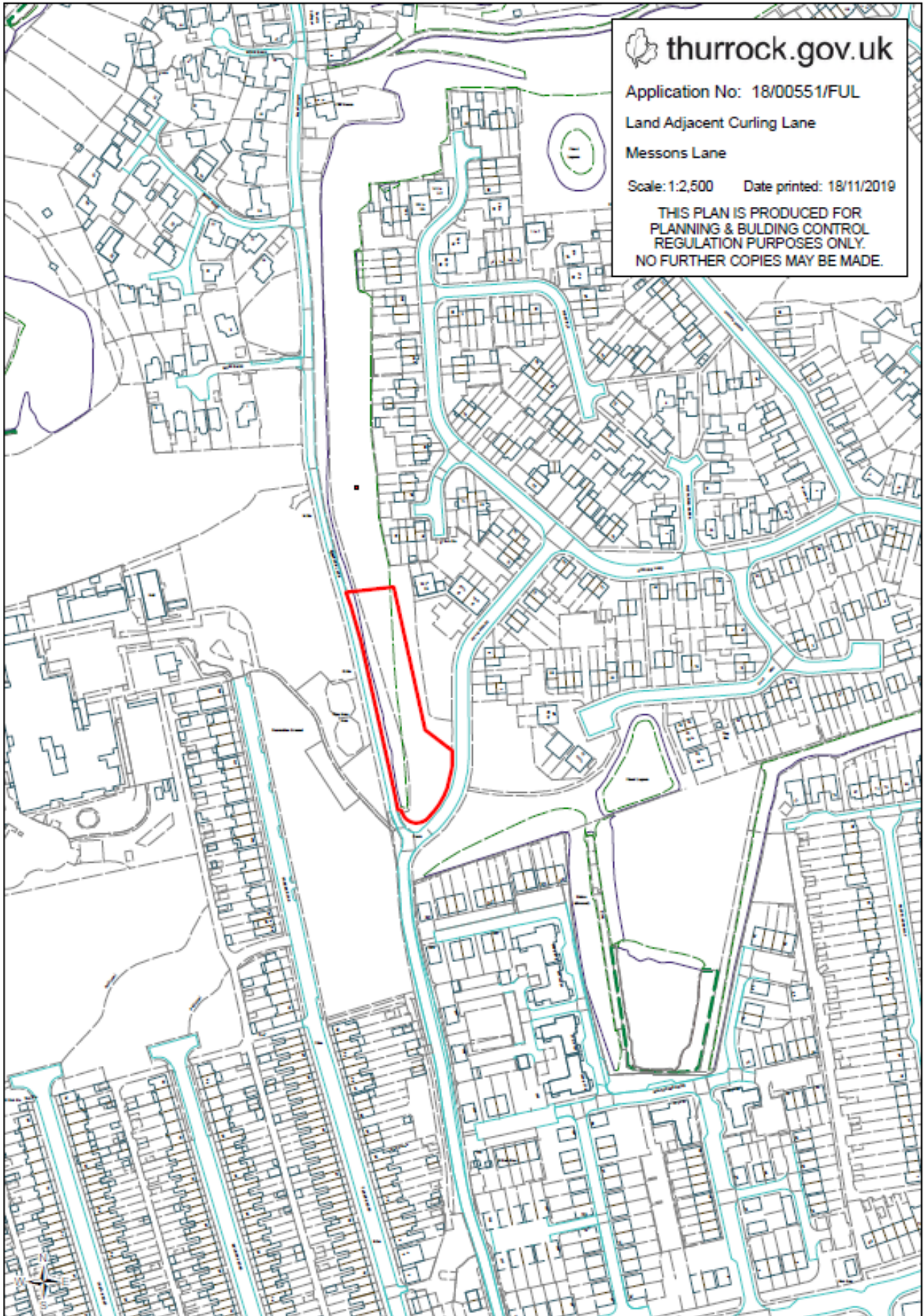
Anglian Water Assets

3. The applicant is advised that Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Documents:

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

www.thurrock.gov.uk/planning



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Reference: 19/01662/FUL	Site: Langdon Hills Golf And Country Club Lower Dunton Road Bulphan Essex RM14 3TY
Ward: Orsett	Proposal: Hybrid application for the redevelopment of Langdon Hills Golf and Country Club. Detailed approval sought for: a redesigned club house (with health spa, reception area; restaurant area; bar areas; function areas (for 250 guests); professional golf shop; gym; swimming pool; changing rooms; office space; kitchens and food preparation areas and other necessary ancillary areas). The creation of a new health led community to include, 84 no. homes for independent living - extra care (over 55's use class C2); 36 no. apartments for independent living extra care (Use Class C2); 42 no. close care apartments and a 64-bed residential care home with dementia facilities (Use Class C2); 4 no. key worker apartments (Use Class C3) encompassing a care workers administration health hub. Demolition of existing buildings (clubhouse, hotel and green keepers building) and supporting infrastructure to include: a reconfigured main car park: a new car park for the golf academy: new vehicular access from lower Dunton Road; landscaping; new bowling green; new walkways; erection of a security gatehouse and security surveillance. Outline approval sought for: 12 no. apartments for independent living extra care (Use Class C2); a new golf academy (with driving range; tuition areas and function space for 150 guests); a new quick play golf course and a new redesigned green keepers building.

Plan Number(s):		
Reference	Name	Received
18-116-219A	Proposed Floor Plans	7th November 2019
18-116-220	Proposed Floor Plans	7th November 2019
18-116-221	Proposed Floor Plans	7th November 2019
18-116-222	Proposed Floor Plans	7th November 2019
18-116-223	Proposed Floor Plans	7th November 2019
18-116-224	Proposed Floor Plans	7th November 2019
18-116-225	Proposed Floor Plans	7th November 2019
18-116-226	Proposed Floor Plans	7th November 2019

18-116-227	Proposed Floor Plans	7th November 2019
18-116-228	Proposed Floor Plans	7th November 2019
18-116-229	Proposed Floor Plans	7th November 2019
18-116-230	Proposed Floor Plans	7th November 2019
18-116-231	Proposed Floor Plans	7th November 2019
18-116-232	Proposed Floor Plans	7th November 2019
18-116-233	Proposed Plans	7th November 2019
18-116-234	Proposed Plans	7th November 2019
18-116-235	Proposed Plans	7th November 2019
18-116-236	Proposed Plans	7th November 2019
18-116-237	Proposed Plans	7th November 2019
18-116-238	Proposed Plans	7th November 2019
18-116-250	Proposed Elevations	7th November 2019
18-116-251	Proposed Elevations	7th November 2019
18-116-252	Proposed Elevations	7th November 2019
18-116-253	Proposed Elevations	7th November 2019
18-116-254	Proposed Elevations	7th November 2019
18-116-255	Proposed Elevations	7th November 2019
18-116-256	Proposed Elevations	7th November 2019
18-116-257	Proposed Elevations	7th November 2019
18-116-258	Proposed Elevations	7th November 2019
18-116-280	Proposed Plans	7th November 2019
18-116-281	Proposed Plans	7th November 2019
18-116-282	Proposed Plans	7th November 2019
18-116-283	Proposed Plans	7th November 2019
18-116-284	Proposed Plans	7th November 2019
18-116-285	Proposed Plans	7th November 2019
18-116-286	Proposed Plans	7th November 2019
18-116-287	Proposed Plans	7th November 2019
18-116-288	Proposed Plans	7th November 2019
18-116-289	Proposed Plans	7th November 2019
18-116-290	Proposed Plans	7th November 2019
18-116-291	Proposed Plans	7th November 2019
18-116-292	Proposed Plans	7th November 2019
18-116-293	Proposed Plans	7th November 2019
18-116-294	Proposed Plans	7th November 2019
18-116-295	Proposed Plans	7th November 2019
18-116-296	Proposed Plans	7th November 2019

18-116-297	Proposed Plans	7th November 2019
18-116-298	Proposed Plans	7th November 2019
18-116-299	Proposed Plans	7th November 2019
18-116-SK20E	Other	7th November 2019
18-116-SK21C	Other	7th November 2019
2786-HIA-02-00-DR-A-0201	Proposed Plans	7th November 2019
2786-HIA-02-01-DR-A-0211	Proposed Plans	7th November 2019
2786-HIA-02-XX-DR-A-0301	Proposed Plans	7th November 2019
2786-HIA-02-XX-DR-A-0302	Proposed Plans	7th November 2019
2786-HIA-02-XX-DR-A-0501	Proposed Plans	7th November 2019
2786-HIA-02-XX-DR-A-0502	Proposed Plans	7th November 2019
2018-09-06-LH	Existing Elevations	18th November 2019
2018-09-07	Existing Plans	18th November 2019
2019-11-13	Existing Plans	18th November 2019
2786-HIA-01-00-DR-A-0201	Proposed Plans	18th November 2019
2786-HIA-01-01-DR-A-0211	Proposed Plans	18th November 2019
2786-HIA-01-03-DR-A-0221	Proposed Plans	18th November 2019
2786-HIA-01-XX-DR-A-0301	Proposed Plans	18th November 2019
2786-HIA-01-XX-DR-A-0303	Proposed Plans	18th November 2019
2786-HIA-01-XX-DR-A-0501	Proposed Plans	18th November 2019
2786-HIA-01-XX-DR-A-0502	Proposed Plans	18th November 2019
2786-HIA-02-00-DR-A-0201	Proposed Plans	18th November 2019
2786-HIA-02-01-DR-A-0211	Proposed Plans	18th November 2019
2786-HIA-02-XX-DR-A-0301	Proposed Plans	18th November 2019
2786-HIA-02-XX-DR-A-0302	Proposed Plans	18th November 2019
2786-HIA-02-XX-DR-A-0501	Proposed Plans	18th November 2019
2786-HIA-02-XX-DR-A-0502	Proposed Plans	18th November 2019
2786-HIA-03-00-DR-A-0211	Proposed Plans	18th November 2019
2786-HIA-03-01-DR-A-0221	Proposed Plans	18th November 2019
2786-HIA-03-B1-DR-A-0201	Proposed Plans	18th November 2019
2786-HIA-03-XX-DR-A-0231	Proposed Plans	18th November 2019
2786-HIA-03-XX-DR-A-0301	Proposed Plans	18th November 2019
2786-HIA-03-XX-DR-A-0302	Proposed Plans	18th November 2019
2786-HIA-03-XX-DR-A-0501	Proposed Plans	18th November 2019
2786-HIA-03-XX-DR-A-0502	Proposed Plans	18th November 2019
2786-HIA-03-XX-DR-A-0505	Proposed Plans	18th November 2019
2786-HIA-ZZ-XX-DR-A-0102	Proposed Plans	18th November 2019
2786-HIA-ZZ-XX-DR-A-0103	Proposed Plans	18th November 2019

2786-HIA-ZZ-XX-DR-A-0104	Proposed Plans	18th November 2019
2786-HIA-ZZ-XX-DR-A-0105	Proposed Plans	18th November 2019
2786-HIA-ZZ-XX-DR-A-0401	Proposed Plans	18th November 2019
855-02B	Existing Floor Plans	18th November 2019
855-03	Existing Elevations	18th November 2019
855-1B	Existing Elevations	18th November 2019
B623-109B	Existing Elevations	18th November 2019
B623-114A	Existing Floor Plans	18th November 2019
05-838-801 B	Landscaping	7th November 2019
2786-HIA-03-XX-DR-A-0503	Proposed Plans	14th November 2019
2786-HIA-03-XX-DR-A-0504	Proposed Plans	14th November 2019
05-838-301 E	Landscaping	7th November 2019
05-838-701	Landscaping	7th November 2019
05-838-800 B	Landscaping	7th November 2019
18-116-200	Location Plan	7th November 2019
18-116-201	Existing Site Layout	7th November 2019
2786-HIA-ZZ-XX-DR-A-0402	Proposed Plans	7th November 2019
5-838-702A	Landscaping	7th November 2019
18-116-210C	Proposed Plans	7th November 2019
2786-HIA-01-XX-DR-A-0302	Proposed Plans	7th November 2019
2018-09-08	Existing Plans	7th November 2019
18-116-202A	Proposed Plans	7th November 2019
18-116-211B	Proposed Plans	7th November 2019
18-116-213A	Proposed Plans	7th November 2019
18-116-214A	Proposed Plans	7th November 2019
18-116-215A	Proposed Plans	7th November 2019
18-116-216A	Proposed Plans	7th November 2019
18-116-217A	Proposed Plans	7th November 2019
18-116-218A	Proposed Plans	7th November 2019
18-116-SK82	Proposed Plans	28th January 2020
18-116-212A	Proposed Plans	7th November 2019

The application is also accompanied by:

- Planning Statement
- Design and Access Statement
- Air Quality Assessment
- Arboricultural Assessment
- BREEAM Pre-Assessment
- Draft Heads of Terms for s106

- Drainage Strategy
- Ecological Impact Assessment and Statement to inform Habitats Regulations Assessment
- Economic Benefits Statement
- Elderly Needs Report
- Energy Statement
- Flood Risk Assessment and Drainage Strategy
- Golf Enhancement Report
- Grandcare System Information
- Health Impact Assessment
- Heritage Statement and Heritage Note
- Landscape and Visual Impact Assessment
- Legal Opinion on C2 Use Class
- Lighting Assessment
- Noise Assessment
- Phase 1 Contaminated Land Assessment
- Statement of Community Engagement
- Sustainability Statement
- Transport Assessment and Transport Note
- Framework Travel Plan
- Utilities Statement

Applicant:
 Rischo Leisure Ltd
 c/o Icen Projects

Validated:
 18 November 2019
Date of expiry:
 27 March 2020

Recommendation: Refuse planning permission

1.0 BACKGROUND AND DESCRIPTION OF PROPOSAL

1.1 The key elements of the proposals are set out in the table below:

Site Area (Gross)	80 ha	
Proposal	Full	Outline
Golf	Replacement club house	Golf academy Quick play golf course Green keepers building
Health-led community	84 x 2 bedroom homes for independent living extra care living (Class C2 Use)	12 apartments for independent living extra care living (Class C2 Use)

	<p>36 x 2 bedroom apartments for independent living extra care living (Class C2 Use) 42 x 2 bedroom close care apartments (Class C2 Use) 64 bed residential care home (Class C2 Use) 4 x 1 bedroom key worker apartments (Class C3 Use)</p>
Height	Ranges between 5m (1 storey) to 13m high (3 storey)
Car Parking and Cycle Parking	<p>'Extra care' Homes: 2 spaces per unit 'Extra care' Apartments: 2 space per unit plus 1 cycle space Key Worker Apartments: 1 space per unit 'Close Care' Apartments: 55 spaces Care Home: 28 spaces Total: 299</p> <p>Golf Clubhouse: 200 spaces in reconfigured car park Golf Academy Building: 64 spaces Total: 264 spaces</p>
Amenity Space	<p>Minimum 63sq.m Average between 60 sq.m to 120sq.m Maximum 520 sq.m</p>
Density	18 units per hectare for health-led community area

1.2 The proposal is a hybrid application seeking planning permission for development on parts of the Langdon Hills Golf and Country Club as follows:

1.3 Full planning permission is sought for:

- A redesigned club house (with health spa, reception area; restaurant area; bar areas; function areas (for 250 guests); professional golf shop; gym; swimming pool; changing rooms; office space; kitchens and food preparation areas and other necessary ancillary areas).
- The creation of a new health led community to include:
 - 84 no. homes for independent living - extra care (Class C2);
 - 36 no. apartments for independent living extra care (Class C2);
 - 42 no. close care apartments (Class C2)
 - 64-bed residential care home with dementia facilities (Class C2);
 - 4 no. "key worker" apartments (Class C3) encompassing a care workers administration health hub.

- Demolition of existing buildings (clubhouse, hotel and green keepers building) and supporting infrastructure to include:
 - a reconfigured main car park:
 - a new car park for the golf academy:
 - new vehicular access from lower Dunton Road; landscaping;
 - new bowling green;
 - new walkways;
 - erection of a security gatehouse and security surveillance.

1.4 Outline planning permission is sought, with all matters reserved except access for:

- 12 x 2 bedroom apartments for independent living extra care (Use Class C2);
- a new golf academy (with driving range; tuition areas and function space for 150 guests);
- a new quick play golf course and a new redesigned green keepers building.

Health-led Community Proposal

1.5 The Planning Statement refers to the proposal as a ‘health village’ and it is stated that this would create a new health-led community for elderly residents requiring care. The proposed ‘health-led community village’ development seeks to categorise the proposed levels of care into two areas, ‘extra care’ and ‘close care’, which are referred to throughout the plans and documentation.

‘Extra Care’ Homes and Apartments

1.6 Full planning permission is sought for ‘extra care’ homes and apartments which would have the appearance and internal layout of a dwelling with a typical layout comprising of an open plan lounge/dining/kitchen room, two bedrooms, study room, utility room and bathroom. One of the house types would also have an integral garage. The approach is to allow people to continue living independently but would allow residents to benefit from care using technology, referred to in the Planning Statement as a ‘Specialist Artificial Intelligence’ system allowing for 24-hour emergency call outs. The technology would allow residents to order the shuttle bus, request a key worker visit, book golf facilities, book classes at the health spa, book a table for dinner and arrange for home maintenance.

1.7 In terms of design three ‘extra care’ house types are proposed and all homes would be two bedroom units for the over 55s.

House type	Numbers	Gross floorspace sq.m
1	10	119
2	30	117

3	44	135
Total	84	

1.8 House types 1 and 2 would be bungalows and would be 7.7m high and 5.5m high respectively. House type 3 would be a chalet bungalow 8.2m high with a master bedroom, en-suite bathroom and study room in the first floor/roof. House type 3 also allows space for an internal lift. Each house type would include off-site parking provision varying between one and two spaces per unit.

1.9 Two ‘extra care’ apartment types are proposed and all would be two bedroom units.

Apartment type	Numbers	Gross floorspace sq.m
1	12	116 to 142
2	24	105 to 110
Total	36	

1.10 There would be 12 x apartment type 1 arranged in 3 apartments blocks, each apartment block would provide 4 units, 2 on each floor with two central stairwells located between the apartments. This apartment type is designed to allow each unit have an external front entrance door. This apartment type would be 8m high.

1.11 There would be 24 x apartment type 2 and these would be larger apartment blocks compared to apartment type 1. Apartment type 2 would provide 12 units, 6 on the ground floor and 6 over the first floor and within the roofspace. A central stairwell would link all entrances internally within each block. This apartment type would be 12m high.

1.12 Both these apartment types would be located towards the northern part of the development area to the south of the site’s access road. Some of these apartment blocks would be integrated around existing water features and all apartment blocks would include parking within the grounds.

1.13 The above house types and apartment types are part of the full planning application but the proposal also includes 12 x 2 bedroom apartments for independent ‘extra care’ living which form part of the outline element of this application. The plans show that this apartment block would be constructed over 3 levels with a basement level created for parking provision. The ground and first floor levels would each provide 6 apartments to be accessed via internal stairwells and a lift. The apartment building would be 11m high above ground level. The finer details regarding these units would be considered as part of a future reserved matters application but the proposed site layout plan indicates that these apartments would be located to the south of the proposed revised car park for the golf course.

"Key Worker" Apartments

- 1.14 Full planning permission is sought for 'key worker apartments' which would be occupied by workers supporting the 'extra care', 'close care' and care home uses on site. Four key worker apartments are proposed and this apartment type is referred to in the plans as 'Apartment Type 3' and would occupy a gross floor area of between 53sq.m to 62sq.m. This apartment type building would be two storey and 9m in height. Each unit would have separate external entrances. This building would be located to the northeast corner of the development area adjacent to the existing site entrance, on the southern side of the site's access road.

'Close Care' Apartments

- 1.15 Full planning permission is sought for 'close care' apartments, which would provide more intermediate levels of care. These apartments would comprise of an 'L' shaped block located towards the southeast corner of the development area; these apartments would be accessed by a new vehicle access from Lower Dunton Road, which would also serve the care home. A car park would be located to the front of these apartments and would provide 55 parking spaces. The total floorspace created would be 5,662sq.m. The building would be 13m high.
- 1.16 A total of 42 'close care' apartments would be provided with 12 units on the ground floor, 21 units on the first floor and 9 units on the second floor. Each apartment would have the internal layout of a dwelling with a typical layout comprising of a lounge room, kitchen room, two bedrooms, and bathrooms. Within the main building additional communal space would be provided including a communal lounge and café, and a bar on the second floor. The ground floor would incorporate a reception area, admin office, staff room, changing rooms, mail store room, buggy store, plant room and bin store. A lift and stairwell would connect the floors.

Care Home

- 1.17 Full planning permission is sought for a care home, which would be located towards the southeastern corner of the site and would share the new access from Lower Dunton Road with the proposed 'close care' apartments. The care home car park would have 28 parking spaces and would be located to the east of the building. The 'C' shaped care home would have communal gardens located to the west of the building. The total floorspace created would be 3,489sq.m. The building would be 13m high.
- 1.18 The 64-bedroom care home would be designed with specialist dementia facilities with each resident having their own bedroom with en-suite facilities, TV, telephone and computer points but also access to communal facilities such as lounges, dining rooms, café, hair and beauty room, gym and communal gardens. In addition

changing rooms, laundry rooms, a staff room, activity room, consultation areas, kitchens and associated food stores, plant room, manager's office, admin office, reception and store rooms would all be included. A lift and stairwell would connect the floors.

Design and Appearance

- 1.19 All proposed house types, apartment types and the proposed care home would follow a contemporary design approach based on traditional Essex farmsteads. In particular the design approach has reference to traditional Essex barns with the proposed material palette including a red brick plinth with black coloured timber cladding to the elevations of the buildings, and the use of either a slate or clay tiled roof. All proposed house types, apartment types and the proposed care home would use dark coloured window and door frames, and some properties would have roof light windows. Dormer windows are proposed to house type 3. All proposed house types, apartment types and the proposed care home would include features such as gable ends, balconies, large areas of glazing, window framing features, imitation mid-strays, chimneys, porch canopies and exposed timber beams.

Use Class

- 1.20 Other than the key worker apartments, all house types, apartment types, and the proposed care home the applicant considers are proposed to fall within Use Class C2 which defines such use as 'residential institutions' in the Use Classes Order (1987) (as amended). The reasons why the applicant considers the proposal as a Class C2 use are listed below:

- Restrictions for all units to Class C2 use only with a least one occupier needing to be at least 55 years old and signed up to a minimum basic care package determined by a health assessment;
- Provision of a basic care package including at least 1.5 hours of personal care support each week, an artificial intelligence system, 24 hour monitored emergency call system, and access/membership to the health spa facility.
- Health assessment for the primary resident to understand the level of care required which shall be reviewed at least once a year;
- Provision of personal care and additional care packages to be offered;
- A Care Agency will be provided and will be registered with the Care Quality Commission
- Access to all communal facilities associated with the golf clubhouse in perpetuity with complimentary single membership to the golf club for the first year of occupation and reduced rates thereafter;

- All communal facilities associated with the golf clubhouse shall be maintained and managed, details of a management company to be provided by the owner;
- Security measures control access to common areas and private areas and use of CCTV
- Assistance for residents with impaired mobility or medical needs

Golf Club Proposals

Club House and Wellness Centre

- 1.21 Full planning permission is sought for a new club house and wellness centre, new practice green, road layout and car parking area. This would replace the existing golf club house and the existing hotel building centrally within the site.
- 1.22 The replacement club house and wellness centre would be sited in the location of the existing hotel and would include a health spa, reception area, restaurant areas, bar areas, function areas (for 250 guests), a professional golf shop, shop/pharmacy, doctors consulting room, beauty room, a gym, a swimming pool, cinema, changing rooms, office space, golf buggy store, kitchens and food preparation areas along with other necessary ancillary areas. The bar, pharmacy, restaurants, swimming pool and the golf academy would open to the general public.
- 1.23 The club house and wellness centre would be built with three internal floor levels. The building would be constructed into the existing topography, as the existing hotel currently sits in a sunken ground level location. The building would be 'L' shaped and would measure 37m by 26.5m at its maximum projections, and would be 8m high, from the lowest ground level to the chimney tops. The design of the building is based upon the Wentworth Golf Club and would have white/light coloured rendered elevations with parapet walls and the building would have a flat roof design.
- 1.24 To the west of the club house and wellness centre a single storey 'club drop off' building is proposed and would be designed to reflect the appearance of the club house and wellness centre with white/light coloured rendered elevations with parapet walls and the building would have a flat roof design. This building would occupy a gross floor area of 83 sq.m and would be 4.3m high. The internal layout would include a lobby, club store, office/kitchenette and two toilets.

New Golf Academy

- 1.25 Outline planning permission is sought for a new golf academy area would include an academy building, driving range, tuition areas and function space for 150 guests. Although the finer details would be agreed through reserved matters information has

been provided to demonstrate the use, layout, scale and appearance of these buildings. All plans for the outline permission illustrate how the development would appear.

- 1.26 An upgraded access is proposed leading to the golf academy area of the site.
- 1.27 The new golf academy building would be located within the western half of the site and would be a curved shaped building over two levels. The building would span 79.5m by 54.4m, would be 8.3m high and would occupy a gross floor area of 1,745 sqm. A contemporary building design is proposed which would comprise a mix of light coloured materials to the elevation and dark coloured roof materials.
- 1.28 Internally the ground floor of the building would provide an entrance lobby, reception, a large open plan amenity area, 12 driving range bays, 3 swing studios, a putting studio, golf shop, kitchen, food store, plant room and various ancillary rooms. The first floor would provide a function room with outdoor terrace for up to 150 guests, function room bar, kitchen, food store, bar cellar, lift and various ancillary rooms.
- 1.29 It is stated in the Planning Statement that the intention of the golf academy and driving range would provide state of the art of facilities for use by beginners and all levels of golfing ability, schools and for general leisure benefits in the form of the function room.
- 1.30 To the south east of the building a car park with 64 spaces is proposed to serve the golf academy and to the north of the academy building a new driving range would be created.
- 1.31 Directly to the north of the new golf academy building would be a new driving range in roughly the same location as the existing driving range. Landscaping and new screen planting is proposed to the north, east and west sides of the driving range.
- 1.32 To the south west of the academy building a practice green would be formed.

Green Keepers Building

- 1.33 To south of the golf academy building would be a green keepers building which would include two loading bay style entrances for access. The building would be partly constructed of brick along with green coloured cladding to the upper elevations and dual pitched roof. The green keepers building would have a square shaped footprint and measure 26m wide by 21m long and would be 8m high. The building would occupy a gross floor area of 500 sqm. Landscaping is proposed to the south to aid the screening the building.

Quick Play Golf Course

- 1.34 Outline planning permission is sought for a new 6 hole quick play golf course which would be located to the south of existing clubhouse and hotel area and would be located to the west of the health-led community. The Planning Statement advises that this facility would be a venue for beginners, juniors and for more experienced players who are short on time.

Other supporting infrastructure

- 1.35 Full planning permission is sought for supporting infrastructure, which includes:
- A reconfigured hardsurfaced main car park to replace the existing car park would provide 200 spaces
 - A new 64 space car park for the golf academy;
 - New vehicular access from the Lower Dunton Road located towards the south east of the site and south of the existing vehicular access to the site. The proposed access would form a 'T' junction onto Lower Dunton Road;
 - Various landscaping improvements throughout the site;
 - A new bowling green to occupy an area of 20m by 20m is proposed centrally located within the health led community area of the site;
 - New walkways within the health led community area of the site; and
 - The erection of a new security gatehouse and security surveillance within the existing and main access into the site.

Planning Obligations

- 1.36 The application includes detailed draft heads of terms and trigger points. The following list summarises the planning obligations that are offered:
- Restriction on occupation of all units to Class C2 use only with a least one occupier needing to be at least 55 years old and to signed up to a minimum basic care packaged determined by a health assessment.
 - Provision of a basic care packaged including at least 1.5 hours of personal care support each week, an artificial intelligence system and access/membership to the health spa facility.
 - Health assessment for the primary resident which shall be reviewed at least once a year;
 - Provision of a personal care and additional care packages to be offered;
 - Care Agency to be provided and registered with the Care Quality Commission
 - Access to all communal facilities associated with the golf clubhouse in perpetuity with complimentary single membership to the golf club for the first year of occupation and reduced rates thereafter;

- All communal facilities associated with the golf clubhouse to be maintained and management by details of a management company to be provided by the owner;
- An 8 seater electric shuttle bus to provide a service to nearby railway stations and local shops exclusively to residents of the development;
- Provision of public bus to be subsidised by owner to facilitate travel to and from the development for members of the public and residents of the development. The route would include the retirement village, the hospice, Stanford le Hope railway station and the Little Malgraves site;
- To provide highway works including:
 - A controlled crossing point on Lower Dunton Road,
 - A lower the speed limit across the frontage of the site,
 - A pedestrian footway adjacent to Lower Dunton Road;
- Travel Plan submission with monitoring fee to monitor travel arrangements for five years following occupation of the development;
- Provide the 4 'key worker apartments' as affordable housing units;
- A carbon neutral development commitment
- Local employment opportunities for the construction and operational phase of the development;
- A financial contribution of £50,000 for the NHS for the provision of medical services in the locality of the development
- A financial contribution of £21,796.40 towards the Thames Estuary and Marshes Special Protection Area in line with Essex Coast RAMS
- A commitment to hosting an inter-school tournament once a year at the golf club.
- Promote awareness of the enhanced facilities to borough-based schools and community groups and liaise with Thurrock Council's Sport and Leisure Manager; and
- A monitoring fee for the s106 obligations.

2.0 SITE DESCRIPTION

- 2.1 The Langdon Hills Golf and Country Club is an approximately rectangular shaped site that covers a site area of 80 hectares and is located within the Metropolitan Green Belt. The site is located to the western side of the Lower Dunton Road which provides the only vehicular access via a road leading to the centre of the site and the car park area.
- 2.2 Centrally within the site is a cluster of buildings forming the clubhouse and hotel. Within the site are various golf related buildings such as a greenkeepers building, barn/storage areas, and a driving range. The rest of the site comprises of an 18 hole golf course and a 9 hole golf course.

- 2.3 The site is located in a rural location with ribbon development following road patterns in the area and a nearby housing and hospice development being constructed to the eastern side of the road, opposite part of the site.
- 2.4 Within the wider area the nearest village is Horndon on the Hill which is located 1.5 miles away and includes the nearest amenities in terms of pubs, a restaurant, butchers shop, post office and store. The village also includes the nearest primary school and a doctor’s surgery.
- 2.5 There are no public transport services serving the site or the Lower Dunton Road. The nearest railway stations are Stanford Le Hope and the Laindon Stations which are both 3.2 miles away in opposite directions. The closest bus service is the number 11 service which passes through Horndon on the Hill.

3.0 RELEVANT PLANNING HISTORY

3.1 The following table provides the planning history:

Reference	Description	Decision
04/00533/FUL	Demolition of existing golf driving range and offices and replacement with 33 additional hotel rooms, new golf club house and conversion of existing clubhouse to provide additional hotel facilities, demolition and replacement of green-keepers building.	Refused 29.07.2004
04/01004/FUL	Demolition of existing golf driving range and replacement with 28 hotel rooms and staff accommodation, demolition and replacement of green keepers building.	Approved 03.11.2004
19/01247/CLEUD	Use of 11no. properties as residential dwellings.	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

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.

Twenty responses received raising the following objections:

- Additional Traffic
- Environmental Pollution
- Out of Character
- Amenities
- Loss of landscape
- Green Belt Land
- Flooding
- Access to Site
- Over Looking Property
- Possible excessive noise
- Sale of Alcohol Causing Disturbance
- Litter/Smells
- Possible Excessive Noise
- Local infrastructure
- Material(s) Unacceptable

4.3 ANGLIAN WATER:

No objection subject to a condition requiring details of the on-site foul water drainage works to be approved.

4.4 BASILDON BOROUGH COUNCIL:

Object, as the proposed development would be inappropriate development in the Green Belt and it is not considered that the very special circumstances put forward that would override the general presumption against this form of development. The proposal would have a significant visual impact on this locality which would be at odds with the general open feel of this site.

4.5 CADENT GAS:

No objection subject to an informative.

4.6 EDUCATION:

On the basis that all residential units are for over 55s no education contribution is required.

4.7 ENVIRONMENTAL HEALTH:

No objection subject to conditions for mitigation for contamination and for noise minimum specifications for glazing for internal living conditions.

4.8 ESSEX COUNTY COUNCIL ARCHAEOLOGY:

No objection subject to conditions requiring an archaeological programme of trial trenching followed by open area excavation.

4.9 FLOOD RISK ADVISOR:

No objection subject to conditions requiring the submission of a detailed surface water drainage scheme for the site, prevention of off site run off, yearly logs, and details of the future management and maintenance arrangements for the detailed surface water drainage scheme

4.10 HISTORIC ENGLAND:

Historic England has concerns regarding the application on heritage grounds and given the lack of information a revised Heritage Impact Assessment is required and visualisations are required.

4.11 HIGHWAYS:

Object to the proposal on the grounds of: Accessibility, the site is remote from any local transport connections and travel from the site will need to be by private vehicles; Creation of another access along a Level 1 Rural Distributor road which is heavily trafficked and has a high number of accidents and the Travel Plan is unacceptable, as it does not demonstrate how sustainable travel will be adopted.

4.12 HOUSING:

Object: Do not consider the proposed age restricted bungalows and apartment to be C2 development. The proposal should be considered under the C3 classification and subject to the Council's policy in relation to affordable housing provision for development of this scale, however the location and particular nature of development is unlikely to be sustainable and public transport is limited. An off-site affordable housing contribution would be required.

4.13 LANDSCAPE AND ECOLOGY ADVISOR:

Object on landscape impact for the following reasons:

- The Landscape and Visual Impact Assessment (LIVA) includes a range of viewpoint images but these were not agreed with the LPA
- The LVIA does not provide any photomontage of key viewpoints to demonstrate the visual impacts of the scheme
- The scale and density of the proposed development would have an adverse effect on the character of the local landscape
- There is a lack of information to support the analysis provided in the LVIA
- The proposal would result in an impact upon openness and the perception of openness
- The proposed buildings are not of a suitable character

The site is located within the Essex Coast RAMS zone and without mitigation the proposed development is likely to have a significant effect on the Thames Estuary and Marshes Special Protection Area, and therefore requires a financial contribution £21,769.40 as a planning obligation.

4.14 LISTED BUILDING AND CONSERVATION AREA ADVISOR:

No objection.

4.15 NATURAL ENGLAND:

No objection but as the site falls within the 'Zone of Influence' of one or more of the European designated sites scoped into the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) a financial contribution as a planning obligation is required.

4.16 NHS ENGLAND:

No objection subject to a financial contribution of £51,405 towards Horndon on the Hill Surgery.

It is not clear if the healthcare support required for the residents of this proposed development will be fully provided on site or whether this relies on support from the local GP Practice and other health and care providers.

4.17 PUBLIC HEALTH OFFICER/PROGRAMME MANAGER FOR HEALTH & SOCIAL CARE:

Object as the proposal:

- Has not submitted an HIA that meets the standards outlined in the WHIASU Quality Assurance Framework.

- Has not sufficiently demonstrated a local need for this type of speciality housing (that requires significant financial commitment from residents). The developer has not provided any financial information to assist with the appraisal of this element.
- The level of community consultation is considered insufficient to demonstrate local support for the proposal. Any new model for older person's housing aspirations would need to include research and consultation with older people in the borough.
- The site is not suitable for sustainable travel modes and due to its location cannot offer a realistic choice of alternative modes of travel other than by car. Consequently, the Council and its NHS partners are highly unlikely to recommend such a development as providing suitable accommodation for older people
- The development is not within a sustainable location: ensuring that older people's housing is within easy reach of local services, amenities and public transport links is considered critical.
- The use of the Extra Care, Close Care, Care Village and Continuing Care Retirement Community in the application should be understood to be primarily marketing terms rather definitions relevant to the Use Class
- It is claimed that extra care schemes fall within Class C2: this does not address the several other defining characteristics of developments which legitimately fall within Use Class C2 (provision of communal accommodation; age; service charges reflecting the provision of care facilities and services; the requirement for a minimum of 2 hours of personal care per week)

4.18 PUBLIC FOOTPATH OFFICER:

No objection – Bridleway improvements required.

4.19 SPORT ENGLAND:

No objection to the new and enhanced golf facilities or the proposed health spa and swimming facilities. While no objection is made to the principle of the proposed bowling green there is no additional need for bowling greens and existing bowling greens in Thurrock are underutilised.

4.20 TRAVEL PLAN CO-ORDINATOR:

This site is located in a rural location and has no access to public transport, minimal pedestrian footways are available and the proposal would need consideration to provide a footpath and cycle access. The proposal would not encourage sustainable travel for residents and staff and is therefore contrary to paragraphs 34 and 35 of the

NPPF. The Framework Travel Plan lacks information and details for the proposed shuttle bus.

4.21 URBAN DESIGNER:

Object as there are many concerns with the urban and architectural design of the proposed development and its impact upon this rural location in this part of the Green Belt, and insufficient and unclear drawings have been submitted to allow full and proper consideration.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework

The revised NPPF was published on 19 February 2019 and sets out the government's planning policies. Paragraph 14 of the Framework sets out a presumption in favour of sustainable development. Paragraph 2 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 11 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:

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 13. Protecting Green Belt land
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic 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:

- Air quality
- Climate change
- Design: process and tools
- Effective Use of Land
- Flood Risk and Coastal Change
- Green Belt
- Health and wellbeing
- Historic environment
- Housing for older and disabled people
- Housing supply and delivery
- 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
- Tree Preservation Orders and trees in conservation areas
- Use of Planning Conditions
- Viability

5.3 Local Planning Policy Thurrock Local Development Framework

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)

SPATIAL POLICIES

- CSSP1 (Sustainable Housing and Locations)
- CSSP4 (Sustainable Green Belt)
- CSSP5 (Sustainable Greengrid)

THEMATIC POLICIES

- CSTP1 (Strategic Housing Provision)
- CSTP2 (The Provision Of Affordable Housing)
- CSTP6 (Strategic Employment Provision)
- CSTP9 (Well-being: Leisure and Sports)
- CSTP10 (Community Facilities)
- CSTP11 (Health Provision)
- CSTP12 (Education and Learning)
- CSTP15 (Transport in Greater Thurrock)
- CSTP18 (Green Infrastructure)
- CSTP19 (Biodiversity)
- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)
- CSTP24 (Heritage Assets and the Historic Environment)
- CSTP25 (Addressing Climate Change)
- CSTP26 (Renewable or Low-Carbon Energy Generation)
- CSTP27 (Management and Reduction of Flood Risk)

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD4 (Historic Environment)
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)
- PMD6 (Development in the Green Belt)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD8 (Parking Standards)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)
- PMD12 (Sustainable Buildings)
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation)
- PMD15 (Flood Risk Assessment)
- PMD16 (Developer Contributions)

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. In December 2018 the Council began consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document, this consultation has now

closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

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 material considerations for this application are as follows:

- I. Principle of the Development and the Impact upon the Green Belt
- II. Design and Layout and Impact upon the Area
- III. Landscaping and Visual Impact
- IV. Traffic Impact, Access and Car Parking
- V. Flood Risk and Drainage
- VI. Effect on Neighbouring Properties
- VII. Heritage
- VIII. Ecology and Biodiversity
- IX. Arboriculture
- X. Air Quality
- XI. Noise
- XII. Land Contamination and Ground Works
- XIII. Energy and Sustainable Buildings
- XIV. Viability and Planning Obligations
- XV. Sustainability
- XVI. Other Matters

I. PRINCIPLE OF THE DEVELOPMENT AND THE IMPACT UPON THE GREEN BELT

6.2 The site is within the Green Belt as identified on the Core Strategy Proposals Map and therefore policies CSSP4 and PMD6 apply. Policy CSSP4 identifies that the Council will '*maintain the purpose function and open character of the Green Belt in Thurrock*', and policy PMD6 states that the Council will '*maintain, protect and enhance the open character of the Green Belt in Thurrock*'. These policies aim to prevent urban sprawl and maintain the essential characteristics of the openness and permanence of the Green Belt in accordance with the requirements of the NPPF.

- 6.3 Paragraph 133 within Chapter 13 of the NPPF states that the Government attaches great importance to Green Belts and that the *'fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'*.
- 6.4 The proposal has been presented to include new development and some replacement development and in policy terms it is important to establish the differences.
- 6.5 The new development on the site would consist of:
- The creation of a new health led community to include:
 - 84 no. homes for independent living - extra care (Use Class C2);
 - 36 no. apartments for independent living extra care (Use Class C2);
 - 42 no. close care apartments (Use Class C2);
 - 64-bed residential care home with dementia facilities (Use Class C2);
 - 4 no. key worker apartments (Use Class C3) encompassing a care workers administration health hub.
 - 12 x 2 bedroom apartments for independent living extra care (Use Class C2);
 - A new golf academy (tuition areas and function space for 150 guests);
 - Supporting infrastructure to include:
 - a new car park for the golf academy;
 - new vehicular access from lower Dunton Road; landscaping;
 - new bowling green;
 - new walkways;
 - erection of a security gatehouse and security surveillance.
- 6.6 The replacement development on the site would consist of:
- A redesigned club house (with health spa, reception area; restaurant area; bar areas; function areas (for 250 guests); professional golf shop; gym; swimming pool; changing rooms; office space; kitchens and food preparation areas and other necessary ancillary areas).
 - A new quick play golf course to replace the existing 9 hole golf course
 - A new redesigned green keepers building to replace the existing building but located in a different location on the site.
 - Supporting infrastructure which includes a reconfigured main car park.
- 6.7 In terms of the NPPF and Core Strategy, it is necessary to consider the following key questions:
1. Whether the proposals constitute inappropriate development in the Green Belt;
 2. The effect of the proposals on the open nature of the Green Belt and the purposes of including land within it; and

3. Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify inappropriate development.

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

6.8 Paragraph 143 of the NPPF defines 'inappropriate development' as definitional harm to the Green Belt and should not be approved except in very special circumstances.

6.9 Policy PMD6 states that the Council will 'maintain, protect and enhance the open character of the Green Belt in Thurrock' but includes 'exceptions' for allowing certain development within the Green Belt, providing this accords with the requirements of this policy. Relevant to this proposal are the following sections of Policy PMD6:

2. Replacement buildings;

6. Infilling and partial or complete redevelopment of a previously developed site comprising more than a single building.

6.10 Paragraph 145 of the NPPF allows for 'exceptions' for development in the Green Belt and relevant to this proposal this would include:

(b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or*
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

Previously Developed Land

- 6.11 Reference is made in both policy PMD6 and paragraph 145 of the NPPF to Previously Developed Land, which the NPPF defines as:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

- 6.12 Taking this into account the PDL on this site can only apply to the locations occupied by permanent structures. The definition allows for the curtilage of the developed land but this would not include the entire golf course or undeveloped areas of the golf course to be previously developed land.

'Replacement Buildings'

- 6.13 Turning to policy PMD6 and the 'Replacement Buildings' criteria, the policy allows for replacement buildings on the basis that '*the replacement of other buildings shall only be for the same use, and the replacement building shall not be materially larger than the one it replaces*'. Similarly paragraph 145 of the NPPF allows for '*the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces*'. Therefore in principle replacement buildings would be permitted.
- 6.14 As stated above the proposal includes replacement development but in terms of replacement buildings this would include the replacement clubhouse building and the replacement green keepers building.
- 6.15 The replacement clubhouse building would be sited in the location of the existing hotel building, which would be demolished. The existing clubhouse would be replaced by a putting green and a vehicle turning area. The hotel building would not be replaced through the proposed development. The replacement clubhouse building would include a significant amount of new and additional uses compared to the existing clubhouse building.
- 6.16 The replacement green keepers building would be located in different location to the existing green keepers building, which is located to the east of the existing driving range building. The proposed replacement green keepers building would be located further south and to south of the golf academy building.

- 6.17 The proposal would include the loss of the hotel and the existing driving range enclosure and the applicant’s Planning Statement considers that the proposed golf academy is replacing this facility. Whilst the proposed golf academy would include a replacement driving range enclosure the overall introduction of the golfing academy represents a significant amount of new development, which would be located in a location away from the cluster of existing built development centrally located on the site.
- 6.18 The proposed location of the golfing academy would encroach further into the countryside and increase the spread of built form over the site and therefore impact upon existing areas of openness. In principle the replacement of the driving range enclosure would be acceptable but the proposed golf academy cannot be considered as a replacement building in policy terms given its intended uses, location and scale of development.
- 6.19 The comparison table below is taken from the applicant’s Planning Statement and shows the existing and proposed floorspace and volume calculations:

	Existing Floorspace (m ²)	Existing Volume (m ³)	Proposed Floorspace (m ²)	Proposed Volume (m ³)
Golf Club House	1,347	4,640	5,420	21,532
Hotel	1,788	4,560		
Green Keepers Building	725	3,774	527	3,984
Driving Range enclosure	167	504		
Golf Academy			1,664	7,300
Total	4,027	13,478	7,611	32,816
Difference			+3,584	+19,338

- 6.20 The table shows that the proposal would result in a significant increase in floorspace and volume in comparison to existing golf buildings on site, in fact more than double the floorspace and volume that exists on site. The proposed replacement golf buildings would include additional uses, would introduce built development in different parts of the site and would be significantly and demonstrably larger than the buildings they are replacing. Therefore the proposed replacement golf development would have a significant impact upon the openness of the Green Belt, contrary to policy PMD6 and paragraph 145 of the NPPF

6.21 Policy PMD6 and paragraph 145 of the NPPF do not refer to replacement infrastructure and therefore no objections a reconfigured main car park which would be similar in size to the existing car park, and no objections are raised to the replacement of the existing 9 hole golf course with a 6 hole quick play golf course.

New Development

6.22 The new development on the site would consist of the creation of the creation of a new health led community including extra care dwellings, close care dwellings key worker dwellings and a care home, along with a new golf academy (tuition areas and function space for 150 guests) and supporting infrastructure.

6.23 Policy PMD6 (part 6) and paragraph 145 (g) of the NPPF both allow for limited infilling and partial or complete redevelopment of a previously developed land. However, as stated above not all of the golf course is considered as previously developed land and it is clear that the amount of proposed new development would not 'be limited infilling' but completely new development and for this reason there are no policy 'exceptions' applicable. As such, and as stated in paragraph 143 of the NPPF the proposed development would be *'inappropriate development'*, which is by definition, *'harmful to the Green Belt and should not be approved except in very special circumstances'*.

Conclusion for this section

6.24 In summary the proposed development would be inappropriate development which is, by definition, harmful to the Green Belt and contrary to policy PMD6 and paragraph 143 of the NPPF.

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

6.25 Having assessed the proposed development as inappropriate development in the Green Belt the next step is to consider the impact of the proposal upon the open nature of the Green Belt and the purposes of including land within it.

6.26 Paragraph 133 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being described as their openness and their permanence.

6.27 Paragraph 134 of the NPPF sets out the five purposes which the Green Belt serves as follows:

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

6.28 In response to each of these five purposes:

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

6.29 The site occupies a relatively isolated position in the Borough, with only a ribbon of built development close-by, along Lower Dunton Road, and the current building operations at the Little Malgraves site. The site is distant from the modest settlements of Bulphan and Horndon on the Hill. The proposals would spread the existing extent of built development (located on the western side Lower Dunton Road between the South Hill and Old Church Hill junctions) further into this part of the Green Belt.

6.30 This would result in an amount of 'sprawl' which would be harmful to a degree and is therefore inappropriate development in the Green Belt. However, as the NPPF refers to 'large built up areas' it is considered on balance that the proposals would be unlikely to significantly impact upon this purpose of the Green Belt in checking the unrestricted sprawl of large built-up areas.

b. to prevent neighbouring towns from merging into one another

6.31 The site forms part of an area of Green Belt which separates the built-up areas of Stanford-le-Hope / Corringham (in the south) and Langdon Hills / Laindon (in the north). The site forms only a small part of the Green Belt 'corridor' separating the two settlements. Nevertheless, the development proposals would not result in neighbouring towns from merging into one another.

c. to assist in safeguarding the countryside from encroachment

6.32 Existing development is limited primarily to a small number of farmsteads around the perimeter of this land parcel and a loose cluster of development within a smaller scale landscape on the north side of Horndon-on-the-Hill. Any significant development within this parcel is likely to represent significant encroachment into open countryside. This site has a distinct perception of openness with open and extensive views to the north and west as the topography reduces in height. The site has well defined boundaries through a natural hedge to the eastern boundary with Lower Dunton Road.

6.33 This type of area is fundamental to assisting in safeguarding the countryside from encroachment. Therefore the proposal would conflict this purpose.

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

6.34 The proposal would not conflict with this defined purpose of the Green Belt for this location.

e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

6.35 The existing golf club covers a large site and is distant from existing urban areas but as the proposed health-led community with residential properties and a care home could be accommodated within an urban area there is no spatial imperative why Green Belt land is required to accommodate these elements of the proposals, so this would lead to some conflict with this purpose.

Conclusion for this section

6.36 In light of the above analysis, the proposal would be fundamentally contrary to point (c) and partly contrary to point (e) as it would lead to significant development within the Green Belt which would have an adverse impact upon the openness of the Green Belt and would fail *'to assist in safeguarding the countryside from encroachment'*, contrary to paragraph 134 of the NPPF, and policies CSSP4 and PMD6.

3. Whether the harm to the Green Belt is clearly outweighed by other considerations, so as to amount to the Very Special Circumstances necessary to justify the development

6.37 Paragraph 144 of the NPPF states that, when considering any planning application, local planning authorities *'should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'*.

6.38 Neither the NPPF nor the adopted Core Strategy provide guidance as to what can comprise 'very special circumstances', either singly or in combination. Some interpretation of very special circumstances has been provided by the Courts and this includes the rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as the converse of 'commonplace'). However, the demonstration of very special circumstances is a 'high' test and the circumstances which are relied upon must be

genuinely 'very special'. In considering whether 'very special circumstances' exist, factors put forward by an applicant which are generic or capable of being easily on other sites, could be used on different sites leading to a decrease in the openness of the Green Belt should not be accepted. The provisions of very special circumstances which are specific and not easily replicable may help to reduce the risk of such a precedent being created. Mitigation measures designed to reduce the impact of a proposal are generally not capable of being 'very special circumstances'. Ultimately, whether any particular combination of factors amounts to very special circumstances will be a matter of planning judgment for the decision taker.

6.39 The applicant's Planning Statement sets out the applicant's case for very special circumstances under the following headings:

1. The Role Of The Application Site In The Green Belt;
2. Use Of Previously Developed Land;
3. The Suitability Of The Site And Lack Of Alternative Sites;
4. Positively Responding To An Ageing Population In Thurrock;
5. Meeting Specific Housing Needs;
6. Delivery Of Healthcare And Wellbeing Improvements;
7. Ability To Positively Contribute Towards Housing Land Supply;
8. Improving The Sport And Leisure Offer For Thurrock;
9. Increasing Participation Levels in Sport;
10. The Provision Of New Employment Opportunities;
11. Maintaining Momentum And Delivery Of Regeneration With The Thames Gateway; and,
12. Sustainability and Socio-Economic Benefits.

6.40 The following section references the applicant's very special circumstances as summarised from the applicant's Planning Statement and they are assessed through the 'consideration' comments which follow.

1. *The Role Of The Application Site In The Green Belt;*

6.41 The applicant refers to recognition of development in the Green Belt being required through the adopted and emerging local plans and makes reference to the five purposes of including land in a Green Belt as set out at paragraph 134 of the NPPF.

6.42 The applicant's response to the five purposes of the green belt is stated below:

- *The application site is positioned adjacent to a ribbon of built development along Lower Dunton Road, approximately 1.3 miles to the north of Horndon-on-the-Hill. Therefore, the development of the site will not result in unrestricted sprawl of large built-up areas, or indeed the merging of Horndon-on-the-Hill into either Bulphan*

(1.9 miles to the north-west), or Langdon Hills (1.5 miles to the north). Horndon-on-the-Hill is a small-scale settlement with a population of approximately 1,600 people. The nearest large, built-up settlements are Stanford-le-Hope (to the south) and Langdon Hills (to the north).

- *The development does not actively contribute to the setting and special character of Horndon on the Hill but could encourage greater use of the historic town centre by future residents, thereby increasing its vitality and viability. Moreover, it would introduce new areas of publicly accessible spaces and high-quality landscaping, making a greater contribution to the setting and special character of the settlement than the existing use of the site.*
- *The lack of development opportunities in Horndon-on-the-Hill and Bulphan resulting from a tightly drawn Green Belt boundary restricts any regeneration opportunities. When considering the adopted and emerging plans both acknowledge Green Belt development is required in Thurrock, it indicates the recycling of derelict and urban land has already been undertaken as far as possible.*

Consideration:

- 6.43 Policies CSSP4 and PMD4 of the adopted Core Strategy sets out the Green Belt policies for the Borough and paragraph 5.4 of this report sets out the latest position with the emerging Local Plan which through the Issues and Options (Stage 2 Spatial Options and Sites) document identifies a range of options for future growth in the Borough including the release of Green Belt land.
- 6.44 Analysis under each of the five purposes of the Green Belt is provided above and accordingly, the proposals would be contrary to purpose (c) - to assist in safeguarding the countryside from encroachment), and partly contrary to point (e) – to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. For these reasons the proposal would lead to significant development within the Green Belt which would have an adverse impact upon the openness of the Green Belt. The applicant's case under this heading is not a very special circumstance but application of national planning policy and therefore should be afforded no weight.

2. Use Of Previously Developed Land;

- 6.45 The applicant considers the site constitutes previously developed land and refers to the NPPF encouraging use of previously developed land where suitable opportunities exist. It is stated that both the adopted and emerging Thurrock Local Plans acknowledge that Green Belt development will be required and therefore significant weight should be given to the use of previously development in the Green Belt.

Consideration:

6.46 It is considered that the previously developed land on this site can only apply to the locations occupied by permanent development. The definition allows for the curtilage of the developed land but this would not include the entire golf course or undeveloped areas of the golf course to be considered as previously developed land. As majority of the proposed development is new build development on land that has not been previously developed land, as defined by the NPPF definition, no weight can be given to this as a very special circumstance.

3. *The Suitability Of The Site And Lack Of Alternative Sites:*

6.47 The applicant considers the upgrading of the golf and country club alongside the provision of the health-led community village as intrinsically linked with the benefit of shared facilities and resources so they are not delivered in isolation of each other. It is stated that this location would also benefit from the new hospice under construction 330m to the east of the site.

6.48 The applicant has considered four other golf courses in Thurrock, which are Belhus Park Golf Course, Orsett Golf Club, Mardyke Valley Golf Club and St Clere's Hall Golf Centre. All of these alternative sites were discounted for a number of reasons including ownership and because they only offer an 18 hole course.

Consideration:

6.49 It is recognised that all golf facilities in Thurrock are located within the Green Belt but this would be expected within a Green Belt authority so close to London. The four alternative golf clubs have been discounted but it must be recognised that the applicant has no ownership/control of those alternative courses and has only recently purchased the application site. It is not clear whether the applicant discounted those golf courses when considering the purchase of the application site but no information has been presented to clarify this.

6.50 Given the quantum of proposed development the impact upon the openness of the Green Belt is significant and this site is not suitable for the proposed development, in this location.

6.51 The information does not present a 'very special circumstance' to the suitability of this site. Reference is made to the proximity of the nearby Hospice under construction but the Hospice facility is not linked to this development and is only a 6-bedroom hospice designed to meet an existing need within the Borough development. There are no other reasons for developing this site and given its isolated and remote location it is considered an unsustainable location and therefore not suitable for inclusion of a health-led community village.

- 6.52 The proposed development would be a unique type of use (golfing facilities and health village). The emerging Local Plan would plan for all house types to meet the needs of the demographics across the Borough. Under the current Core Strategy there are no sites identified specifically for this type of use and therefore any alternative sites would be windfall sites. Any such alternatives should be located within the existing urban areas of Thurrock so they are close to amenities and services.
- 6.53 On the basis there are no alternative sites available only limited weight can be given to this 'very special circumstance'.

4. Positively Responding To An Ageing Population In Thurrock;

- 6.54 The applicant refers to various documentation relating to Thurrock's ageing population.
- 6.55 Firstly, paragraph 3.8 of the Core Strategy states: '*the proportion of people aged over 65 will increase by 13,800 people (a 71% increase) and people aged over 85 will more than double, increasing by 3,100 people (a 141% increase)*', over the plan period of 2011 to 2026. Secondly, the Strategic Plan for NHS Thurrock Clinic Commissioning Group confirms that the group aged over 85 is expected to double over the next 20 years. Thirdly, the Council's emerging Local Plan through the Issues and Options Stage 2 process recognises the need for all types of accommodation options for older people with estimated growth of 450 persons needing communal establishments. Fourthly, the Office of National Statistics (ONS) identifies the population growth for Thurrock would increase by 20% from 168,000 in 2016 to 209,200 by 2041.
- 6.56 In addition to growth, the population is ageing, and there currently 41,544 residents in Thurrock aged 55 and over. The 2016-based population projections indicate that the population in this age cohort is expected to increase to 63,300 by 2041, which represents a 52% increase. There are projected to be an additional 8,900 residents aged 75+ by 2041, representing an 89% increase.
- 6.57 The applicant refers to paragraph 61 of the NPPF which identifies the need to plan for a mix of housing with the PPG identifying the need for older person's homes as critical.
- 6.58 The applicant's Elderly Needs Assessment outlines that there is no existing leasehold extra care housing within Thurrock or the wider catchment area, and this identifies a significant tenure imbalance within the existing provision. Other research sources indicates that many older people wish to downsize or move to more

appropriate accommodation, wanting lower maintenance, easier accessibility a smaller garden and being located near amenities.

Consideration:

- 6.59 It is recognised that Thurrock, like the rest of the country, has an ageing population. Reference is made to the research sources looking at the reasons why older people may choose to move to this type of accommodation. It is noted that the applicant's intention is to create a health village where residents can form a community and use the proposed facilities. Given the generous size floorspace in the proposed accommodation it could argued that these dwellings would not necessarily result in downsizing and there are no details provided to indicate that these units would be affordable or suitable to the people of Thurrock.
- 6.60 The principle of increasing the supply of housing for the elderly is recognised but for the Borough's specific needs to be met such accommodation would need to be suitable in all respects, including location and this application is not considered to be located in a suitable location and therefore only limited weight can be afforded to this very special circumstance.

5. Meeting Specific Housing Needs;

- 6.61 The applicant makes reference to the need for suitable purpose built housing which includes an element of care and that the proposed development would provide this type of housing product. It is also stated that there is a growing need for this in Thurrock, along with the need for a dementia care home. Reference is made to the positive feedback and support for the development from the pre-application community engagement.
- 6.62 Reference is made to the NHS Thurrock CCG's Operational Plan 2016-17 commitment to improve delivery and access of seamless integrated end of life services. The aim of this plan is avoid time spent in hospitals if more integrated care can be provided in the community.
- 6.63 Reference is made to two appeals for similar developments within Green Belt locations at West Malling in Kent, and Chester, where a Planning Inspector gave consideration to the need for specialist care housing.

Consideration:

- 6.64 Other than the key worker apartments, all house types, apartment types, and the proposed care home subject to this application have been applied for on the basis that they fall within Use Class C2 and not Use Class C3 of the Town and Country

Planning (Use Classes) Order (1987) (as amended) (UCO). The Use Classes Order defines the two different uses as follows:

Class C2. Residential institutions –

Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)).

Use as a hospital or nursing home.

Use as a residential school, college or training centre.

‘Care’ is defined in Article 2 of the UCO as:

“care” means personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment;

Class C3. Dwellinghouses - Use as a dwellinghouse (whether or not as a sole or main residence) by—

(a) a single person or by people to be regarded as forming a single household;

(b) not more than six residents living together as a single household where care is provided for residents; or

(c) not more than six residents living together as a single household where no care is provided to residents (other than a use within class C4).

6.65 The need to provide a mix of dwelling types, size and tenure is recognised through policy CSTP1, although this policy does not specifically refer to the terms of ‘extra care’ housing or ‘close care’ housing as referred to in this application as such concepts are more recent terminology. The NPPF is silent on such uses but the PPG includes a section on ‘Housing for older and disabled people’, although the guidance leaves it for a local planning authority to consider which use class case a particular development may fall within.

6.66 The application refers to ‘extra care’, ‘close care’ and ‘care home’. The ‘care home’ would fall within the C2 use class definition. The two other definitions are not so clear. ‘Extra care’ is referred to in paragraph 14 of the PPG ‘Housing for older and disabled people’ and is defined as a form of development which:

‘usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement

communities or villages - the intention is for residents to benefit from varying levels of care as time progresses'.

6.67 The HousingCare Organisation website defines 'extra care' as follows:

'Extra Care Housing is housing designed with the needs of frailer older people in mind and with varying levels of care and support available on site. People who live in Extra Care Housing have their own self contained homes, their own front doors and a legal right to occupy the property. Extra Care Housing is also known as very sheltered housing, assisted living, or simply as 'housing with care'. It comes in many built forms, including blocks of flats, bungalow estates and retirement villages. It is a popular choice among older people because it can sometimes provide an alternative to a care home. In addition to the communal facilities often found in sheltered housing (residents' lounge, guest suite, laundry), Extra Care often includes a restaurant or dining room, health & fitness facilities, hobby rooms and even computer rooms. Domestic support and personal care are available, usually provided by on-site staff'.

6.68 There is no definition provided for 'close care' in planning legislation/guidance. The HousingCare Organisation website defines as follows:

'Close Care schemes are a relatively new concept and consist of independent flats or bungalows built on the same site as a care home. Residents often have some services (such as cleaning) included in their service charge and other services can be purchased from the care home'.

6.69 For the application it is therefore necessary to consider and assess each residential element of the proposed development.

6.70 The dementia care home would fall within a C2 use class as the information demonstrates a range of facilities within the building that show there be would a need for care and therefore this would fall within a 'residential institution' use. However, the Council's Public Health Officer/Programme Manager For Health & Social Care identifies that there is a requirement that the care home is registered with the Care Quality Commission (CQC) and no information is stated within the application to demonstrate the proposed care home would be registered with the CQC.

6.71 The proposed 'extra care' and 'close care' uses are all designed and laid out for independent living and would appear as dwellings within a C3 use class.

6.72 The 'close care' apartments would be located in one single building. Within the building there would be self-contained two bedroom flats with a bathroom, living room and kitchen allowing for independent living. The only communal areas would be the first floor lounge and café use with a kitchen, which appears related to the café use,

and the second floor bar area. It is recognised that there would be a reception area and a staff room/changing areas. The plans show only one lift to serve the 30 upper floor units. These 'close care' apartments would appear as a C3 use given the degree of independent living and lack of identified care. Externally there would be green spaces around the building, although these do not appear as communal amenity spaces but incidental landscaping.

- 6.73 The 'extra care' apartments are laid out as self-contained dwellings with bedrooms, bathrooms, lounge room, dining area and kitchens. Some of the units they would be accessed from their own front entrance doors. The internal layout of one of the apartment types (type 2) would have no lift access to a third floor bedroom and office room, so no internal arrangements to access all floors for those in need of care and wheelchair access. The applicant these 'extra care' apartments would be leasehold properties. The units do not accord with paragraph 64 of the NPPF which for exemptions to affordable housing provision require '*specialist accommodation for a group for people with specific needs*' (such as *purpose built accommodation for the elderly or students*). They would appear as dwellings and would therefore appear to be a C3 use.
- 6.74 The 'extra care' homes would be detached buildings with their own front and rear gardens and parking areas. The internal layout of one house type (type 3) includes a first floor but with no lift provided, only space for a lift, so no access to all floors for those in need of a high level of care. The applicant explains that the 'extra care' homes would be sold as freehold properties. These units would be located remote from facilities that are usually physically integral to C2 uses and would be accessed in the open from a considerable distance making the communal facilities difficult to access. They would appear as dwellings as a C3 use and therefore lack the features of a C2 use and therefore a s106 restriction cannot restrict to use for C2 purposes.
- 6.75 For both 'extra care' uses the HousingCare Organisation identifies that communal facilities would include residents lounge, guest suite and laundry facilities but none of these uses are proposed within the development.
- 6.76 In regard to paragraph 14 of the PPG's 'Housing for older and disabled people' and its definition of 'extra care', it has not been demonstrated that the proposal would provide 'medium to high levels of care', when considered with the basic care packaged offered through the planning obligations. Reference has been made to a proposed care agency but it has not been demonstrated that this care agency would operate on this site or that it has been signed up to the site. There are no details about meal provision other than the occupiers can visit the restaurant facilities to be provided in the proposed clubhouse, which would not be accessible to anyone with 'medium to high levels of care', who are likely to require meals delivered to their

homes. The proposal has not demonstrated compliance with paragraph 14 of the PPG's 'Housing for older and disabled people'

- 6.77 Turning to the facilities to be offered, the proposed health-led community village has been designed around using the replacement golf clubhouse as communal facilities for the occupiers. However, the replacement golf clubhouse has been designed to cater for multiple uses and purposes, which include providing facilities for occupiers but also for golf club members and with some uses open to the general public.
- 6.78 Therefore the communal facilities are not bespoke uses solely for the occupiers of these homes/apartments, which would be expected for C2 facilities. The facilities to be provided would include a health spa, reception area, restaurant areas, bar areas, function areas (for 250 guests), a professional golf shop, shop/pharmacy, doctors consulting room, beauty room, a gym, a swimming pool, cinema, changing rooms, office space, golf buggy store, kitchens and food preparation areas along with other necessary ancillary areas. These services are designed more for leisure and recreational uses rather than for personal care and medical care needs.
- 6.79 The applicant proposes a number of planning obligations including provision of a basic care package included as a service charge. This would include the use of technology to monitor occupiers remotely by the health workers, although it is not clear how many healthcare workers would be on site. The application forms refer to 160 employees but do not define where these workers would be employed and there are only 4 onsite apartments for 'key workers' which are assumed are for healthcare professionals.
- 6.80 Technology would be used for monitoring but also for achieving 'health' goals which does not imply care but more designed around personal achievement. It is not clear if the golf clubhouse would be open 24 hours a day 7 days week and run by specialist trained staff for elderly care. It is stated at least 1.5 hours of personal care support would be each week but it is not clear how this would work. A resident's lounge which would be used for consultations would also used for events and private use so this does not imply dedication for care.
- 6.81 Membership to the golf club is offered at discounted rate for the first year but this is for leisure purposes and not care. The basic package comprises significant monitoring, security and connecting, but does not seem to deliver any actual personal care such as meals to each home, getting patients out of bed, washed and dressed; instead the service is more reactive. From this information there are elements of the proposed development that are not clear and information that indicates elements of leisure and recreational uses rather than care needs.

- 6.82 Within the planning obligations is a restriction on use and requiring an occupier to be at least 55 years old, such an age requirement does not indicate a need for care, the occupier should already be in need of care to meet the requirements to qualify for one of the units of accommodation rather than living on site in case they need care in the future. The applicant's needs assessment identifies the need for extra care units is for people aged 75 and above not 55 years old, and then identifies the need for extra care beds and not individual self contained homes so is inconsistent with the application details.
- 6.83 From the consultation process the Council's Public Health Officer has raised similar points and does not consider the 'extra care' and 'close care' units to be C2 uses.
- 6.84 With regard to specific housing needs the South Essex Strategic Housing Marketing Assessment (SHMA) (2016 and 2017 Addendum) identifies the need for increased housing for older persons between 2014-2037 across South Essex. From the SHMA it is recognised that the Borough has a growing older person's population and that there are needs for different types of housing. Paragraph 8.42 of the SHMA identifies this change in older age groups between 2017-2037. Paragraph 8.45 identifies the types of specialist accommodation for older people including sheltered housing, extra care housing and care homes. Specifically for Thurrock, table 5.6 of the SHMA identifies the need for 220 extra units between 2014 - 2037. The proposed development would provide 132 extra care units and would therefore provide more than half of the extra care accommodation identified for this time period.
- 6.85 Although still in the plan preparation stage the emerging Local Plan will look to identify policies and potential sites for all types of accommodation to meeting needs of the Borough's ageing population so opportunities for provision of accommodation to meet existing housing needs shall need to be considered favourably and the 132 extra care units would contribution to the specialist housing need provision.
- 6.86 The Council's Public Health Officer in responding to the planning consultation considers that the proposal has not sufficiently demonstrated a local need for this type of speciality housing in this location, which would require significant financial commitment from residents, and no financial information has been provided to understand the affordability of the development. It is therefore not clear how this development would be affordable to the people of Thurrock
- 6.87 Policy CSTP2 seeks to achieve 35% of new housing development to be allocated for affordable housing which can include affordable elderly units. Therefore the proposed homes and apartments can provide affordable housing. The Council Housing Officer advises that the location is likely to be unattractive to a registered provider and it is therefore suggested that on site provision is unlikely to be suitable and that a

Payment in Lieu for the purposes of affordable housing appears to be the most appropriate approach.

- 6.88 Paragraph 64 of the NPPF advises that specialist accommodation for groups of people with specific needs (such as purpose-built accommodation for the elderly or students) are exempt from affordable home ownership. However, it does not appear that the development is 'purpose built' for care uses and it would not fall within any exemption based on the details stated above in regard to design of the units, layout, distance to facilities and the use of leisure facilities forming a main part of the care package. Therefore more affordable housing than offered with the 4 'key worker' units would be required and based on the advice of the Council's Housing Officer this would need to be secured as an off site contribution given the site's remote and unsustainable location. It is not clear how the 'key worker units' would fall within the definition of affordable housing within the NPPF as it is implied that this is for healthcare workers rather than those registered with the Council/a registered provider.
- 6.89 Under this heading specific housing needs it has not been demonstrated that the proposed residential development would fall within a C2 use class of the Town and Country Planning (Use Classes) Order 1987 due to the siting, layout and provision of the units of accommodation and apartment blocks; the remoteness, distance and access to on site facilities; the inadequacy and/or lack of purpose built care facilities and dedicated services in favour of general needs leisure related facilities at the redeveloped club house. In addition there is a lack of evidence of personal care provision within the proposed planning obligations, insufficient information regarding assessment of C2 need for care; the proposed low age restriction; lack of information to understand the affordability of the development and the lack of information to demonstrate a local need for the type and scale of accommodation proposed and the need to provide elderly care accommodation at a golf course. For these reasons only limited weight can be given to this very special circumstance.

6. *Delivery Of Healthcare And Wellbeing Improvements;*

- 6.90 The applicant considers that the health-led community village linked with high quality sports and leisure would offer would significant benefits to the health and wellbeing of future residents. It is stated that the clubhouse would support opportunities for social interaction and some of the facilities would be open to the general public. Reference is made to the provision and benefits of on-site care including a doctors consulting room, although not shown on the plans, and an allowance for a pharmacy, the use of high level of technology to be integrated into the homes on site, the benefit of having 24 hour on emergency care and on site security.

- 6.91 Reference is made to the feedback provided received from the applicant's pre-application public consultation with the Statement of Community Engagement demonstrating support for the proposed facilities in the club house and health spa.
- 6.92 The nearby hospice development at Malgraves Farm is referenced along with the wellness centre at the Former Harrow Inn site with the potential for grouping these health facilities in this location of the Borough.

Consideration:

- 6.93 For residents living on site there would be wellbeing benefits from living close to the proposed clubhouse with its associated facilities and the golf course. However, the proposed uses are not solely for the residents but existing and future members of the golf course so would be shared facilities.
- 6.94 Reference is made to the provision and benefits on-site but the proposal would require residents to register at the local GP surgery which is in Horndon on the Hill and is distant from the site, requiring use of vehicles to access this facility. The NHS have stated that they require a collaboration agreement with the local surgery to manage the healthcare needs but no details have been provided. The NHS have also raised questions over whether the site would rely on support from the local GP surgery and other health care providers. The applicant has confirmed that they are agreeable to working closely with the NHS but no further information or written agreements with the NHS have been provided to demonstrate how this would work.
- 6.95 It is recognised through proposed planning obligations that care packages would be offered to residents and that residents would need to have a health assessment for living on site. However, the planning obligations cannot alter the unsuitability of this site including its layout, physical separate and distance to facilities. It is also stated that the use of technology would assist residents in the everyday life on site, however, technology can already be used in existing housing stock to provide assistance to residents in need of care. The proposed dwellings would be purposely built to provide accommodation on one level and would allow for wheelchair/mobility access, although the 'extra care' apartments and house type with first floor accommodation would have no or limited lift facilities.
- 6.96 The Council's Public Health and Programme Manager considers the level of community consultation insufficient to demonstrate local support for the proposal as any new model for older person's housing aspirations would need to include research and consultation with older people in the borough.
- 6.97 The hospice at Malgraves is only a small hospice providing 6 bedrooms and the Wellness Centre in Bulphan is a private club. Both these uses are located in rural

countryside locations in Thurrock's Green Belt and are both isolated and unsustainable locations requiring access by private vehicle. The hospice at Malgraves formed part of an enabling development proposal and policy CSTP11 supported the principle provision of a hospice.

- 6.98 Under this heading it is considered that limited weight can be given to this very special circumstance as the facilities would not be adequately integrated into the development, the proposed relationship with the NHS has not been clearly identified and not of all the proposed accommodation provides lift facilities to all floors.

7. Ability To Positively Contribute Towards Housing Land Supply;

- 6.99 The applicant considers the benefits of older people downsizing can free up existing housing stock. The applicant references that approximately 120 large three bedroom and 60 other large types of family sized accommodation are likely to be released as a result of people downsizing and moving to the proposed health village. Reference is made to the SHMA and the need for 42% 3 bedroom homes and 18% for 4 bedroom homes.
- 6.100 In terms of housing delivery it is stated that only 88% of the required housing has been delivered in Thurrock over the past 3 years and that housing targets for completions have not been met in the past decade. Therefore the applicant considers the release of 180 units as a result of older people downsizing would help the local housing market.
- 6.101 It is stated that ensuring that the Borough has adequate supply of housing is a key policy requirement of the NPPF and that the Council has to maintain a 5 year housing land supply of available, suitable and achievable sites. However, it is stated that Thurrock has been under achieving its housing targets. The SHMA for South Essex (May 2016) identifies that the objectively assessed housing needs in Thurrock range between 919 to 973 dwellings per annum for the period 2014-2037. The Council's latest Five Year Housing Land Supply Position Statement (July 2016) identifies a supply of between 2.5 to 2.7 years when compared to the housing requirement.
- 6.102 In terms of the weighting to be attributed to this very special circumstance reference is made to the planning appeal at Little Thurrock Marshes (15/01534/OUT) where the Planning Inspector affording 'significant weight' to this very special circumstance. Reference is also made to the fact the former PPG guidance, which stated '*Unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the "very special circumstances" justifying inappropriate development on a site within the Green Belt*', is no longer translated into the current revised NPPF/PPG.

Consideration:

- 6.103 The issue of housing land supply has been considered by the Committee regularly including planning applications within the Green Belt.
- 6.104 The adopted Core Strategy sets out the Council's targets for the delivery of new dwellings. Policy CSTP1 states that between April 2009 and March 2021, 13,550 dwellings are required to meet the overall minimum target of 18,500 dwellings (2001-2021). In addition, provision is made for a further 4,750 dwellings between 2021-2026. This is a total of 18,300 for the period 2009-2026, equating to an average of 1,076 dwellings per annum.
- 6.105 The future level of housing supply is being considered through the preparation work for the new Local Plan and it is inevitable that the housing needs of the Borough will increase as a result, based on future demographic predictions for the Borough.
- 6.106 As identified above the Council's latest Five Year Housing Land Supply Position Statement (July 2016) identifies a supply of between 2.5 to 2.7 years when compared to the housing requirement.
- 6.107 It is recognised that the proposal may have the potential to 'free up' existing housing stock in Thurrock but that is dependent upon existing residents within the Borough moving to the application site, and affordability will be a factor in this. If residents from outside the Borough move into this site then the number of houses 'freed up' by the development would be much less.
- 6.108 Reference is made to the SHMA and the need for 42% 3 bedroom homes and 18% for 4 bedroom homes in the Borough. However, there have been a number of applications for larger developments including 3 and 4 bedroom units within the Green Belt and the SHMA predates some of these planning permissions, such as the 80 dwellings (all 3 and 4 bedroom units) at Little Malgraves Farm close to the site, which was granted planning permission in June 2018. This site and other sites would have a reducing impact upon the percentages stated in the SHMA.
- 6.109 Reference is made to the Little Thurrock Marshes site where 'significant weight' was afforded to that proposal, however, that appeal was still dismissed as a result of its impact upon the Green Belt.
- 6.110 The housing land supply consideration is consistently considered to carry significant weight as a very special circumstance in planning applications within the Borough.

8. Improving The Sport And Leisure Offer For Thurrock:

- 6.111 Reference is made to paragraphs 28, 91 and 97 within chapter 8 ‘Promoting healthy and safe communities’ of the NPPF, which, as national policy promotes the retention and development of sports venues and sports facilities. Within chapter 13 ‘Protecting Green Belt land’ of the NPPF reference is made to paragraph 145 which refers to exceptions for new development in the Green Belt, which includes outdoor sport and recreation.
- 6.112 In terms of local planning policy reference is made to policy CSTP9 (Wellbeing: Leisure and Sports) with leisure and sports facilities playing an important role in improving the wellbeing of the community, and the evidence based documents to the Core Strategy, which explain that football and golf are the most popular sports in Thurrock, and participation levels for golf are higher on average in Thurrock than across the country.
- 6.113 The Sport England ‘Towards an Active Nation 2016 – 2021’ is referred to which seeks to ‘increase the number of people that participate in sport and activities’.
- 6.114 The applicant’s Golf Enhancement Statement has assessed the existing golfing facilities within the Borough. There are five golf courses in Thurrock and these include:

Course	Course information
Belhus Park Golf and Country Club	A council owned community facility with an 18 hole course that extends over 46 acres
Orsett Golf Club	An 18 hole golf course with function rooms available for members to hire
Clere Hall Golf Club	A 9 hole golf course and driving range, previously was an 18 golf hole course. Footgolf is also offered
Mardyke Valley Golf Club	An 18 hole golf course with function room for hire
Langdon Hills Golf Course	A 27 hole golf course (18 hole and 9 hole courses)

- 6.115 The applicant’s Golf Enhancement Statement explains that the practice facilities at the Langdon Hills Golf and Country Club are basic, the club lacks a shorter, quicker and less intimidating course which impacts upon participation rates.
- 6.116 The proposed improvements to the golf club including the new clubhouse, new golf academy, reconfigured golf course facilities and enhance golf course maintenance facilities, which the agent explains would accord with policy CSTP9 and paragraph 91 of the NPPF.

6.117 The applicant makes reference to a recent appeal decision (Edgewarebury Farm, Edgeware) where a golf course was permitted within the Green Belt which accorded with the 'exceptions' set out in paragraph 145 of the NPPF, which allows for outdoor sports on proviso that the facilities preserved the openness of the Green Belt and do not conflict with the purpose of these of including land within it.

Consideration:

6.118 The principle of revised or improved golfing facilities is supported in general terms through policies CSTP9 (Well-being: Leisure and Sports) and PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities), along with the referenced paragraphs of the NPPF within chapter 8 '*Promoting healthy and safe communities*'. It is noted that Sport England have no objections to the new and enhanced golf facilities.

6.119 However, improvements to the golf facilities at this site need to be assessed with the Green Belt criteria of the NPPF and policy PMD6. As set out in section 1 of the assessment section of the report the proposed replacement golf buildings would include additional uses, would introduce built development in different parts of the site and would be 'materially larger' than the buildings they are replacing. Therefore the proposed golf development, would have a significant impact upon the openness of the Green Belt, contrary to policy PMD6 and paragraph 145 of the NPPF.

6.120 It should also be noted that only the proposed clubhouse would be provided as part of the improved golf club facilities through the full planning application with the proposed new golf academy, a new quick play golf course and a new redesigned green keepers building all forming part of the outline part of this application, and therefore a separate reserved matters application would need to be provided in the future to approve the layout, scale, appearance and landscaping of these elements of the proposal. Therefore, other than replacement clubhouse, the proposed golfing facilities would be delivered at a later stage of the development after the health-led community village.

6.121 The reference to the appeal decision in Edgeware is to demonstrate that paragraph 145 of the NPPF can apply to golf course development under the exceptions test, which for that appeal would have been complete redevelopment of that site. The plans from the appeal show that the Edgeware site only included the clubhouse building and significantly much less development than proposed with this application.

6.122 As stated above the principle of revised or improved sporting facilities is supported through policy but for this site consideration also needs to be given to Green Belt policy considerations and therefore only limited weight is given to this very special circumstance given the scale and quantum of the proposed golfing facilities.

9. Increasing Participation Levels in Sport

- 6.123 Reference is made to the need for increasing participation levels in golf. The applicant's consultants have advised that nationally golf clubs need to respond to consumer habits and it is necessary for clubs to evolve to remain operational. They advise that golf participation levels are in decline and the reasons for this include: the time it takes to play golf, level of skill required, cost of the sport, inflexible membership packages, lack of academies, golf clubs lacking investment and are outdated, lack of on site facilities to entertain the wider family, and the sport has been slow at embracing technology.
- 6.124 Specifically Langdon Hills Golf and Country Club has 528 members but a lack of junior members and the average age of a golf club member is 60. The proposal therefore seeks to widen membership and link with the proposed health-led community village. Under this heading a list of health benefits are stated along with further information regarding the new clubhouse, academy and greenkeepers spaces.
- 6.125 Reference is made to the need to cater for non-active golf members to include facilities such as swimming, sauna, steam room, aromatherapy, a gym and various fitness classes, and outdoor bowls. The intention is to create more family orientated facilities for leisure and sporting uses and include child care provision. It is stated that many of the existing activities are tailored for those aged over 55 years old. Under this heading reference is made to data from Sport England showing that people within Thurrock are less active than those in Essex and England.
- 6.126 The applicant makes reference to the Council's Active Place Strategy Update in December 2016 which reported that swimming pools in Thurrock are at capacity in the peak periods and that existing swimming pools are dated and in need of modernisation. The applicant states that the proposal would include gym membership with a basic package with access to swimming as an alternative to using Blackshots Leisure Centre and Corringham Leisure Centre.
- 6.127 An on site outdoor bowls facility is proposed within the health-led community village which is designed to meet increased demand over the next plan period.

Consideration:

- 6.128 Comments raised in regard to the improvement to golf offer on site are noted and following consultation with Sport England there were no objections raised to providing new and enhanced golf facilities or the proposed health spa facilities.

- 6.129 It is recognised through the Council's Active Place Strategy that improvements are required to existing swimming pool facilities but it is unclear from application how the proposed swimming pool could offer an alternative to the Blackshots Leisure Centre and Corringham Leisure Centre facilities given the golf club is a private members facility and is not a public facility. Reference is made to a basic gym membership that can include swimming but no details of the costs have been provided to understand if this is affordable to the residents of Thurrock. Furthermore this site's location in the countryside and not accessible by any form of public transport cannot offer a sustainable alternative to swimming pools at the Blackshots Leisure Centre and at the Corringham Leisure Centre.
- 6.130 The proposal includes an outdoor bowls facility but given its location within the centre of the health-led community village this would appear to be a facility for the residents of the health-led community village. Furthermore the consultation response from Sport England has stated that there is no additional need for bowling greens in Thurrock as existing facilities are underutilised and it would be preferable for existing facilities to be enhanced and clubs amalgamated. The Sport England response also states that there are no details of the design and layout of the facility for comment.
- 6.131 On the basis of the information provided only limited weight can be given to this very special circumstance.

10. The Provision Of New Employment Opportunities:

- 6.132 Reference is made to the Council's objectives in the Core Strategy for providing 26,000 new jobs between 2001 – 2016 and reference is made to policy CSSP2 which identifies clusters for job creation. It is stated the two largest clusters of job creation would be at Lakeside and DP World London Gateway Port but recognises the need for diversification of employment opportunities in the Borough.
- 6.133 The applicant states that there have been no notable leisure proposals in the Borough since the adoption of the Local Plan and data from the ONS states that only 1.3% of the workforce is employed in the arts, entertainment and recreational sector, which is below that for the East of England (2.4%) and the rest of the country (2.5%).
- 6.134 It is stated that the proposal would result in an increase in staff required for running the golfing facility through the creation of 160 full time jobs and protecting the current 30 full time jobs in the leisure sector. The construction phase would also create 335 jobs and support another 500 indirect jobs. The proposed planning obligations includes measures for using local employment for the construction and operational phase of the development. Reference is made to paragraph 80 of the NPPF which states:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

6.135 It is stated that the Council has applied significant planning weight to the provision of jobs in the Green Belt using the example of the Ponds Farm site in Purfleet, which is currently being built out, as a very special circumstance.

Consideration:

6.136 Whilst the general employment needs of the Borough are not disputed both references to the Lakeside Basin and the London Gateway are the largest predicted employment areas. Given the site's remote and rural location, which is distant from both these locations, the site is an unsustainable location to support the proposed levels of employment and would be contrary to the sustainability objectives of the NPPF.

6.137 It is recognised that the existing golf course facilities provides existing employment and improvement of the facilities would help retain and secure further employment at the site. However, for the unsustainability reasons set out in this report the creation of the health-led community village would provide employment in the wrong location, away from existing employment areas, towns and villages within the Borough.

6.138 The residential parts of the proposed development are aimed at those over 55 years old and with one of the residents requiring a certain level of care, as identified in the applicant's planning obligations. Given these restrictions it is unlikely that the proposed residential parts of the development would assist in providing future employment for residents. However, it is recognised that there would be future employment opportunities for care workers and those associated with the sporting and non-sporting employment roles within the proposed clubhouse.

6.139 Reference is made to the lack of leisure facilities coming forward since the adoption of the Core Strategy, however, a large leisure development at the Lakeside Shopping Centre was granted planning permission in 2014. Phase 1 of that development has been constructed and is now operational delivering circa 16,000m² of floorspace for leisure and catering uses, and providing 520 direct jobs and 140 indirect jobs, in addition the construction jobs created for the implementation of the development.

6.140 The Ponds Farm site in Purfleet, which was formerly within the Green Belt in the previous Borough Local Plan was originally granted planning permission in June 2011 by the Development Corporation. That application was considered in February 2009 so pre-dates current Green Belt policy and the site was part of the then Aveley

and South Ockendon Masterplan, was for a different type of development, and is located in a far more sustainable location than the application site. These considerations are therefore completely different to the current application.

6.141 The provision of employment can be considered as a very special circumstance but the weight attached to this considered is limited weight as the Core Strategy policies direct development to non-Green Belt locations in the Borough.

11. Maintaining Momentum And Delivery Of Regeneration With The Thames Gateway:

6.142 The applicant states that the Thames Gateway area remains a national growth area for the current Government. The applicant considers the Sustainable Communities Plan (2003) remains relevant and seeks a step change in development to create successful, thriving and inclusive communities. In addition, this area is identified for growth and investment within the South East Local Enterprise Partnership Strategic Economic Plan (2014). Reference is made to the unique set of circumstances that exist in Thurrock that mean the pace and scale of change needed exceeds many other parts of the country. The applicant makes reference to the Thames Estuary 2050 Growth Commission, which has been established.

Consideration:

6.143 In relation to the Sustainable Communities Plan published by the former Office of the Deputy Prime Minister (ODPM) in 2003 the Plan envisaged major growth in four areas of the south-east, including the Thames Gateway. (It is noted that this plan is nearly 20 years old) Page 52 of the Plan notes that the Thames Gateway area presents a huge opportunity due to its location close to London, its major transport links, the large concentration of brownfield sites and the potential to regenerate existing deprived communities. The Plan goes on to state:

“The regeneration of the Gateway is a broad-based project that needs to tackle brownfield development, economic growth, environmental improvement and urban renewal in an integrated way.”

6.144 Although the Thames Gateway zone clearly includes areas of Green Belt, the focus of the Plan is about urban renewal and regeneration of brownfield sites. References in the Sustainable Communities Plan to the term Green Belt are:

- a “*guarantee to protect green belt*” (p.4);
- to “*maintain and increase the amount of green belt land in the region*” (p.40);

- to “*maintain or increase the current area of land designated as green belt*” (p.44); and
- the use of “*green belt and countryside protection tools to maintain the openness of the countryside around areas of growth to prevent urban sprawl*”.

6.145 Consequently the Plan gives no support for growth in preference to the protection of the Green Belt. In these circumstances, and despite the designation of Thames Gateway as a national growth area, only very limited weight should be given to this matter in the overall balance of considerations.

12. Sustainability and Socio-Economic Benefits.

6.146 The applicant’s Economic Benefits Statement and the Health Impact Assessment identifies the socio-economic benefits arising from the delivery of the proposed development. It is stated the Planning Inspectorate has given considerable weight to social and economic benefits arising from specialist care housing in the Green belt, referencing the appeals at Chester and at West Malling which included ensuring the wellbeing of the elderly, reducing pressures on local community and health facilities, short and long term employment, freeing up market housing as a result of downsizing.

Consideration:

6.147 It is recognised that the socio-economic benefits of the development could provide a development creating a community for the elderly but it is unclear how pressures would be reduced on local community and health facilities without further details in response to the NHS requirements and in regards to affordability as the development would require a minimum care package which could be unaffordable for the people of Thurrock. As stated above it is recognised that there would be some new employment through the construction phase and operational phase, and that there could be some freeing up of market housing as a result of downsizing.

6.148 However, the site’s unsustainable location would result in an isolated community that can only be accessed by private vehicle use and would require residents to travel to other locations for services and amenities as the golf clubhouse would not provide facilities to cater for everyone’s needs. The two appeal decisions at West Malling and Chester are in very different locations in comparison to this site and the Inspector’s for both appeals found those sites to be located in a sustainable/accessible locations.

6.149 For this very special circumstance only limited weight can be given to the socio-economic benefits given the site’s location.

Summary of Very Special Circumstances

6.150 The table below provides a summary of the Very Special Circumstances and the weight that is attributed to them in assessing the planning balance for the whether the principle of the development is acceptable.

Summary of Green Belt Harm and Very Special Circumstances			
Harm	Weight	Factors Promoted as Very Special Circumstances	Weight
Inappropriate Development	Substantial	The role of the application site in the Green Belt	No Weight
Reduction in the openness of the Green Belt		Use of previously developed	No Weight
		The suitability of the site and lack of alternative sites	Limited Weight
		Positively responding to an ageing population in Thurrock	Limited Weight
		Meeting specific housing needs	Limited Weight
		Delivery of healthcare and wellbeing improvements	Limited Weight
		Ability to positively contribute towards housing land supply	Significant Weight
		Improving the sport and leisure offer for Thurrock	Limited Weight
		Increasing participation levels in Sport	Limited Weight
		The provision of new employment opportunities	Limited Weight
		Maintaining momentum and delivery of regeneration with the Thames Gateway	Very Limited Weight
		Sustainability and socio-economic benefits	Limited Weight

Conclusion to this section

6.151 As ever, in reaching a conclusion on Green Belt issues, a judgement as to the balance between harm and whether the harm is clearly outweighed must be reached. In this case there is harm to the Green Belt with reference to inappropriate

development and loss of openness has to be considered against the factors promoted as Very Special Circumstances. Several factors have been promoted by the applicant as 'Very Special Circumstances' and it is for the Committee to judge:

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

6.152 Taking into account all Green Belt considerations and for the reasons explained the Very Special Circumstances would not outweigh the identified harm to the Green Belt through inappropriate development and the adverse impact that would result upon the openness of the Green Belt in this location.

II. DESIGN AND LAYOUT AND IMPACT UPON THE AREA

6.153 Policies CSTP22 and CSTP23 both seek to create high quality design, character and distinctiveness for new developments, and policy PMD2 requires proposals to respond to the sensitivity of the site and its surroundings for various criteria.

6.154 In addition to policy the Thurrock Design Strategy, which seeks achieve high quality design within the Borough, was adopted in 2017 as a supplementary planning document and endorsed as a material consideration in the determination of planning applications. Section 3 of the Guide ('Designing in Context') requires applicants to appraise a development site by taking the following considerations into account:

- understanding the place;
- working with site features;
- making connections; and
- building in sustainability.

6.155 Chapter 12 of the NPPF as a benchmark to new development, through paragraph 124, requires '*the creation of high quality buildings and places*'. The PPG now includes a National Design Guide which requires consideration to be given to ten characteristics: context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan.

Site Context

6.156 The Design and Access Statement (DAS) refers to the site's context and land use history. The Statement includes a site constraints and opportunities appraisal which analyses the site's assets including the topography, the landscaped golf course, water features and cluster of centrally located buildings. The Statement suggests the

site has few constraints with the main one being road traffic noise from Lower Dunton Road to the east of the site and an existing group of trees to the south eastern corner of the site.

Access

6.157 The proposed new (southern) vehicle access onto the Lower Dunton Road; this would be the second vehicle access into the site and is intended to serve the 64 bedroom care home and the 42 close care apartments. There is currently no opportunity for pedestrian access to and from the site this would require the construction of a pedestrian footway along the side of the road to link to the existing pedestrian footway along the eastern side of Lower Dunton Road but further to the south of the site. However, to implement this second access and any pedestrian links would require the removal of part of an existing hedgerow along the road which have an adverse impact upon the character and appearance of the area contrary to the policies identified above.

Layout

Extra Care Homes and Apartments

6.158 The proposed layout of the extra care homes and apartments would sprawl westwards from the close care apartments/care home and Lower Dunton Road. The proposed layout would appear to take a similar approach to a garden suburb with landscaping and trees planted to the front of houses along the internal roads into the site. Throughout the layout there are examples of buildings designed around a central square but this feature is a car parking area integrated with landscaping. Plots 62 and 63 would have rear gardens backing the Lower Dunton Road and this arrangement is poor and as stated in the noise section of this report could give rise to noise for future residents. Whilst the roadside hedge would offer some screening the boundary treatment plan indicates that the hedgerow would be removed and replaced by 1.8m high timber fencing changing the character of the streetscene.

Close Care and Dementia Care Home

6.159 The proposed layout of the care home and close care apartments would appear disjointed from the layout of extra care homes/apartments to the north and west as the close care apartment building would be inward looking and served by a new second vehicle access into the site, which would appear separated from the rest of the proposed health-led community village.

6.160 The internal layouts of the care home and close care apartments would be poor resulting in all rooms accessed from internal artificially lit corridors and the shared

communal spaces are small, which reinforces the institutional nature of the building for those in long term care where the feeling of home and familiarity is essential. Future residents are likely to have mobility and other health issues, and the layout does not allow space for couples or family members to stay over, or live together to offer much needed support. The Council's Programme Manager states that this scheme does not reflect current thinking and best practice and would be unsuitable now and even more so in a future with an ageing population and rise in demand on care services.

Golf Proposal

- 6.161 The additional golf academy building and greenkeepers buildings would introduce more development into the western part of the site and would therefore change the rural character and appearance of this part of the site.

Overall layout

- 6.162 It is considered that the overall layout of the development is too segregated for its intended use, in particular the health-led community village would rely on the clubhouse facility for accessing its facilities but those facilities are distant from the extra care homes and apartments and an elderly person would struggle to walk the distance to use the facilities which gives rise to likelihood of on-site vehicle activity. Having considered other locations where extra care dwellings have been permitted they tend to be homes and apartments with all facilities centrally located or located within the block. The overall layout of the development including the golf facilities, clubhouse and health-led community village is to spread out across the site and therefore presents issues of accessibility for all, and issues with trying to assimilate a multiple use development. The proposed layout of the health-led community village development would therefore lead to the urbanisation of the south east part of the site and the golf proposals would introduce increased built development to the western part of the site, both having an adverse impact upon the site and the surrounding countryside.

Amenity Space

- 6.163 Policy PMD2 requires new development to provide public and private amenity space in accordance with the adopted standards. The extra care homes would be acceptable in terms of amenity space provided. Similarly the extra care apartments would have balconies and the close care apartments would have communal grounds and the wider landscaped areas of the site for amenity benefits.

Scale/Height

6.164 The height of proposed development ranges between 5m to 13m and the majority of the buildings, the apartments, the close care and care home, and the buildings associated with the golf club are 2 or more storeys in height when their ridgelines (roof) are taken into account and will dominate this rural landscape and would become a suburban neighbourhood, out of character with the area.

Design/Visual Appearance

6.165 The style of architecture is of the Essex barn which is a type of building that works only as a small collection of buildings within a wider landscape, for example a farm, not in a scheme at this scale with the number of homes proposed. The proposals have too many materials with piece-meal massing, add-ons that appears as refurbished buildings rather than a well-considered new build. This does not demonstrate high quality architecture but rather an attempt to lessen the visual impact of large dominating buildings.

6.166 The proposed clubhouse is considerably larger than the existing clubhouse in both footprint and size and is based on Wentworth golf clubhouse, which is located in a completely different context to this application site. The architectural character has no relation to this sensitive context and is of a poor quality of design, the proposal is overly large and again dominates the landscape further in being at the top of a slope and would have a visual impact from afar.

Landscaping

6.167 The application includes a hard and soft landscaping strategy and an overall landscape masterplan. It is recognised that the proposed development would result in the planting of a number of trees but some of these trees would be planted in the front and back gardens of dwellings. The Council's Landscape and Ecology Advisor considers the *'density of the proposed housing means that although tree planting is shown throughout much of the development the species choice will be restricted to smaller stock which is not typical of this rural location. Some of the illustrative planting such as along the southern and western boundaries of the close care apartments is shown as being about 5 metres from the buildings. This would lead to issues of likely excessive shading for the residents'*. For these reasons the proposal would not allow for landscaping to reflect the rural character of the site and the natural landscape of the Borough in this location.

Impact upon the area

6.168 The design has not taken sufficient account of the relationship of the site to the wider landscape of low lying fenland to the west and higher rolling farmed hills to east and north east. The Council's Urban Design Officer advises that the value of the Fen area

and the rolling farmed hinterland has been recognised as a distinctive landscape character worthy of conservation. This area has also been identified by the Campaign for the Protection of Rural England as nationally significant area of tranquillity in the metropolitan Green Belt.

- 6.169 The proposed large buildings (including the houses) would significantly urbanise what is a rural landscape. The proposal is at the scale of a Garden Village, without the designation, nor the basic amenities that a village would provide for its residents. The proposal reduces the golf course in converting land used for sport and leisure to housing, with a significant increase in the size of the leisure facilities that are being expanded.

Conclusion to this section

- 6.170 Overall the proposed development would have a significant impact upon the site and the wider area as a result of the proposed quantum of development, its unsympathetic design and poor quality architecture, scale, piece-meal massing, layout, landscaping and use of materials. The quantity and large size of the proposed homes and enlarged leisure buildings would significantly urbanise the area. The proposal would also result in the loss of an established hedgerow at the front of the site to create an additional vehicle access into the site. For these reasons and the proposal would have an adverse impact upon the character and appearance of the site in this rural countryside location. The proposal is therefore contrary to policies CSTP22, CSTP23 and PMD2 of the Core Strategy, Chapter 12 of the NPPF and the guidance contained in PPG's National Design Guide.

III. LANDSCAPE AND VISUAL IMPACT

- 6.171 The landscape considerations are assessed with regard to Core Strategy policies CSTP22 (Thurrock Design), CSTP23 (Thurrock Character and Distinctiveness), PMD2 (Design and Layout), PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities), and Chapter 15 '*conserving and enhancing the natural environment*' of the NPPF, which through paragraph 170 requires decisions to recognise the protection and enhancement of valued landscapes and recognise the intrinsic character and beauty of the countryside.
- 6.172 The Council's Landscape Capacity Study (2005) identifies the site as being within the 'B2 - Langdon Hills rolling farmland / wooded hills' landscape character area, with land to the east on the opposite side of Lower Dunton Road designated as within the 'B1 - Sticking Hill rolling farmland / wooded hills' landscape character area. The key landscape characteristics of the two areas are:

B2 – Langdon Hills Rolling Farmland/Wooden Hills

- small scale steep, rounded sand and gravel hills;
- sense of elevation and intimacy;
- woodland is a strong, unifying element;
- irregularly shaped fields on higher slopes adjacent to woodland;
- horse grazing within the lower slopes in the north east of the character area;
- rough texture;
- absence of detracting vertical features.

B1 – Sticking Hill Rolling Farmland/Wooded Hills

- area of gently undulating terrain;
- arable and pasture farmland;
- sparse pattern of settlement with a few individual farmsteads mainly located close to existing rural roads;
- important nucleated historic settlements of Horndon on the Hill and Orsett;
- mature hedgerows in places;
- woodland clumps in the southern half of the area;
- tranquil rural character.

6.173 The applicant's Landscape and Visual Impact Assessment (LVIA) recognises the above landscape character areas and to assess the development's visual impact uses 19 viewpoints around the site to assess these impacts. Reference is made to visual receptors who are people likely to experience changes in views or visual amenity as a result of the proposed development. The visual receptors would include residential receptors, recreational receptors, and road users.

6.174 The LVIA's visual impact assessment identifies that eight viewpoints would experience a significant impact as a result of the sensitivity of the receptors and their proximity to the development. These include: viewpoints located along Lower Dunton Road which are immediately adjacent to the proposed development; viewpoints which are located at elevated positions within Horndon on the Hill with clear views of the southern edge of the golf course; and viewpoints located to the west of the development from the Public Rights of Way (PROW). The LVIA's visual impact assessment states:

'All these views will experience a temporary Substantial or Moderate magnitude of change, leading to a Major or Major/Moderate Significant effect that will subsequently be mitigated through an extensive landscape strategy which will integrate the development into the existing landscape fabric. This will mitigate this temporary impact leading to a Slight magnitude of change, resulting in a Moderate/ Moderate Minor effect which would result in a Not Significant impact. The openness of the Green Belt will not be compromised due to the sensitive siting and integration of the existing buildings into the existing contours and topography. The proposed planting

after the vegetation has matured will also help to minimise the effects on the openness of the Green Belt’.

- 6.175 In terms of the impact upon landscape character the LVIA considers the susceptibility of the landscape and local value of the landscape to change. The LVIA concludes that *‘taken together with a Local Value, the Slight Susceptibility of this landscape to the potential effects of this form of development means that the landscape character of this area of the Sticking Hills Rolling Farmland/ Wooded Hills/ Langdon Hills Rolling Farmland/ Wooded Hills is of Low Sensitivity to new development. Overall the magnitude of change on the landscape character in this area is considered to be Moderate and Not Significant on completion of the development’.*
- 6.176 The Council’s Landscape and Ecology Advisor acknowledges that the LVIA includes *‘a range of viewpoint images but these were not agreed’* with the Council prior to the submission of the application. The LVIA also does not provide any photomontages of key views to demonstrate the visual impacts of the scheme. In assessing the LVIA the Council’s Landscape and Ecology Advisor recognised that the site is within a *‘rural part of the borough where there is ribbon development along the Lower Dunton Road. Most of this is low density, individual dwellings to the east of the road. Most of the existing development is of brick construction and are normally set back from the road. The existing golf course retains a largely open character. It is considered that the scale and density of the proposed development, which includes a large block of housing close to the road, would have an adverse effect on the character of the local landscape’.*
- 6.177 The LVIA addresses the Green Belt stating that *‘the proposed buildings will be located to fit harmoniously with the existing contours and topography of the site so the openness of the Green Belt is not compromised’.* However the Council’s Landscape and Ecology Advisor states there is *‘no detailed analysis to demonstrate this’.* The location of the new housing and care home would be sited in the south east corner of the site on a high point clearly visible from surrounding areas, the extent of open views across the southern part of the site, would be lost through the proposed development. The large buildings such as the care home are equivalent to 3 to 4 storeys and the 166 units in this location shows a high concentration of development and the Council’s Landscape and Ecology Advisor considers this *‘must impact upon the perception of the openness as well as the openness itself’.*
- 6.178 Furthermore the Council’s Landscape and Ecology Advisor considers that the buildings are not of a suitable character as in this location *‘the majority of the buildings are of brick construction and not of an ‘Essex barn’ style’,* and *‘Essex barn’ style developments ‘only work effectively in small groups typical of a farm setting and not a large scale development as this scheme’.* Similarly, the Council’s Landscape and Ecology Advisor considers the *‘new clubhouse is significantly larger (a*

magnitude of approximately 4-5 times) than the building that it is proposed to replace. Again it is considered that the proposed design is not appropriate to the location'.

- 6.179 The proposal includes a lighting strategy but in this part of the Borough lighting is limited to street lighting and lighting at properties and the introduction of a lighting would significantly impact upon this location which is a 'relatively dark space' according to the Council's Landscape and Ecology Advisor.
- 6.180 The LVIA includes a Landscape Strategy which seeks to conserve, manage and enhance existing features along the site's boundaries and introduce new features that are characteristic of the wider landscape and to protect and enhance the visual amenity of local visual receptors. Plans showing the proposed hard and soft landscaping strategies are included in the LVIA. Assessment of the details provided show that the existing hedge is relatively thin and therefore would not offer any significant screening. A section of hedgerow would require removal to provide a new access for the care home, which will need to include visibility splays. The Council's Landscape and Ecology Advisor considers *'therefore that the screening will not be sufficient to prevent the views of buildings which are shown on the landscape masterplan as being very close to the eastern boundary'*.

Conclusion to this section

- 6.181 Overall, the LVIA has not demonstrated that the proposed development can be acceptably accommodated in this location and the proposal would have adverse impact upon landscape character and the visual appearance of the site and wider area in this rural countryside location, contrary to policies CSTP22, CSTP23 and PMD2 of the adopted Thurrock Core Strategy and Policies for the Management of Development (2015), Paragraph 170 of the NPPF and the guidance contained in PPG's National Design Guide.

IV. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.182 The highway considerations are assessed with regard to a number of Core Strategy policies including CSTP15 (Transport in Greater Thurrock), PMD8 (Parking Standards), PMD9 (Road Network Hierarchy), PMD10 (Transport Assessments and Travel Plans) and the guidance in Chapter 9 of the NPPF and PPG.

Accessibility to transport hubs and local facilities

- 6.183 The site is located in an unsustainable location (with regard to accessibility by walking, cycling and public transport) along the western side of Lower Dunton Road, which is a country road. There are no footways on either side of the road to provide pedestrian access to and from the site at the existing site entrance. Further along the

eastern side of the Lower Dunton Road the footway starts adjacent to the south east corner of the site. Other footpaths in the area are located away from the site and involve paths crossing fields and woodlands, which are unsuitable in hours of darkness and when weather conditions are poor. There are no cycle routes serving this area, the nearest signed cycle route is located within the village of Horndon on the Hill. In terms of access to public transport there are no bus routes along Lower Dunton Road and the nearest bus route (no.11) serves Horndon on the Hill and is an infrequent service, every 2 hours and the applicant's Transport Assessment (TA) states this is 2.24km away and would take 28 minutes to walk. Both Laindon railway station, to the north, and Stanford Le Hope station, to the south, are 5km from the site and would require vehicle usage to access the railway station.

6.184 Access to shops and services are the following distances away:

- Laindon Hills Shopping Centre - just over 4 kilometres away
- Stanford-le-Hope train Station - approximately 5 kilometres away
- Corringham - approximately 6 kilometres from the site, and
- Basildon - approximately 9 kilometres from the site

6.185 The proposed development through the replacement clubhouse would provide services including restaurant areas, bar areas, doctors consulting room, a gym, a swimming pool and cinema. However, the facilities in the clubhouse would not cater for all the needs of residents and it is highly likely that residents/users of the site would need to travel beyond the site access essential goods and services.

6.186 Reference is made in the Transport Assessment (TA) to the provision of a private shuttle bus service for users/visitors to the site. It is stated in the TA that the shuttle bus service would run to locations in Thurrock but could run to Laindon Station and Basildon town centre/hospital. The shuttle bus service would only be provided for residents, not visitors, and this would only be an 8 seater bus, which is insufficient in size to meet the needs of a development that could lead to over 300 people from the 'extra care' and 'close care' dwellings. The service would be funded by the annual maintenance charge by residents on site, although no details of the costs of the provision are supplied. It is stated that the service would be provided in 'perpetuity' but it is also stated that this service would run for 5 years and it is not clear what would happen after that 5-year period. Therefore the shuttle bus service cannot be relied upon to meet the needs of residents and there is a high risk the service may not run after 5 years. Reference is also made to the provision of a public bus service but only limited information has been provided so it is unclear how/when/if this would be operational.

6.187 Taking into account these considerations it is more likely that the proposal would result in a high dependency on private car use and Lower Dunton Road is a 40mph

fast rural road, narrow in places with no footways to encourage walking to and from the site. Therefore it would be difficult for future residents and users of the site to access the site and the wider area through alternative sustainable transport modes such as walking, cycling and public transport.

- 6.188 As the site is located in an unsustainable location it is likely to be highly dependent on private vehicle usage contrary to the requirements of the paragraphs 102 and 103, and 108 – 111 of the NPPF, which seek to support opportunities for the use of sustainable transport modes and minimise the need to travel in rural areas.

Access

- 6.189 Policy PMD9 seeks to minimise the number of new accesses required onto the highway network and ensure that new access creation makes a positive contribution towards highway safety. Paragraph 108 of the NPPF requires safe and suitable access for all users. Under Policy PMD9 Lower Dunton Road is classified as a Level 1 Rural Distributor Road and the policy states 'there is a presumption against the formation of new accesses or the intensification of use of an existing access on a Level 1 Corridor of Movement except where the applicant can demonstrate that the road will not be adversely affected in terms of Highway Safety and traffic capacity'. PMD9 also states that the Council will only permit the formation of a new access where, amongst other factors, 'the development makes a positive contribution to road safety, or road safety is not prejudiced; and the development will make a positive contribution to accessibility by sustainable transport'.
- 6.190 The proposal would create a new (southern) vehicle access onto the Lower Dunton Road and this would be the second vehicle access into the site. The TA states that the existing vehicle access would continue to serve the golf club and the health-led community village. The new vehicle access is intended to serve the 64 bedroom care home and the 42 close care apartments but not the other properties. To achieve the necessary visibility splays for the new access would require the removal of significant areas of the existing roadside hedgerow.
- 6.191 Taking into consideration policy PMD9 the Council's Highways Officer objects to the creation of another access along a Level 1 Rural Distributor road because Lower Dunton Road is heavily trafficked and experiences has a high number of accidents. The Council's Highways Officer also states that there are no details of how a safe/access/exist can be provided given the increased vehicle numbers without creating a delay on the road. Therefore the introduction of another vehicle access to the site would be detrimental to highway safety and contrary to policy PMD9 and paragraph 109 of the NPPF.

- 6.192 In terms of pedestrian access to and from the site, the Council's Highway Officer has identified the requirement for the provision of a controlled crossing point on Lower Dunton Road, which would need to be located towards the south eastern corner to the site to link with the start of an existing footway on the eastern side of the road. The Council's Highway Officer would also require a lower the speed limit across the frontage of the development site. This is for pedestrian safety and to encourage sustainable travel to and from the site.
- 6.193 In addition to the Council's Highway Officer requirements the Council's Public Footpath Officer has requested an extension to Bridleway Route 91 along the western boundary of the site, which would allow pedestrians, cyclists and horse riders the ability to connect onto Bridleway 178 situated on the A128 Brentwood Road, and the possibility of creating a safe shared access leading from Bridleway 91 northwards to Old Church Hill within the verge area of the highway to the north of the site, which would allow users to connect up into Laindon Hills area for recreational purpose as well linking to the Laindon and Basildon area.

Traffic Generation and Impact

- 6.194 PMD9 requires development to avoid causing congestion as measured by link and junction capacities. Paragraph 102 of the NPPF requires the impacts of development on transport networks to be addressed.
- 6.195 The proposal would result in increased traffic generation and intensification at the site through the new uses and the expanded existing uses. The TA explains that the proposal would generate 22 and 18 arrivals and departures in the AM peak and 9 and 13 arrivals and departures in the PM peak. The TA explains that the golf club uses are likely to be outside of the AM and PM peak periods. However, this is not entirely the case as members of the golf club would arrive and depart during the peak periods.
- 6.196 The traffic generation from the proposed development would use the Lower Dunton Road and the TA predicts this equate to 1 vehicle every 3-4 minutes to the south of North Hill towards the A13. The TA concludes that this '*level of impact is not expected to be material on the local highway network*' and this level of traffic generation would not be '*severe*'.
- 6.197 The Council's Highways Officer raises no objections to the increased traffic generation and intensification at the site in regard to policy PMD9 and paragraph 109 of the NPPF.

Parking

- 6.198 Policy PMD8 requires developments to comply with parking standards which are the Thurrock Parking Standards and Good Practice standards (2012). Paragraph 105 of the NPPF advises on setting parking standards.
- 6.199 The TA explains that the a total of 216 car parking spaces would be provided for the extra care retirement community, 83 spaces for the close care and care homes uses, and 264 spaces for the golfing facilities (clubhouse and academy). Therefore each unit of accommodation, for the 'extra care' units would have an allocated parking space(s) and communal car parks would be used for the care home, 'close care' apartments and golfing uses.
- 6.200 Cycle parking would be provided within each 'extra care' home through a garage or space for a garden building to provide such facility, and cycle spaces would be provided for each 'extra care' apartment within each block. Communal cycle parking would be provided for the care home, 'close care' apartments and golfing uses.
- 6.201 The Council's Highways Officer has no objections to the level of parking provision subject to at least 10% of public/shared parking being equipped with electric charging points, which can be secured through planning condition or through a Travel Plan, in regard to the requirements of policy PMD8.

Travel Plan

- 6.202 To assist with mitigating the impacts of the proposed development policy PMD10 requires Travel Plans to promote sustainable transport alternatives to private vehicle car use and paragraph 111 of the NPPF requires 'all developments that will generate significant amounts of movement should be required to provide a travel plan'.
- 6.203 The applicant's Framework Travel Plan identifies the need for a Travel Plan Co-ordinator to promote and encourage the use of travel modes (walking, cycling and car sharing) and be a point of contact for information for all users the site.
- 6.204 There are no details regarding the proposed private shuttle bus service other than it would be an 8 seater vehicle. The Council's Travel Plan Co-ordinator considers the site's rural location has no access to public transport, minimal pedestrian footways and would need consideration development to provide a footpath and cycle access. The proposal would not encourage sustainable travel for residents and staff, and the Framework Travel Plan lacks information and details for the proposed shuttle bus. The Council's Highways Officer requires more information on this and how it's funding would work and what happen if funding ceases. The Council's Highways Officer considers the Travel Plan unacceptable as to fails to demonstrate how this remote site would assist in achieving sustainable travel.

Highway Planning Obligations

- 6.205 The Council's Highways Officer has identified the need for a controlled crossing point on Lower Dunton Road, to lower the speed limit across the frontage of the development site and to provide a pedestrian footway through the area.
- 6.206 The following highway planning obligations have been put forward:
- Provision of an 8 seater electric shuttle bus to provide a service to nearby railway stations and local shops exclusively to residents of the development;
 - Provision of public bus to be subsidised by owner to facilitate travel to and from the development for members of the public and residents of the development. The route would include the C2 retirement , the hospice, Stanford le Hope railway station and the Little Malgraves site;
 - To provide highway works including:
 - A controlled crossing point on Lower Dunton Road,
 - To lower the speed limit across the frontage of the site,
 - To provide a pedestrian footway adjacent to Lower Dunton Road;
 - Travel Plan submission with monitoring fee to monitor travel arrangements for five years following occupation of the development;

Conclusion to this section

- 6.207 The site is located in an unsustainable location is likely to be highly dependent on private vehicle usage contrary to the requirements of the paragraphs 102 and 103, and 108 – 111 of the NPPF, which seek to exploit the opportunities for the use of sustainable transport modes and minimise the need to travel in rural areas. Furthermore insufficient information provided in regard to the travel plan to demonstrate how private vehicle usage can be discouraged and sustainable transport modes promoted.
- 6.208 The Council's Highways Officer objects to the creation of another access because Lower Dunton Road is heavily trafficked and has a high number of accidents. Therefore the introduction of another vehicle access to the site would be detrimental to highway safety and contrary to policy PMD9 and paragraph 109 of the NPPF.

V. FLOOD RISK AND DRAINAGE

- 6.209 The site is located within flood zone 1, which is the lowest risk flood zone. The site is defined as 'more vulnerable' development through the PPG but Table 3 Flood Risk Vulnerability Classification in the PPG identifies that 'more vulnerable' development in flood zone 1 is 'appropriate'. Also, the PPG advises that there is no requirement to apply the Sequential Test to 'development proposals in Flood Zone 1'.

6.210 The Council's Flood Risk Advisor raises no objection subject to conditions requiring the submission of a detailed surface water drainage scheme for the site, prevention of off site run off, yearly logs, and details of the future management and maintenance arrangements for the detailed surface water drainage scheme. For foul drainage the development would connect to the nearest foul sewer in the roadside verge between Lower Dunton Road and the eastern site boundary. There are no objections raised from Anglian Water subject to a condition.

Conclusion to this section

6.211 Overall, the proposal does not present any flood risk or drainage issues and would accord with policies CSTP13, CSTP25 and CSTP27, and the guidance contained within the NPPF and PPG.

VI. EFFECT ON NEIGHBOURING PROPERTIES

6.212 Policy PMD1 seeks to safeguard residential amenity and the layout plan shows that the proposed care home and residential development would be located on the adjacent side of the street to existing residential properties on the eastern side of Lower Dunton Road. These neighbouring residential properties face into a streetscene which appears as a country road with a hedgerow boundary on the western side of the road and beyond these properties currently have views towards the golf course.

6.213 The proposed development plans show a landscape strategy that intends to retain and enhance the hedgerow, trees and vegetation along the western side of the road as much as possible, with the exception of a new vehicle access. The proposed built form would result in a change to the character and appearance of this streetscene and a loss of existing views from these neighbouring properties. However, the loss of views is not a material planning consideration and views into the streetscene are into the public domain. Therefore there are no objections raised with regard to the proposed built form in terms of building to building separation distances between existing dwellings and the proposed development. The nearest dwelling to proposed building distance would be 32m across the Lower Dunton Road and as such no overlooking/visual intrusion or loss of light issues would result.

Conclusion to this section

6.214 The proposed development would result in a change to the character of the area via the two vehicle accesses and within this part of the site there would be increased vehicle movements, noise and disturbance associated with the proposed residential care uses. However, the proposed residential care uses would not give rise to

adverse impacts upon the amenities of the existing neighbouring and nearby residents to the site

VII. HERITAGE

- 6.215 The site is not located within heritage designation such as a Conservation Area and nor does it have any listed buildings on site. However, the applicant's Heritage Statement identifies heritage assets outside of the site in the form of a Scheduled Monument: the Bulphan World War II bombing decoy 390m to the north west of the site boundary; a grade II listed building known as Doesgate Farmhouse 360m north of the site boundary; and another grade II listed building known as Great Malgraves 370m north of the site boundary. The applicant's Heritage Statement has scoped out Doesgate Farmhouse as it *'very well removed from the proposed development'* and there is *'no potential for any impact on the significance of this asset'*.
- 6.216 The applicant's Heritage Statement concludes that *the 'proposed development will not be visible from the Scheduled Monument, nor does it affect any land historically associated with its function'*. Similarly Great Malgraves may result in some potential for intervisibility the proposed development *'would not intrude into the immediate farmyard or wider agricultural setting of this asset'*. For these reasons the applicant's Heritage Statement considers that *'no harm or effect will arise to the significance of either heritage asset'*.
- 6.217 Historic England has requested the submission of a revised Heritage Impact Assessment which should include an assessment of the heritage assets that were not previously included which are: the Grade II* Listed Church of St Marys and All Saints (List Entry 1337108), as well as a number of Grade II Listed buildings, including Ongar Hall Farm, Doesgate Farm, Langdon Hall Farm and Rectory. Historic England also stated that no visualisations have been provided to show what the proposed development would look like given the scale of the proposed development and its visual impact on the immediate landscape to enable an assessment of the potential impact of the development on either the Scheduled Monument or the Grade II* Church.
- 6.218 In response to Historic England's comments the applicant has provided a Heritage Note that considers *'the lack of inter-visibility and separation distances'* from the site to selected heritage assets is correct. Historic England have since replied maintaining their concerns.

Conclusion to this section

- 6.219 It is considered that the concerns raised by Historic England would not warrant grounds for refusal on harm to heritage assets with regard to policies CSTP24 and PMD4, and the guidance contained in the NPPF.

VIII. ECOLOGY AND BIODIVERSITY

6.220 The site does not form part of a designated site for nature conservation interest (on either a statutory or a non-statutory basis). The applicant’s Ecological Impact Assessment identifies that the nearest designation is the Langdon Ridge SSSI located 1.2m from the site. Natural England have identified the site falls within the ‘Zone of Influence’ of one or more of the European designated sites scoped into the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS), which requires a planning obligation. The nearest European designation is the Thames Estuary and Marshes SPA (Special Protection Area) and Ramsar Site. Natural England requires the Local Planning Authority to undertake a Habitat Regulations Assessment to understand the impact.

Habitats Regulations Assessment

6.221 In considering the European site interest, the local planning authority, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that the proposals may have. The Habitat Regulations, which are a UK transposition of EU Directives relating to the conservation of natural habitats, flora and fauna and specifically wild birds, apply to certain designated sites including Special Protection Areas (SPA) and Ramsar sites. Of particular relevance to this application, regulation 63 of the Habitats Regulations requires, inter-alia, that:

Before deciding to give any permission for a plan which:

- (a) is likely to have a significant effect on a European Site (either alone or in combination with other plans or projects), and*
- (b) is not directly connected with or necessary to the management of that site*

The competent authority must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.

6.222 The table below is the Habitats Regulation Assessment (HRA) as required under the Conservation of Habitats and Species Regulations 2017. The procedure for assessment follows a number of key stages, which for this assessment are stages 1 to 3 as explained in the table below with the LPA’s response to each stage:

Stage	LPA response
Stage 1 is to identify whether the proposals are directly connected with or necessary	The eastern half of Thurrock is within the zone of influence (Zol) for the Essex Coast RAMS. The following developments within the Zol qualify: <ul style="list-style-type: none"> • New dwellings of 1+ units (excludes replacement dwellings and extensions)

<p>to site management for conservation;</p>	<ul style="list-style-type: none"> • Houses of Multiple Occupancy (HMOs) • Residential care homes and residential institutions (excluding nursing homes) • Residential caravan sites (excludes holiday caravans and campsites) • Gypsies, travelers and traveling show people plots <p>It is anticipated that such development is likely to have a significant effect upon the interest features of the Thames Estuary and Marshes Special Protection Area and Ramsar through increased recreational pressure, when considered either alone or in-combination with other plans and projects. Therefore, an appropriate assessment is needed to assess recreational disturbance impacts. The qualifying features of these sites are set out at the end of this report.</p>
<p>Stage 2 (Screening for Significance of Likely Effects) is necessary to examine if the proposals, in the absence of mitigation are 'likely to have a significant effect' on the internationally important features of the European sites, either alone or in combination with other plans or projects;</p>	<p>If the proposal is within or directly adjacent to the above European designated site a proportionate financial contribution should be secured in line with the Essex Coast RAMS requirements. Record evidence that this mitigation measure has been secured in the 'summary' section below. Consideration of further bespoke recreational mitigation measures may also be required in this case.</p> <p>If the proposal is not within or directly adjacent to the above European designated site then a proportionate financial contribution should be secure in line with the Essex Coast RAMS requirements.</p> <p>A contribution in line with the Essex Coast RAMS should be secured to address likely significant effects in-combination. Natural England must be consulted on the appropriate assessment and proposed mitigation measures.</p>
<p>Stage 3 (Appropriate Assessment) is if 'likely to have significant effects' on a European site were to occur solutions should</p>	<p>The application would result in a net increase of 178 units and is within the Essex Coast RAMS Zol. It therefore meets the criteria set out in Test 1 showing that the scheme is would have likely significant effects to the Thames Estuary and Marshes SPA and therefore requires an Appropriate Assessment</p> <p>Summary of recreational disturbance mitigation</p>

<p>be established to avoid or have a lesser effect on European sites.</p>	<p>package:</p> <p>The application is for a net increase of 178 dwellings. The site is not within or adjacent to the SPA. It is therefore considered that a proportionate financial contribution in line with Essex Coast RAMS should be made to contribute towards the funding of mitigation measures detailed in the Essex Coast RAMS Strategy.</p> <p>The current tariff is £122.30 per unit. Therefore the financial contribution should be £21,769.40 and this can be secured through a planning obligation. Natural England advice confirms that RAMS is applicable to all net increases in residential dwellings that fall within the ZOI which are in Planning Use Classes C2 & C3.</p> <p>Although the proposed development is for over 100 units it is considered that the residents will be utilizing the associated golf course on a regular basis. As a result it is considered that additional mitigation would not be required.</p>
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- 6.223 Having considered the proposed avoidance and mitigation measures above, it is concluded that with mitigation the project will not have an Adverse Effect on the Integrity of the European sites included within the Essex Coast RAMS. Having made this appropriate assessment of the implications of the plan or project for the site in view of that site’s conservation objectives, and having consulted Natural England and fully considered any representation received, the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations.
- 6.224 If the application were to be approved the proposed development would require the mitigation identified through a financial contribution of £21,769.40 towards the funding of mitigation measures detailed in the Essex Coast RAMS Strategy. In addition to HRA the applicant has also provided a statement to inform the HRA, although this considers that only 63 dwellings would be applicable and a total of £7704.90 is offered. However, this approach is not agreed and the required mitigation is a financial contribution of £21,769.40.
- 6.225 It is therefore recommended that the local planning authority formally determine that, on the basis of the information available and the mitigation identified, the proposed development would not have a likely significant impact on a European site either alone or in combination with other plans or projects, and this forms ‘Recommendation A’.

On Site Ecological Assessment

- 6.226 The applicant's Ecological Impact Assessment explains that extended Phase 1 habitat surveys were undertaken in December 2018 and updated in September 2019. The habitats present comprise of vegetation that has been managed as part of the golf course and comprises of a '*mosaic of amenity grassland, semi improved rough grassland, broad-leaved woodland plantation and scrub with several ponds*'. The boundaries of the site, and field boundaries within the site are characterised by hedgerow, scrub and ruderal habitats. In terms of protected species present on site this includes great crested newts, grass snake, common lizard, and in the wider area slow worms and adders have been recorded. The ponds on-site support ornamental carp. The hedges and scrubs can provide habitats for breeding birds.
- 6.227 As a result of the on-site ecology and biodiversity, the applicant's Ecological Impact Assessment recommends mitigation through a Construction Ecological Management Plan, which for the construction process can be incorporated into a broader Construction Environmental Management Plan which is a planning condition commonly used for major developments. The applicant's Ecological Impact Assessment recommends mitigation for great crested newt and reptiles combined with habitats, bats, breeding birds and reptiles, with a particular importance upon the retention of ecological features such as ponds, grassland and scrub habitat, and provision of enhancement measures to deliver biodiversity net gain. The applicant's Ecological Impact Assessment also identifies the need for further ecological surveys to assess the impact from demolition of the existing clubhouse and other golf course structures.
- 6.228 The Council's Landscape and Ecology Advisor considers that the site's existing habitat supports great crested newts and reptiles. One of the ponds within the proposed development area is important for great crested newts which raises concerns about on ongoing pressures to maintain aquatic habited. The Council's Landscape and Ecology Advisor considers that it would therefore be appropriate to create new ponds elsewhere in the golf course so the ponds in the housing development can be principally for amenity, such details could be secured through the use of a planning condition if permission were to be granted.

Conclusion to this section

- 6.229 In terms of ecology and biodiversity, and having regard to advice from Natural England and the Council's Landscape and Ecology Advisor, the mitigation measures stated above are necessary and can be secured through planning conditions and planning obligations to ensure the proposed development is acceptable with regard

to policies CSTP19, PMD7, paragraphs 170 (d) and 175 of the NPPF, and the relevant guidance contained within the PPG.

IX. ABORICULTURE

6.230 The applicant's arboricultural assessment has surveyed the site in accordance with industry standards BS5837, which categories trees as 'A', 'B', 'C' and 'U'. There are 7 trees to be removed which are within the BS5837 'C' category but the applicant's arboricultural assessment considers that the trees are not of any *'high quality and value'* so can be removed. The assessment identifies that *'a section of hedgerow alongside the Lower Dunton Road would be removed and but can be mitigated with replacement planting'*. The assessment includes a Tree Protection Plan which alongside the requirement for landscaping conditions can help compensate for any loss of existing vegetation and secure replacement planting.

Conclusion to this section

6.231 The Council's Landscape and Ecology Advisor raises no objection to the conclusions of the arboricultural assessment as only a small number of low value trees would be removed and this would not have any significant adverse effects and the proposed landscape scheme would mitigate the loss of these trees. Therefore there are no objections in regard to Policies CSTP23 and PMD2, and paragraph 170 of the NPPF.

X. AIR QUALITY

6.232 The site is not located within an Air Quality Management (AQMA) and the applicant's Air Quality Assessment has undertaken modelling of traffic on the Lower Dunton Road on the basis of a proposed increase 520 traffic movements per day. This modelling indicates that the impact upon operational traffic associated with the proposed development on local air quality would be 'negligible' and would be within the relevant air quality standards for the protection of human health.

Conclusion to this section

6.233 Overall the applicant's Air Quality Assessment concludes that the re-development of the site would not cause a significant impact upon local air quality and the Council's Environmental Health Officer (EHO) raises no objections on air quality grounds in regard to policy PMD1, paragraph 181 of the NPPF and the relevant guidance in the PPG.

XI. NOISE

6.234 The diversification from the existing golf club with its associated facilities to the proposed golf club developments and the creation of a health-led community would

give rise to increased activity at the site compared to its current use. A Noise Assessment accompanies the application to assess the impact.

- 6.235 The applicant's Noise Assessment identifies that measures of sound levels were undertaken at two locations, one on the site's eastern boundary with the Lower Dunton Road in the location of the proposed close care apartments, and the second in the existing car park location in the centre of the site. The measurements taken at the site's eastern boundary with the Lower Dunton Road were recorded the higher sound levels due to the influence of road traffic noise. This is particularly relevant for the proposed close care apartments, and extra care homes and apartments along the site's eastern boundary with the Lower Dunton Road.
- 6.236 The Noise Assessment recommends that glazing to bedrooms achieves 28dB, and living rooms and dining rooms/areas achieves 27dB, which could be secured through appropriate glazing and ventilation to achieve acceptable indoor noise levels. For outdoor areas homes would have private gardens and apartments would have balconies but no mitigation is proposed for those properties adjacent to the Lower Dunton Road.

Conclusion to this section

- 6.237 The Council's Environmental Health Officer raises no objection subject to conditions, if permission were to be granted, for mitigation for noise minimum specifications for glazing for internal living conditions.

XII. LAND CONTAMINATION AND GROUND WORKS

- 6.238 The applicant's Phase 1 Contaminated Land Investigation and Risk Assessment explains how the site was historically open farmland before being developed as a golf course in the 1980s. The majority of land is laid to grass with the underlying geology formed of London Clay, silts and sands. The Phase 1 Contaminated Land Investigation and Risk Assessment identifies that there is a low risk of contamination and ground gas.
- 6.239 The Council's Environmental Health Officer raises no objection subject to the mitigation for contamination as detailed in the Phase 1 Contaminated Land Investigation and Risk Assessment being implemented, which could be secured through a planning condition if permission were to be granted to ensure compliance with policy PMD1, paragraphs 178 of the NPPF, and the relevant guidance in the PPG.

XIII. ENERGY AND SUSTAINABLE BUILDINGS

- 6.240 The application includes a Sustainability Statement and an Energy Statement. The proposed development would create CO² emissions but the development has been designed to achieve a minimum of 15% reduction to accord with policy PMD13. This would be achieved a range of measures including water efficiency measures and solar/photovoltaic system to be installed to the buildings.
- 6.241 The proposal includes non-residential development and a BREEAM Pre-assessment has been submitted which demonstrates that a BREEAM 'Very Good' rating can be achieved which is below the current requirements of policy PMD12, which require an 'Outstanding' rating. The applicant proposes a planning condition to achieve the BREEAM 'Very Good' rating and has provided evidence to demonstrate that the development cannot achieve the current policy requirement and this relates to water consumption uses and the limited ability to re-use materials, both of which assist with the scoring purposes for the BREEAM ratings.
- 6.242 Further details of energy and sustainability measures to be installed could be secured through a planning condition if permission were to be granted.

XIV. VIABILITY AND PLANNING OBLIGATIONS

- 6.243 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.244 Following changes in legislation (Community Infrastructure Levy Regulations), in April 2015 the Council produced its Infrastructure Requirement List (IRL) which changed the way in which planning obligations through section 106 agreements can be sought. In September 2019 the pooling restrictions were removed through the updated Community Infrastructure Levy Regulations but the Council will continue to maintain the Infrastructure Requirement List (IRL) to provide an up to date list of physical, social and green infrastructure to support new development in Thurrock. This list is bi-annually reviewed to ensure it is up to date. The IRL applies a number of different development scenarios.
- 6.245 The consultation process and a review of the IRL has identified the requirements for the following planning obligations:
- For 35% of the development to provide for affordable housing contribution in accordance with policy CSTP2 but given the site's location it is required that an off site contribution is provided;

- A contribution to provide a controlled crossing point on Lower Dunton Road, to lower the speed limit across the frontage of the development site and to provide a pedestrian footway through the area.
- Off-site improvements to Bridleway routes 91 and 178 as stated by the Council's Public Footpath Officer;
- Provision of a Travel Plan and monitoring fee;
- A financial contribution of £21,769.40 towards the funding of mitigation measures detailed in the Essex Coast RAMS Strategy; and
- A financial contribution of £51,405 towards healthcare improvements at the Horndon on the Hill Surgery, which meets the requirements of IRL project IRL-0466, which was identified as entry in the list in October 2019.

6.246 The application includes detailed draft heads of terms and trigger points. The planning obligations that are offered include contributions to meet the requirements arising from the consultation process as listed above with the variation of the affordable housing contribution for only the 4 on site 'key worker' housing units and no reference to off-site improvements to Bridleway routes 91 and 178.

6.247 In summary form the list below provides the applicant's offered s106 contribution:

- Restriction on occupier of all units to Class C2 use only with a least one occupier needing to be at least 55 years old and to signed up to a minimum basic care packaged determined by a health assessment.
- Provision of a basic care packaged including at least 1.5 hours of personal care support each week, an artificial intelligence system and access/membership to the health spa facility.
- Health assessment for the primary resident to understand the level of care required which shall be reviewed at least once a year;
- Provision of a personal care and additional care packages to be offered;
- Care Agency to be provided and will be registered with the Care Quality Commission,
- Provide access to all communal facilities associated with the golf clubhouse in perpetuity with complimentary single membership to the golf club for the first year of occupation and reduced rates thereafter;
- Communal facilities associated with the golf clubhouse to be maintained and managed: details of a management company to be provided by the owner;
- Provision of an 8 seater electric shuttle bus to provide a service to nearby railway stations and local shops exclusively to residents of the development;
- Provision of public bus to be subsidised by owner to facilitate travel to and from the development for members of the public and residents of the development.;
- To provide highway works including:
 - A controlled crossing point on Lower Dunton Road,

- To lower the speed limit across the frontage of the site,
- To provide a pedestrian footway adjacent to Lower Dunton Road;
- Travel Plan submission with monitoring fee to monitor travel arrangements for five years following occupation of the development;
- Provide the 4 'key worker apartments' as affordable housing units;
- A carbon neutral development commitment
- Local employment opportunities for the construction and operational phase of the development;
- A financial contribution of £50,000 for the NHS for the provision of medical services in the locality of the development
- A financial contribution of £21,796.40 towards the Thames Estuary and Marshes Special Protection Area in line with Essex Coast RAMS should be made to contribute towards the funding of mitigation measures detailed in the Essex Coast RAMS Strategy;
- A commitment to hosting an inter-school tournament once a year at the golf club.
- Promote awareness of the enhanced facilities to borough-based schools and community groups and liaise with Thurrock Council's Sport and Leisure Manager; and
- A monitoring fee for the s106 obligations.

Conclusion to this section

6.248 If the planning application were to be considered acceptable, as submitted, then the planning obligations would be necessary to comply with paragraph 56 of the NPPF.

XV. SUSTAINABILITY

6.249 Paragraph 7 of the NPPF explains that the purpose of the planning system is to achieve sustainable development and as part of the planning balance consideration has to be given to the Environmental, Social and Economic objectives as outlined in paragraph 8 of the NPPF with all three needing to be satisfied to achieve sustainable development.

6.250 For the economic role the positive impacts would lead to job creation for construction and operational phase, help to address specific housing need for an ageing population, free up existing housing stock, contribute to housing land supply and would lead to improvements to the sport and leisure and leisure offer at the site. In terms of the negative, there are no details regarding the affordability of this development for the people of Thurrock, located in an unsustainable location which means higher costs of accessing the site in a sustainable location.

- 6.251 For the social role the positives include responding to an ageing population through the creation of a community village, improved facilities for existing and future golf club members, increased sporting choice and health benefits. The negatives include the creation of an isolated community remote from nearby services for a vulnerable population, no choice of public transport, potential noise for residents with outdoor/amenity areas adjacent to Lower Dunton Road, and no details regarding affordability of development.
- 6.252 For the environmental role the only positive would be that the development would achieve energy efficiency through 15% reduction in emissions to comply with policy PMD13. However there are multiple negatives arising from the development including the impact upon the Green Belt through inappropriate development and a loss of openness, poor design/layout/scale of development which would have an urbanising impact upon the area, a negative impact upon the landscape, an unsustainable location with poor access to transport choice and likely private vehicle usage which is poor for the environment, increased traffic generation in rural location, loss of existing vegetation and some trees.
- 6.253 For these reasons stated above the proposed development cannot satisfy all three objectives and for this reason the proposal would not achieve sustainable development.
- 6.254 Paragraph 11 of the NPPF expresses a 'presumption in favour of sustainable development'. This paragraph goes on to state that for decision taking this means:
- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
 - d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date¹, granting permission unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed²; or*
 - ii *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- ¹ *This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites ...*

- ² *The policies referred to are those in this Framework relating to: habitats sites and/or SSSIs, land designated as Green Belt, Local Green Space, AONBs, National Parks, Heritage Coast, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change.*

6.255 The 'presumption in favour of sustainable development' cannot apply in this instance as the site is located within the Green Belt and as such is contrary to paragraph 11 (d) (i).

XVI. OTHER MATTERS

6.256 Matters raised by local residents in their comments have been covered in the assessment above. Matters of the sale of alcohol causing disturbance is not a planning consideration.

7.0 CONCLUSIONS AND REASONS FOR REFUSAL

7.1 The proposed development seeks to provide a health-led community within an existing golf course resulting in changes to the existing golf course and facilities on site. The golfing facilities would be improved through a new clubhouse, and in the future, after approval of reserved matters, a new golfing academy. These are all positive improvements to the site in terms of sport and leisure. The proposed health-led community would provide specific housing for older persons and would contribute to the housing mix and supply within the Borough.

7.2 However, the site is located within the Green Belt and the proposal would lead to inappropriate development in the Green Belt and would result in a significant loss of openness in the Green Belt, contrary to national and local planning policies. The application is objectionable in principle. The very special circumstances put forward are not considered to outweigh the significant harm to the Green Belt.

7.3 The site is located in a particularly rural part of the Borough and is unsustainable in terms of its location, which is distant from local facilities, community services, essential support facilities and a choice of transport modes. Furthermore the development would create an isolated community for vulnerable and elderly persons.

7.4 The proposed development would occupy a significant area and would introduce a significant number of buildings of varying heights. By reason of its design, layout, and scale the proposal would have a strong urbanising and adverse impact upon the site and surrounding area, and would have adverse impact upon the landscape character and the visual appearance of the site and the wider area in this rural countryside location.

- 7.5 The creation of a second vehicular access along the Lower Dunton Road has been considered by the Council's Highway Officer to be detrimental to highway safety and contrary to policy.
- 7.6 Finally, the information submitted has not suitably demonstrated that the proposal would provide a full care use across all buildings on the site; the care use has been advanced as a very special circumstance and is fundamental to the case.
- 7.7 On the basis of the above conclusions to this assessment the proposed development is considered unacceptable and recommended for refusal for the reasons stated in the recommendation

8.0 RECOMMENDATION

Recommendation A:

- 8.1 That the local planning authority formally determine pursuant to regulation 61 of the Conservation of Habitats and Species Regulations 2017 (as amended), and on the basis of the information available, that the development proposed will not have a likely significant effect on a European site either alone or in combination with other plans or projects.

Recommendation B:

- 8.2 To refuse planning permission for the following reasons:
1. The proposed development would constitute inappropriate development with reference to paragraph 145 of the NPPF and would therefore be by definition harmful to the Green Belt. The proposed development would harm the openness of the Green Belt and would fail to safeguard the countryside from encroachment. The identified harm to the Green Belt is not clearly outweighed by any very special circumstances or any other considerations. The proposals are therefore contrary to policies CSSP4 and PMD6 of the adopted Core Strategy and Policies for the Management of Development (2015), Chapter 13 of the NPPF and guidance within the PPG.
 2. The proposal would create an isolated health-led community use at a site that is located in an unsustainable location, distant from community services, essential support facilities and a choice of transport modes. As such the proposal would represent an unsustainable form of development in an unsustainable location, contrary to policies CSSP1, CSSP4 and PMD2 of the adopted Core Strategy and Policies for the Management of Development (2015) and Chapter 2 of the NPPF.

3. It has not been demonstrated that the proposed residential development would fall within a C2 use class of the Town and Country Planning (Use Classes) Order 1987 due to the siting, layout and provision of the units of accommodation and apartment blocks; the remoteness, distance and access to on site facilities; the inadequacy and/or lack of purpose built care facilities and dedicated services in favour of general needs leisure related facilities; the lack of evidence of personal care provision within the proposed planning obligations and insufficient information regarding assessment of the C2 need for care; the proposed low age restriction; the lack of information to understand the affordability of the development and how this development would be affordable to the people of Thurrock; the lack of information to demonstrate a local need for the type and scale of accommodation proposed and the need to provide elderly care accommodation at a golf course. As such the proposal is contrary to policies CSTP11 and PMD2 of the adopted Core Strategy and Policies for the Management of Development (2015), and the definitions in the Town and Country Planning (Use Classes Order) 1987, the NPPF, and the PPG's 'Housing for older and disabled people'.
4. The Local Planning Authority considers that the proposed 'extra care' and 'close care' units of the development are Class C3 land uses and as such policy CSTP2 of the adopted Core Strategy and Policies for the Management of Development (2015) applies and the proposed development does not accord with paragraph 64 of the NPPF for exemptions to affordable housing to apply. The proposal does not provide any on-site affordable housing provision and is therefore contrary to the policy CSTP2 of the adopted Core Strategy and Policies for the Management of Development (2015).
5. The proposal, as a result of the quantum of development, its unsympathetic design and poor quality architecture, scale, piece-meal massing, layout, landscaping and poor use of materials would have an urbanising and adverse impact upon the site and surrounding area. The proposal would also result in the loss of an established hedgerow at the front of the site to create an additional vehicle access into the site. Accordingly the proposal would have an adverse impact upon the character and appearance of the site in this rural countryside location. The proposal is therefore contrary to policies CSTP22, CSTP23 and PMD2 of the adopted Core Strategy and Policies for the Management of Development (2015), Chapter 12 of the NPPF and the guidance contained in PPG's National Design Guide.
6. The Landscape and Visual Impact Assessment has not demonstrated that the proposed development can be acceptably accommodated in this location. Therefore the proposed development would have adverse impact upon the landscape character and the visual appearance of the site and the wider area in

this rural countryside location, contrary to policies CSTP22, CSTP23 and PMD2 of the adopted Core Strategy and Policies for the Management of Development (2015), Chapter 12 of the NPPF and the guidance contained in PPG's National Design Guide.

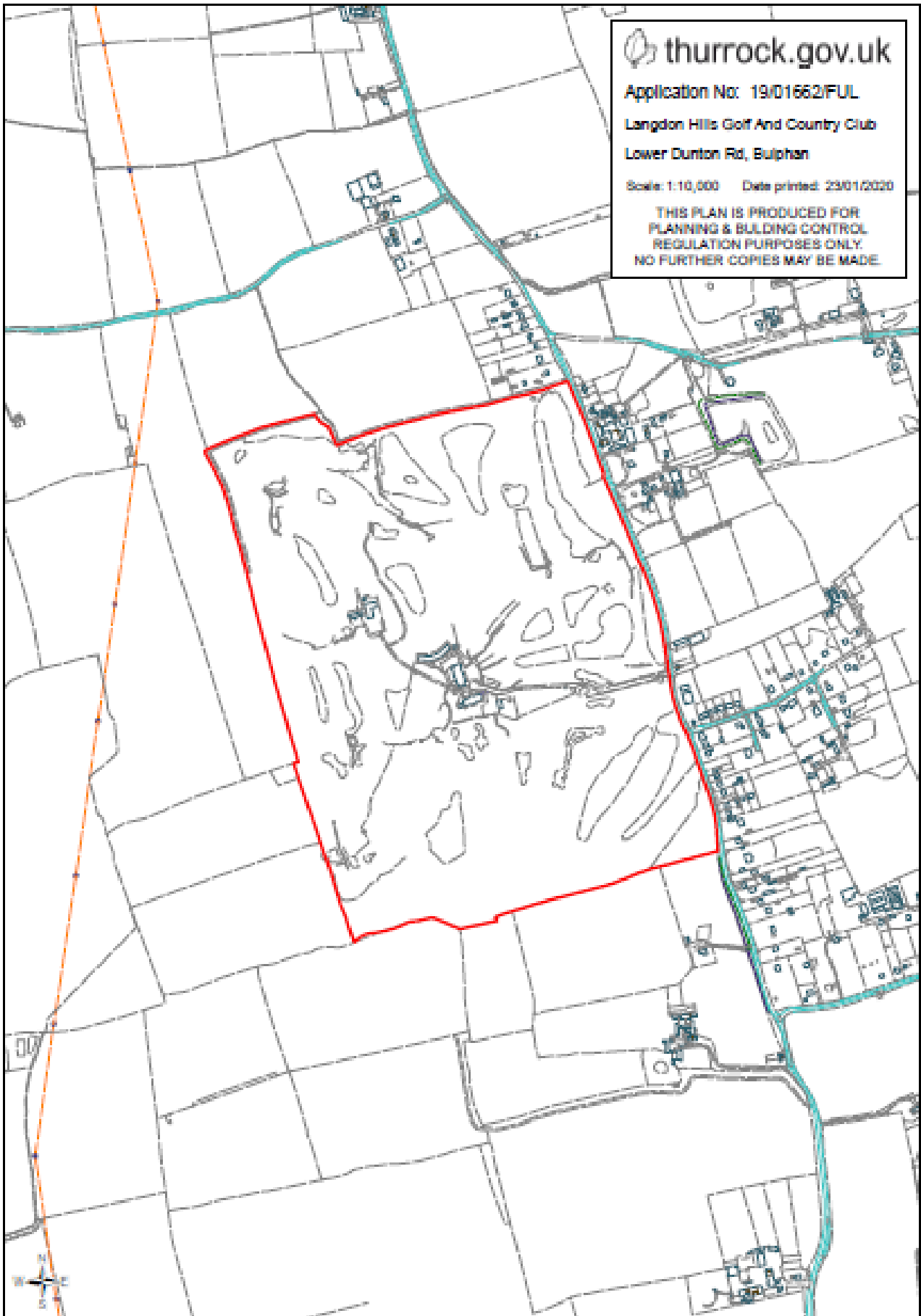
7. Lower Dunton Road is classified as a Level 1 Rural Distributor Road under policy PMD9 and the proposal would lead to the creation of a second vehicular access into the site. Lower Dunton Road is a heavily trafficked rural road, winding in places and has experienced a high number of accidents along its route. The introduction of another vehicle access to the site would be detrimental to highway safety and contrary to policy PMD9 of the adopted Core Strategy and Policies for the Management of Development (2015) and paragraph 109 of the NPPF.

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. 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>



Reference: 19/01633/TBC	Site: Aveley Recreation Ground High Street Aveley Essex
Ward: Aveley And Uplands	Proposal: Installation of roller shutters to building, new external lighting and CCTV

Plan Number(s):		
Reference	Name	Received
5488-1000-B	Existing Site Layout	31st October 2019
6630-1106-P3	External Lighting Spread and CCTV Locations	31st October 2019
6630-1210-P1	Proposed Solid Shutter Plan	31st October 2019
6630-1301-P1	Proposed Elevations	31st October 2019
No Nos	External Lighting Rev C	31st October 2019
E0204-P03	Proposed Site External Lighting Layout	31st October 2019

The application is also accompanied by: <ul style="list-style-type: none"> - Design and Access Statement - CCTV Colum Base Details - Lighting Details – Sylvania, Skyline Street 	
Applicant: Thurrock Council	Validated: 5 November 2019 Date of expiry: 20 February 2020 (Extension of time agreed with applicant)
Recommendation: Approve subject to conditions.	

This application is scheduled as a Committee item because the Council is the applicant and landowner (in accordance with Part 3 (b) Section 2 2.1 (b) of the Council's constitution).

1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks planning permission for the installation of internal and external roller shutters to all windows and doors of the community hub, external lighting within the car park and CCTV cameras mounted on poles located within the boundary of the Aveley Village Community Hub.

1.2 The building which is located on the Aveley Recreation Ground was granted permission under reference 16/01330/TBC; construction on the building is almost complete.

2.0 SITE DESCRIPTION

2.1 The application site comprises of 2,880sqm of the overall 2.57 Hectares of the Aveley recreation ground and is located towards the northwest corner of the recreation ground.

2.2 The wider recreation ground is split into an eastern side which is an open playing field and a western side which consists of a skate park, sports court, a tennis court and a children’s play area. Within the north west section of the park there is an established lawn bowls club with associated pavilion.

2.3 The recreation ground is bordered by residential properties backing on to the park. To the west of the recreation ground is Hall Avenue; to the north of the site is Aveley High Street which is a combination of residential at first floor and commercial properties at ground floor. Facing eastwards the recreation ground borders the rear of the residential properties on Ship Lane and to the south the recreation ground is enclosed by the rear of the properties on Church View.

2.4 The site falls outside of any flood risk zone.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
16/01330/TBC	Erection of new Community Centre with associated external works including youth facilities, nursery, soft play area, community cafe terrace, vehicle turning circle and replacement car parking.	Approved
18/01223/CONDC	Application for the approval of details reserved by condition no. 5 (Noise Mitigation) of planning permission ref. 16/01330/TBC (Erection of new Community Centre with associated external works including youth facilities, nursery, soft play area, community cafe terrace, vehicle turning circle and replacement car parking.).	Advice Given
19/00005/CONDC	Application for the approval of details reserved by condition no 2 (Samples of Materials) no 4 (Highways Management Plan) no 5 (Noise Mitigation) 9 (Parking Layout) no 12 (CEMP) of planning permission ref. 16/01330/TBC(Erection of	Advice Given

	new Community Centre with associated external works including youth facilities, nursery, soft play area, community cafe terrace, vehicle turning, circle and replacement car parking.)	
19/00091/ADV	Two advertisement for hoarding signage display, 0.5m above ground to the base of advert, 1.5m high and 4.5m wide with associated adverts.	Approved
19/01199/CONDC	Application for the approval of details reserved by condition no. 3 and condition no.4 of planning permission ref. 16/01330/TBC (Erection of new Community Centre with associated external works including youth facilities, nursery, soft play area, community cafe terrace, vehicle turning circle and replacement car parking)	Advice given
19/01578/CONDC	Application for the approval of details reserved by condition no 10 (Travel Plan) and no 15 (Fume Extraction and Ventilation System) of planning permission ref: 16/01330/TBC (Erection of new Community Centre with associated external works including youth facilities, nursery, soft play area, community cafe terrace, vehicle turning circle and replacement car parking).	Pending consideration

4.0 CONSULTATIONS AND REPRESENTATIONS

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

PUBLICITY:

4.2 The application has been advertised by way of neighbour letters and a site notice erected nearby to the site. One letter of support has been received at the time of writing the report.

The letters of support makes the following comments:

- Hub will create new jobs;
- Landscaping;
- Hub will provide much needed amenity to local residents;
- Development would make best use of former waste ground;

- CCTV, shutters and external lighting is essential for the site;
- The new Hub will create a space for young people.

4.3 ENVIRONMENTAL HEALTH

No observations on the proposed alterations.

4.4 HIGHWAYS

No objections.

4.5 LANDSCAPE AND ECOLOGY

No objections.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework (NPPF)

The revised NPPF was published on 19th February 2019. The NPPF sets out the Government's planning policies. Paragraph 2 of the NPPF 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. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

2. Achieving sustainable development
4. Decision-making
8. Promoting healthy and safe communities
12. Achieving well-designed places

5.2 National Planning Practice Guidance (NPPG)

In March 2014 the former 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. NPPG contains a range of subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of this planning application include:

- Design;
- Open space, sports and recreation facilities, public rights of way and local

- green space, and;
- The use of planning conditions.

5.3 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 in particular apply to the proposals:

Thematic Policies:

- CSTP10 - Community Facilities
- CSTP20 - Open Space
- CSTP22 - Thurrock Design

Policies for the Management of Development

- PMD1 - Minimising Pollution and Impacts on Amenity
- PMD2 - Design and Layout
- PMD8 - Parking Standards
- PMD9 - Road Network Hierarchy

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. In December 2018 the Council began consultation on an Issues and Options [Stage 2 Spatial Options and Sites] document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council’s website and agreed the approach to preparing a new Local Plan.

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 areas:

- i. Principle of development
- ii. Design of development and relationship with surroundings
- iii. Amenity Impacts
- iv. Landscape Impacts
- v. Highways

I. PRINCIPLE OF DEVELOPMENT

- 6.2 The new Hub building (consented under 16/01330/TBC) is nearing completion and is located on land which previously was used as a car park. The works proposed are in association with the operation of the Hub. The proposed alterations are acceptable in principle given that they are required in association with the operation of the building.

II. DESIGN OF DEVELOPMENT AND RELATIONSHIP WITH SURROUNDINGS

- 6.3 The building is located off Aveley High Street, where a variety of shops and commercial premises feature roller shutters. The proposed lighting, CCTV and roller shutters would not appear out of character with the community hub development or wider location. The proposals comply with Policies CSTP22 and PMD2 of the Core Strategy in this regard.

III. AMENITY IMPACTS

- 6.4 The hub building is situated 40m away from the closest residential properties on the High Street to the north and 32m away from the residential properties at the New Maltings to the North East. The neighbours in New Maltings would be closest to the car parking in which the new lighting is proposed; the car park is located 10m away from the rear of these properties.
- 6.5 While the immediate private amenity space to the rear of New Maltings would fall within the lighting spread produced by the proposed lighting, the light levels received by the rear of these properties would be minimal and the Council's Environmental Health Officer has raised no objections to the proposals. Therefore the impact upon these properties is not sufficient to sustain as a reason for refusal.
- 6.6 The proposed CCTV is required to provide additional security for the hub building, the CCTV would be located in such a way that it directly faces onto the hub and that this is the sole area that would be monitored by the CCTV. Therefore, there would be no overlooking or loss of privacy or amenity for local residents as a result of the siting or design of the CCTV devices.
- 6.7 It is not considered that the proposals would have any significant adverse amenity impacts for surrounding residents and the proposals would comply with Policy PMD1 in this respect

IV. LANDSCAPE IMPACTS

6.8 The Council’s Landscape and Ecology Advisor has no objections to the proposed works, therefore it is considered that the proposal would pose minimal impacts to the surrounding landscape of the hub.

V. HIGHWAYS

6.9 The proposals would not affect parking provision at the site and there are no objections to the proposal from the Council’s Highway Officer.

7.0 CONCLUSIONS

7.1 The proposal would be compliant with the relevant Core Strategy policies, as well as relevant chapters of the NPPF and would be acceptable.

8.0 RECOMMENDATION

8.1 Approve, subject to conditions.

TIME LIMIT

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

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

PLANS

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

Plan Number(s):		
Reference	Name	Received
5488-1000-B	Existing Site Layout	31st October 2019
6630-1106-P3	External Lighting Spread and CCTV Locations	31st October 2019
6630-1210-P1	Proposed Solid Shutter Plan	31st October 2019
6630-1301-P1	Proposed Elevations	31st October 2019
No Nos	External Lighting Rev C	31st October 2019
E0204-P03	Proposed Site External Lighting Layout	31st October 2019

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

MATERIALS

3. The materials to be used for the external shutters hereby permitted shall be implemented as detailed within the application.

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].

LIGHTING

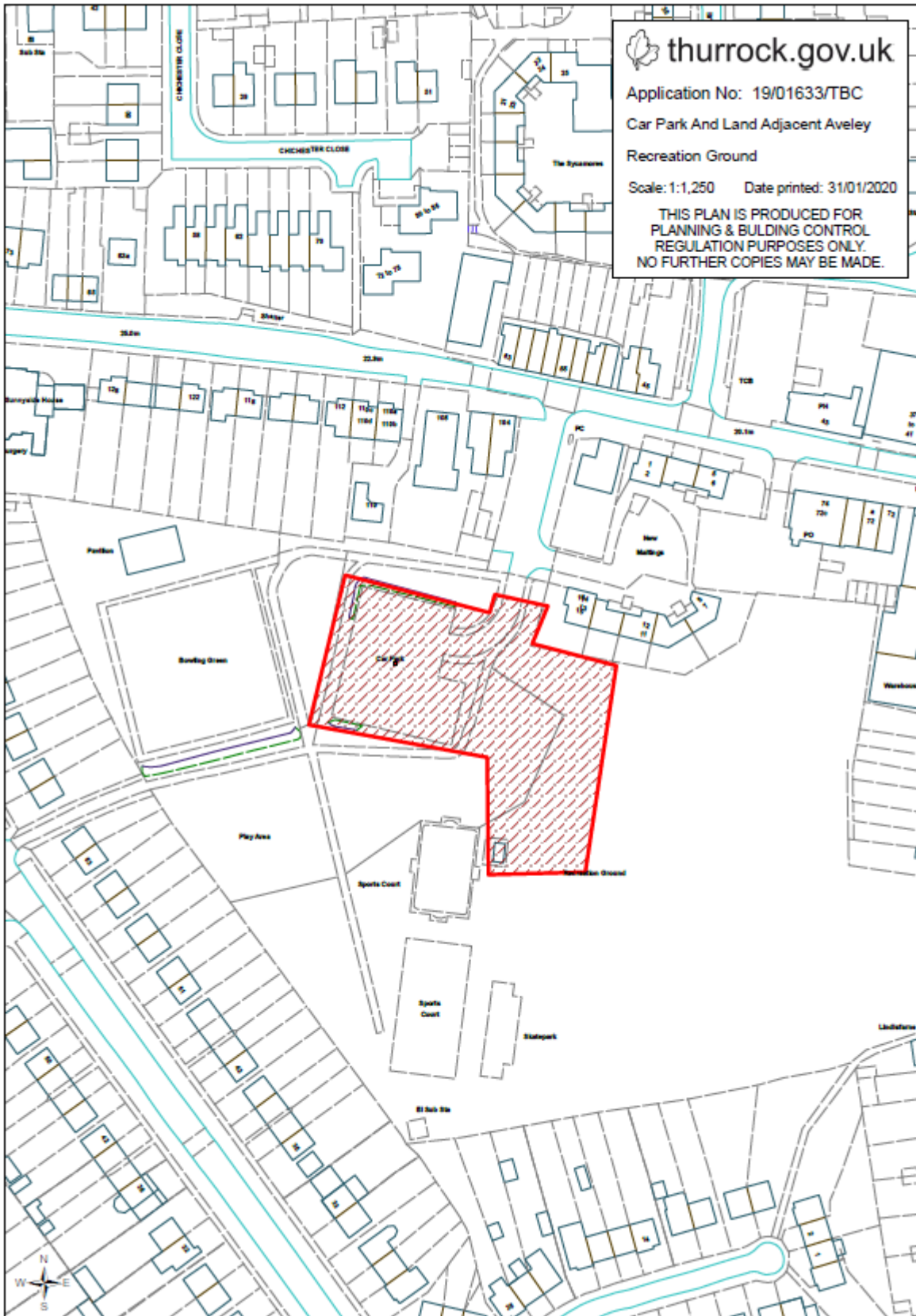
4. The lighting scheme as shown on the approved drawing numbers 6630-1106-P3 and E0204-P03 shall be implemented in accordance with these approved details and shall be retained and maintained as such thereafter.

Reason: In order to safeguard the amenities of neighbouring occupiers and in the interests of the visual amenity of the area as required by policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Documents:

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

www.thurrock.gov.uk/planning



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Reference: 19/01864/TBC	Site: Household Waste And Recycling Centre Buckingham Hill Road Linford Essex
Ward: Orsett	Proposal: Extension and redevelopment of the Linford Household Waste Recycling Centre (HWRC) comprising: Reconfiguration of site layout; construction of new access onto Buckingham Hill Road; construction of two storey office, welfare and store building; canopy over recycling centre; fuel storage area; two weighbridges; parking; wheel washing facilities; boundary fencing; landscaping; extension to winter working hours: substation and transformer; works to boundary ditch; creation of surface water attenuation pond and offsite improvements including planting/landscaping and ghost right turn lane (resubmission of 18/01508/TBC)

Plan Number(s):		
Reference	Name	Received
001_2018	Location Plan	23 January 2020
002	Application Boundary Plan (Areas A, B & C)	23 January 2020
002_2018	Application Boundary Plan	23 January 2020
003_2018	Proposed Site Layout - Ground Floor	23 January 2020
004_2018	Proposed Site Layout Roof Plan	23 January 2020
005_2018	Proposed Site Layout Site Sections	23 January 2020
006	Proposed Tree Planting Plan	24 December 2020
006_2018	Office Welfare & Resale Layout Floor Plans	23 January 2020
007	Proposed Site Lighting Plan	24 December 2020
007_2018	Office Welfare & Resale Layout Building Elevations	23 January 2020
008_2018	Proposed Site Layout Vehicle Tracking	23 January 2020
H-001_2018	Proposed Ghost Island Junction	31 January 2020
H-001a_2018	Proposed Ghost Island Junction	31 January 2020
H-001b_2018	Proposed Site Entry	31 January 2020
H-001c_2020	Proposed Site Exit	31 January 2020
201 P0	Proposed North Site Levels & Contours	15 January 2020

202 P0	Proposed North Site Sections	15 January 2020
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<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> - Alternative Site Assessment - Construction Environmental Management Plan (CEMP) - Environmental Site Assessment - Flood Risk Assessment - Planning Statement - Preliminary Ecology Assessment - Transport Statement 	
<p>Applicant: Thurrock Council</p>	<p>Validated: 3 January 2020</p> <p>Date of expiry: 3 April 2020</p>
<p>Recommendation: Grant planning permission, subject to: (i) referral to the Secretary of State; and (ii) conditions.</p>	

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

1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks planning permission for the extension and comprehensive redevelopment of the exiting Household Waste Recycling Centre (HWRC) on Buckingham Hill Road. The proposal is a resubmission of 18/01508/TBC, which was approved in February 2019. The current proposal would extend further to the north, creating a site which is 0.52 hectares larger than the previous approval.

1.2 The application comprises the following components:

- Extension of hardsurfaced area to the north of the existing site (area A) on land previously used for storage of waste containers and skips (area B) and land to the north further north of this area (area C) to be used as a circulation and recycling area;
- Formation of new site access at the northern end of area B;
- Proposed new internal vehicle access route within the site, to be one way in one way out for all vehicles;
- Construction of a two storey building comprising store, offices, meeting room and welfare facilities;
- Wheel washing facilities;

- Two weighbridges;
- Reprofilng of existing southern part of site the to allow improved access to containers;
- Provision of a 'ghost island' right tune lane into the new entrance;
- Ancillary buildings comprising substation, cycle stand, smoking shelter; Refuelling station and refuelling bund.

1.3 In terms of background, the applicant indicates that there are a number of operational difficulties with the existing site which must be addressed:

The HWRC at Linford is in need of expansion and updating as it is failing to meet increasing demand effectively. Whilst the HWRC was designed to accept 6,000 tonnes of household waste per annum (tpa), it currently receives more than double that tonnage per annum. In addition, the amount of household waste coming into the Site is expected to increase in line with an increase in the number of households from 65,490 at present, to 78,100 by 2030.

and

As well as the lack of operational capacity, the HWRC has a number of constraints which prevent the efficient operation of the Site:

- *The existing Site access leads to conflict between cars and the HGVs entering and leaving the Site to service the recycling containers. The inefficient Site layout leads to long queues out onto the highway and long waiting times for Site users.*
- *Within the Site, there is a significant potential risk of conflict between cars and pedestrians as people park their vehicles and then walk across the Site to access the waste containers. Safety within the Site is also an issue as the access to many recycling containers involves the public carrying waste up steps to drop items down into the waste containers.*
- *The HWRC does not have a connection to a mains sewer or mains electricity. The electricity generator and cesspit are costly to maintain and the HWRC is restricted to opening during daylight hours as lighting the Site using the generator is not feasible or cost effective.*
- *There is no surface water drainage system within the Site boundary or within Buckingham Hill Road. All existing surface water drainage currently discharges into a highways ditch along the southern edge of the Site within the Site boundary and into the local watercourse system.*

1.4 The above operational issues have led to the submission of the current application before Members.

2.0 SITE DESCRIPTION

2.1 This application relates to the Council's Civic Amenity Site, found on the western side of Buckingham Hill Road. The site is irregular in shape and found in the Green Belt.

- 2.2 The southern part of the site (area A) is hard surfaced and open to the public, comprising skips and bins for the collection of household waste and recycling.
- 2.3 The mid-northern part of the site (area B) is not open to the public and comprises an area used for the storage of skips and waste containers in connection with the public use of the site to the south.
- 2.4 The northern section of the site (area C) is currently covered by species poor grassland with developing bramble and scrub.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
18/01508/TBC	Extension and redevelopment of the Linford Household Waste Recycling Centre (HWRC) comprising: Reconfiguration of site layout; construction of new access onto Buckingham Hill Road; construction of two storey office, welfare and store building; canopy over recycling centre; fuel storage area; two weighbridges; parking; wheel washing facilities; boundary fencing; landscaping; substation and transformer; works to boundary ditch; creation of surface water attenuation pond and offsite improvements including planting/landscaping and ghost right turn lane.	Approved
18/00878/CLEUD	Certificate of lawfulness for storage of empty waste containers and skips	Deemed lawful
99/00751/TBC	The provision of a new access point to the civic amenity site.	Approved

4.0 CONSULTATIONS AND REPRESENTATIONS

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

PUBLICITY:

- 4.2 This application has been advertised by way of individual neighbour notification letters, press advert and public site notices which have been displayed nearby. No responses have been received.

4.3 ANGLIAN WATER:

No objection.

4.4 ARCHAEOLOGY:

No objection.

4.5 CADENT:

No objection.

4.6 ENVIRONMENT AGENCY:

No objections, subject to conditions.

4.7 ENVIRONMENTAL HEALTH:

No objections, subject to conditions.

4.8 FLOOD RISK MANAGER:

No objection, subject to conditions.

4.9 HIGHWAYS:

No objections, subject to condition.

4.10 HSE

Do not advise against.

4.11 LANDSCAPE & ECOLOGY

No objection, subject to conditions.

5.0 POLICY CONTEXT**National Planning Guidance**National Planning Policy Framework

5.1 The revised NPPF was published on 19 February 2019. The NPPF sets out the

Government's planning policies. Paragraph 2 of the NPPF 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. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

2. Achieving sustainable development
6. Building a strong, competitive economy
11. Making effective use of land
13. Protecting Green Belt land

Planning Practice Guidance

5.2 In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 51 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
- Green Belt
- Land affected by contamination
- Light pollution
- Natural Environment
- Use of Planning Conditions

Local Planning Policy

5.3 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:

- CSSP4 (Sustainable Greenbelt)
- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)

Thematic Policies:

- CSTP22 (Thurrock Design)

- CSTP27 (Management and Reduction of Flood Risk)
- CSTP29 (Waste Management)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD6 (Development in the Green Belt)
- PMD8 (Parking Standards)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)
- PMD15 (Flood Risk Assessment)

Thurrock Local Plan

- 5.4 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. In December 2018 the Council began consultation on an Issues and Options [Stage 2 Spatial Options and Sites] document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

Thurrock Design Strategy

- 5.5 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

Process

With reference to procedure, this application has been advertised as a departure from the Development Plan. Any resolution to grant planning permission would need to be

referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009 with reference to the 'other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt'. The Direction allows the Secretary of State a period of 21 days (unless extended by direction) within which to 'call-in' the application for determination via a public inquiry. In reaching a decision as to whether to call-in an application, the Secretary of State will be guided by the published policy for calling-in planning applications and relevant planning policies. The Secretary of State will, in general, only consider the use of his call-in powers if planning issues of more than local importance are involved.

The planning issues to be considered in this case are:

- I. Development Plan designation & principle of development
- II. Site layout and design
- III. Impact on amenity
- IV. Highways matters
- V. Flood risk
- VI. Ground conditions

I. DEVELOPMENT PLAN DESIGNATION & PRINCIPLE OF DEVELOPMENT

6.1 The site is located in the Green Belt. Under this heading, it is necessary to refer to the following key questions:

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

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

6.2 The site is identified on the Core Strategy Proposals Map as being within the Green Belt where policies CSSP4 and PMD6 apply. Policy CSSP4 identifies that the Council will 'maintain the purpose function and open character of the Green Belt in Thurrock', and Policy PMD6 states that the Council will 'maintain, protect and enhance the open character of the Green Belt in Thurrock'. These policies aim to prevent urban sprawl

and maintain the essential characteristics of the openness and permanence of the Green Belt to accord with the requirements of the NPPF.

6.3 Paragraph 133 within Chapter 13 of the NPPF states that the Government attaches great importance to Green Belts and that the *“fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.”* Paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. The NPPF sets out a limited number of exceptions to this, namely:

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

6.4 Due to their history of uses, areas A and B of the site are considered to fall within the NPPF definition of Previously Developed Land (PDL). However, area C is presently undeveloped and falls outside this PDL. Additionally, the proposed development as a whole would result in an increased built form, which would also be spread across a wider area than the current site and the previously consented scheme.

6.5 Accordingly the proposal would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Consequently, the proposals comprise inappropriate development with reference to the NPPF and policy PMD6.

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

6.6 Having established that the proposals are inappropriate development, it is necessary to consider the matter of harm. Inappropriate development is, by definition, harmful to the Green Belt, but it is also necessary to consider whether there is any other harm to the Green Belt and the purposes of including land therein.

- 6.7 Paragraph 134 of the NPPF sets out the five purposes, which the Green Belt serves as follows:
- a. to check the unrestricted sprawl of large built-up areas;
 - b. to prevent neighbouring towns from merging into one another;
 - c. to assist in safeguarding the countryside from encroachment;
 - d. to preserve the setting and special character of historic towns; and
 - e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.8 In response to each of these five purposes:
- a. to check the unrestricted sprawl of large built-up areas*
- 6.9 The NPPF does not provide a definition of the term 'large built-up areas' but given the sites location it is located away from the large built-up areas of Grays, Tilbury, Stanford Le Hope and Corringham the site is located distant from any defined settlements. The proposal would not therefore result in sprawl.
- b. to prevent neighbouring towns from merging into one another*
- 6.10 The proposal would not result in towns merging into one another.
- c. to assist in safeguarding the countryside from encroachment*
- 6.11 The proposal would involve increased built development on this site which is surrounded by the countryside to the north, east and south. It is considered that the proposal would constitute an encroachment of increased built development into the countryside at this location, causing some harm to the third purpose of including land in the Green Belt.
- d. to preserve the setting and special character of historic towns*
- 6.12 As there are no historic towns in the immediate vicinity of the site, the proposals do not conflict with this defined purpose of the Green Belt.
- e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land*
- 6.13 In general terms, the development could occur in the urban area and in principle there is no spatial imperative why Green Belt land is required to accommodate the proposals, however it is recognised that the site has performed the function of a Civic

Amenity Site for many years. To a limited extent, the proposed development is inconsistent with this purpose of the Green Belt.

6.14 In light of the above analysis, it is considered that the proposals would be contrary to 2 of the 5 purposes (c and e) of including land in the Green Belt. Substantial weight should be afforded to these factors.

3. Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify inappropriate development

6.15 Neither the NPPF nor the Adopted Core Strategy provide guidance as to what can comprise 'very special circumstances', either singly or in combination. However, some interpretation of very special circumstances has been provided by the Courts. The rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as the converse of 'commonplace'). However, the demonstration of very special circumstances is a 'high' test and the circumstances which are relied upon must be genuinely 'very special'. In considering whether 'very special circumstances' exist, factors put forward by an applicant which are generic or capable of being easily replicated on other sites, could be used on different sites leading to a decrease in the openness of the Green Belt. The provisions of very special circumstances which are specific and not easily replicable may help to reduce the risk of such a precedent being created. Mitigation measures designed to reduce the impact of a proposal are generally not capable of being 'very special circumstances'. Ultimately, whether any particular combination of factors amounts to very special circumstances will be a matter of planning judgment for the decision-taker.

6.16 With regard to the NPPF, paragraph 143 states that '*inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*'. Paragraph 144 goes on to state that, when considering any planning application, local planning authorities "*should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*".

6.17 The submitted Planning Statement sets out the applicant's reasons for the proposal coming forward.

a. Area B to the north of the main site has been used for 10 years or more

6.18 Area B, to the north of the public area of the site is used for the storage of containers

and skips which are subsequently used on the site. These skips are stored there before being used on the site. A lawful development certificate (18/00878/CLEUD) was approved for the use of the site for these purposes.

Consideration

6.19 It is accepted that the land within area B could be used for the storage of containers and skips in association with the use of the southern area of the site.

6.20 Significant weight can be attached to the lawful use of area B (though it is noted that this part of the site would be more intensively used under the current permission if approved).

b. Alternative Site Assessment demonstrates there are no alternative locations

6.21 The applicant advises that the Council previously operated a second Civic Amenity Site at West Thurrock. The site was subject to very low volumes of waste due to a combination of material acceptance policy and site location. The site was deemed not to be viable and was closed within a year of being opened leaving the Linford site as the only Civic Amenity site in the Borough. The applicant has carried out a detailed alternative site assessment which looked at other possible sites for a new HWRC using the following criteria:

- *There should be suitable HGV access to enable vehicles moving the containers to enter and exit the site safely;*
- *The site should be separate from residential properties due to the noise, smells, traffic and other nuisance that can be associated with such facilities;*
- *The site should not be too isolated or difficult to reach so as not to prevent or discourage some residents from using the facility;*
- *The site should be at least equivalent in size to the existing Buckingham Hill site (0.7ha) but ideally at least 1ha;*
- *It should be able to accommodate a split-level operation which minimises the need to users to have to climb steps to empty contents into containers, to improve safety and accessibility;*
- *The site should comprise predominately non-permeable hardstanding with adequate interceptors to prevent leachate run-off;*
- *The site should be connected to the mains sewer and have access to other utilities e.g. electricity and broadband;*
- *The site should have good access to A13 to avoid HGVs having to pass through residential areas. Also as there is only one site in the borough it should as central as possible and easy to reach by car;*
- *Ideally the site should be in council ownership as there are not sufficient resources currently available to enable the purchase of a new site.*

- 6.22 The site assessment indicates that HWRCs are not suitable for residential areas due to noise, smells and traffic, and in areas allocated for residential development the loss of land for housing would be unlikely to be supported. The assessment further considers that HWRCs are not ideal for industrial areas due to the HGV levels associated with those uses. Areas such as London Gateway and Thames Enterprise Park are deemed to be too remote for most Borough residents. A potential site in Botany Way Purfleet had been considered but was discounted due to it being inaccessible for residents from the east of the Borough.
- 6.23 Four sites met the criteria for detailed consideration and are discussed below as follows:
- Former Council Nursery, Bull Meadow, Little Thurrock:
 - Formally a plant nursery, 1.8 ha in size and partly surfaced with services in or close to the side, good links to A13.
 - Site in the Green Belt.
 - Immediately adjacent to residential properties to the south and west, resulting in creating noise, smells and traffic congestion to residents.
 - Access off Dock Road/Marshfoot road is on a sharp bend which would not provide suitable and safe highways access.
 - DISCOUNTED for highways and amenity issues.
 - Land off Fort Road Tilbury:
 - Presently used for grazing, 8ha in size
 - Outside the Green Belt.
 - Northern part of the site will be used for link to Tilbury 2 development, part of the land is in a coastal grazing marsh, part of Tilbury Marshes Local Wildfire Site and approximately 120m north of Tilbury Fort Scheduled Ancient Monument (SAM).
 - DISCOUNTED for impact on ecology, proximity to SAM and the site would not be readily accessible to most residents in the Borough.
 - Thurrock Park Way (TPW)
 - To the west and north of TPW and Clipper Park, 3.5 ha in size, identified as employment land.
 - Outside the Green Belt.
 - Access through adjacent commercial areas, much of the site would be away from residential properties, though some would be close to properties on Churchill Road. Site is low level marshland so could lead to leaching and a flood risk assessment would be needed.

- DISCOUNTED due to high number of existing HGV movements, potential for more appropriate commercial use and application to west for residential development (15/00234/FUL – Manor Road) if approved would result in a number of residential properties nearby.
- Land adjacent to Stanford Road, Grays
 - Currently used for horse grazing, measuring 2.6ha in size.
 - Site is in the Green Belt.
 - Close to existing development so services would be available, located on a straight road with good visibility.
 - DISCOUNTED due to site being open and flat and difficult to screen, proximity to residential areas to the south and west, and Treetops school to the south east, making it a bad neighbour use.
- Sites at Wharf Road, Billet Lane and Baker Street were also considered but did not make the list of detailed assessment due to factors which made them immediately unsuitable for shortlisting.

Consideration

- 6.24 The criteria for determining what is required for a new/extended HWRC are considered to be appropriate. The four sites that were taken forward for detailed assessment are considered to individually have some elements that would make them suitable for the proposed use, however taken as a whole it is considered that there are factors which make the discounting of each site justified.
- 6.25 Accordingly, it is considered at this time, that the proposed site is the only one which could adequately accommodate the proposed extended site. Significant weight should be given the lack of suitable alternative sites.

c. The provision of a dedicated right turn lane (ghost lane)

- 6.26 Within the application it is stated that the increase in the length of the site would allow space for the provision of a ghost tight turn lane into the site. The distance of 50m from the site entrance to the entrance to the lane would allow approximately 10 cars waiting to access to site to sit safely away from vehicles proceeding south along Buckingham Hill Road, preventing queues building up, as happens at present. With the additional size and capacity within the site with area C, this would further reduce the likelihood of queueing to access the site.

Consideration

- 6.27 At present the northern entrance to the site is an in-out access point for HGVs and an exit for cars. This causes safety issues and conflict on the highway between vehicles accessing the site and causes vehicles to wait on Buckingham Hill Road causing highways safety issues. The new single entrance for HGVs and cars at the north served by the ghost lane would reduce conflict and allow vehicles to wait safely without causing queueing on Buckingham Hill Road.
- 6.28 The provision of the right turn lane would not occur without the development taking place and it would provide wider benefits to other road users. As such this factor should be afforded moderate weight in the determination of the application.

d. Operational Issues Waste & Resources Action Programme (WRAP) / Staff welfare

- 6.29 The applicant has advised that the use of the site has grown over time, and it is now operating over capacity and the layout results in a number of health and safety issues, which cannot be solved within the compact single level site. The applicant advises the following:

The current site layout and service provisions associated with the Linford HWRC do not meet the best practice guidance recommendations set down in the Household Waste Recycling Centre (HWRC) Guide published by WRAP - which was formed to assist Local Authorities concerning Waste and Recycling best practice and guidance.

The guide incorporates a section on Health and Safety issues which could have an impact on customers, operatives and contractors. Amongst other things, the guide makes reference for the need to adopt traffic control measures and a safe layout in order to comply with the Health and Safety Workplace regulations. It also points out that in Northern Ireland in 2011 a worker was trapped and killed at a HWRC. This, quite rightly, should make the Council recognise the need for the best safe working practices at the HWRC.

The Health and Safety Executive has also published guidance on how to avoid risks at HWRCs. It echoes the WRAP guidance and makes reference to safe layout and control measures. It uses a case study of site design by Cumbria County Council incorporates a split-level design site. The site has similar features to that proposed for Linford.

One key feature of modern HWRCs is that the site layout is designed to minimise the interaction between customers and traffic, this can be best achieved by using a "split-level" design where servicing the containers is in an area which is completely segregated from customers. In addition, to avoid

slips trips and falls, the use of stairways can be minimised by using a split - level site where storage containers are located at a lower level to customers. A split-level site therefore affords the opportunity to segregate service vehicles and avoid stairways at a stroke. In addition, the proposed redeveloped layout at Linford would further improve safety by avoiding the need for pedestrians to cross traffic lanes to deposit materials. Split level designs necessitate a ramp within the site to bring customers to a higher level (or service vehicles to a lower level).

To accommodate a safer split level site and provide vehicle stacking means that a slightly larger footprint to accommodate these features would be required at the Linford site. It must be emphasised that these safety features cannot physically be provided at the site within the current authorised footprint.

- 6.30 The applicant also advises that with no permanent electricity supply the site cannot be operated appropriately. They state that the site “currently relies on a diesel powered generator. This requires fuel storage (with inherent risks of theft, fire and pollution)...that [t]he generator is both noisy, requires servicing and produces air emissions and does not provide sufficient power to enable the site to have a combination of adequate lighting or CCTV. Such generators do interrupt operations with downtime... [which] would be unacceptable with a modern weigh-bridge. The current generator does not provide site lighting / security lighting and heat for modern site welfare offices or a weighbridge office. A larger generator would be noisier and very expensive to hire and run and be easily accommodated within the cramped conditions at the site”.

Consideration

- 6.31 The supporting information indicates that the site is presently severely deficient in terms of both the working conditions for employees of the site and the health and safety of users of the site. The Council has a duty of care to its staff and customers, which are clearly not being served by the premises as it exists. The Council would not want to invest resources in development that was not absolutely necessary and it is considered therefore that the extension of the site area and associated development to address the shortcomings of the site are reasonable. Accordingly, significant weight can be attributed to these matters at this time.

e. Trade Waste / Greater Recycling / Third party reuse

- 6.32 The applicant advises that the site is operating over capacity, by approximately 8,000 tonnes per year, in part due to the large amount of illegal trade waste the site receives. The applicant advises the provision of the weighbridge would allow waste coming on the site to be monitored and this would allow an additional revenue stream. This combined with more clearly defined areas would make it easier for

residents to use site and improve recycling rates through the site. It is also proposed that items brought to the site that could be effectively reused through third party charities could be collected on site and stored before being distributed.

Consideration

6.33 The improved recycling levels would be beneficial to the Council's aspirations to improve recycling and would reduce the impact of landfill material. Policy CSPT29 seeks, amongst other things "the increased re-use/recycling and recovery of waste" as a central theme. The ability to improve recycling should be therefore given moderate weight. The provision of a dedicated area for commercial waste should reduce fly-tipping and could create revenue for the Council to reinvest in waste management activities. The option to allow third parties to reuse items rather than them being placed in landfill or broken down for recycling would have wider sustainability benefits.

6.34 Collectively these matters should be attributed moderate weight.

f. *Potential for surface water run-off and drainage into watercourse and onto highway to be reduced*

6.35 The applicant refers to the fact that the site presently does not have mains drainage, that there is no surface water drainage system within the site boundary and so accordingly surface water discharges into a highways ditch alongside the southern edge of the site, into the local watercourses and onto the public highway. The current drainage arrangements incorporate a dilute and disperse system for surface water. It is likely that some areas of the site will lead to contamination of surface water. The proposed scheme would result in a full drainage system being installed within the site and would provide a water attenuation pond to the southern end of the site to deal with surface water.

Consideration

6.36 The site presently accepts a variety of waste materials. Where these materials are stored outside they will be subject to the effects of rain. A HWRC by its very nature will be dirty and surface water from the site draining into local watercourses is not beneficial to the local environment. The proposal to introduce a sustainable drainage scheme will prevent pollution of the local watercourses.

6.37 In addition officers have received numerous complaints in recent years about mud and water on the highway on Buckingham Hill Road in the vicinity of this site. The unmade nature of the highways boundary in this part of the road will always result

in some form of mud on the highway, however preventing surface water run-off from the site will clearly reduce this impact and improve highways safety. Accordingly these matters should be afforded moderate weight in the determination of the very special circumstances case.

g. Policy CSTP29: Waste Strategy

- 6.38 The applicant references the following wording of Policy CSTP29 (3): *New development for waste management will not be permitted in the Green Belt, unless part of a necessary restoration scheme and the proposals conform with Green Belt policy. The exception to this is the provision of small scale facilities which address an identified local need where no suitable sites outside the Green Belt have been shown to exist following an alternative assessment.* They consider this supports their case.

Consideration

- 6.39 Policy CSTP29 states under sub-section 3 that the preferred approach is for 1 or 2 strategic sites within broad locations and located within appropriate employment and industrial/port locations. The locations of these sites were supposed to come through the minerals and waste DPD. The strategic sites were intended to provide capacity to meet most of the equivalent of the Borough's Household and C&I waste.
- 6.40 The policy continues that where strategic sites allocations are proven to be undeliverable or waste management capacity requirements cannot be met on allocated sites planning permission in non-strategic areas would be considered in
- i. Existing waste management facilities; except landfill sites;
 - ii. Appropriate employment locations;
 - iii. Appropriate port locations and
 - iv. Where such proposal met the other relevant policies in the Core Strategy and the waste and minerals plan.
- 6.41 The last paragraph in subsection 3 states that "new development for waste management will not be permitted in the Green Belt, unless part of a necessary restoration scheme. The exception to this is the "provision of *small scale* facilities to meet *local need* where no suitable sites outside the Green Belt have been identified". The policy specifically states *small scale*, but there is no definition of what small would constitute. The entire site area would cover 1.4 hectares, which is not large when the HWRC is a facility for the entire Borough. The centre is necessary for waste management capacity for the Borough and its needs, the alternative site

assessment has confirmed that there are physically no other sites within the Borough. Therefore, the proposal is considered to be comply with policy CSTP29.

6.42 Accordingly, significant weight can be attached to this matter.

h. Need for temporary closure of the facility

6.43 The approved redevelopment of the HWRC would require the temporary closure of the existing facility. The redevelopment works are extensive and arrangements need to be made to secure an operational waste site available for residents whilst work is underway. After reviewing a number of options, the applicant has decided that in preference to finding a new, remote site for temporary HWRC operations, the existing HWRC site can be extended northwards (area C) to provide the space required.

6.44 This solution has three key advantages. Firstly, there would be considerable cost and time savings as there would be no need to establish a new HWRC site elsewhere in the Borough during the redevelopment works. The retention of HWRC operations in the same location would avoid the need for and cost of promotion of a new HWRC site. Lastly, once area C had been utilised for additional HWRC space it could then accommodate the growing need for the HWRC demand more effectively, to enable more efficient operation of the site and to enable the recycling of a wider range of waste streams.

Consideration

6.45 The proposal to redevelop the existing site at Buckingham Hill Road has already gained planning permission. The provision of a temporary site is necessary and the costs involved in providing the temporary site for a limited period, only to then return the land to open Green Belt would be highly impractical. Therefore, it is considered this factor should be afforded significant weight.

Summary of Very Special Circumstances

6.46 The table below provides a summary of the Very Special Circumstances put forward and the weight that is attributed to them in assessing the planning balance of whether the principle of the development is acceptable

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

Inappropriate Development	Substantial	The area to the north of the main site has been used for 10 years or more	Significant weight
Reduction in the openness of the Green Belt		Alternative Site Assessment demonstrates there are no alternative locations	Significant weight
		The provision of a dedicated right turn lane (ghost lane)	Moderate weight
		Operational Issues Waste & Resources Action Programme (WRAP) / Staff welfare	Significant weight
		Trade Waste / Greater Recycling / Third party reuse	Moderate weight
		Potential for surface water run-off and drainage into watercourse and onto highway to be reduced	Moderate weight
		Wording of Policy CSTP29: Waste Strategy	Significant weight
		Need to provide a temporary facility and costs of returning the land to open Green Belt	Significant weight

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

- i. the weight to be attributed to these factors;

- ii. whether the factors are genuinely 'very special' (i.e. site specific) or whether the accumulation of generic factors combine at this location to comprise 'very special circumstances'.

6.48 Taking into account all Green Belt considerations, it is considered that the identified harm to the Green Belt is clearly outweighed by the accumulation of factors described above, so as to amount to the very special circumstances justifying inappropriate development.

II. SITE LAYOUT & DESIGN

6.49 The site is irregular in shape and is constrained by Buckingham Hill Road to the east and the levels of the land to the west. The sectional drawing submitted with the application shows that the land on the immediate western site boundary is approximately 2.5m higher than the land on the east, which is at the same level as Buckingham Hill Road. The effect of this would be to screen to some degree the built form on the site from the west.

6.50 The public areas would be located primarily to the western side of the site, and the servicing / staff and commercial areas to the centre and eastern side of the site. This would provide separation between the different users to prevent conflict and improve safety. This is considered to be a suitable layout in operational and design terms.

6.51 The design of the site has been planned to take into account the slope and effect of the level of the land to the western side. The two-storey office / welfare building would be sited towards the middle of the site, away from the edge of the highway. The roof of this building has been designed to pitch away from the highway to try and reduce its visual impact from the main public vantage points. The location of this building is considered to be appropriate in terms of the impact upon the character of the area and the functionality of the site.

6.52 The proposed higher level ramped areas would be located around the western periphery of the site; this arrangement is proposed due to operational issues, but this would allow some screening of the higher area by the land outside the site. This is considered to be the most appropriate area for the higher land levels.

6.53 By its very nature the overall appearance of the site will be functional, with large concrete surfacing to ensure the site is easy to manage and to channel run off.

6.54 The design and appearance of the proposed office and welfare building is a product of the function that it would perform; the building would be similar to other commercial buildings in the Borough, with a brick finish to the ground floor and a metal cladding to the first floor. A covered canopy to a small part of the recycling area will also be

provided. Given the context of the HWRC, this is considered to be acceptable and subject to the use of appropriately coloured external finishes no objection is raised to this element of the proposal.

- 6.55 Landscaping is proposed along the eastern boundary of the site where it adjoins Buckingham Hill Road. Suitable landscaping would help soften the impact of the development on the area and should form part of a condition on any consent granted.

III. IMPACT ON AMENITY

- 6.56 The closest 'sensitive' receptor to the site is the residential property, Mayland some 100m to the north east of the site. This property is considered to be suitably distant from the site for there to be no significant impact on their outlook or amenity.
- 6.57 The application has been accompanied by a lighting scheme, a Construction Environment Management Plan (CEMP) for the period of construction and details of opening hours. The Council's Environment Health team have raised no objections and accordingly it is considered that the proposal would be acceptable in relation to neighbour amenity issues.

IV. HIGHWAY MATTERS

- 6.58 The application proposes changes within the site and on the public highway. The existing northern access is proposed to be closed up and a new access would be formed in the 'extension' area of land between areas B and C, to the north.
- 6.59 A 'Ghost Island' right turn lane would be formed on the public highway to prevent vehicles travelling south along Buckingham Hill Road being held up by any vehicles queuing to access the site.
- 6.60 In addition, the changes to the access and the internal circulation areas within the site would allow a one entrance in, one exit out for all vehicles. At present HGVs enter and exit from the northern access causing conflict with cars exiting the site.
- 6.61 The changes to the access and internal arrangements would have a positive impact on highways safety, allowing vehicles to enter and exit the site more easily and would minimise the impact of vehicles queuing on the highway. These are all considered to be positive points in support of the proposals.
- 6.62 The application is supported by a Transport Assessment (TA). The TA confirmed that when all trips to the site were considered (including operation trips, customer trips and staff trips) there are an average of 784 two-way movements on an average weekday and 1,166 on an average weekend.

- 6.63 The TA indicates that the proposed improvements to the site will have no noticeable impact on the highways network and that it will not negatively impact on the capacity of Buckingham Hill Road and its junction with the A1013.
- 6.64 The Council's Highways Officer has reviewed the application and has raised no objection to the proposals and recommends a single condition relating to sight splay provision at the access points onto Buckingham Hill Road. Accordingly, the proposals are considered to comply with the relevant criteria of Policies PMD8, PMD9 and PMD10 of the Core Strategy.

V. FLOOD RISK

- 6.65 The application site lies within Flood Zone 1 (Low Risk) and no historic evidence of flooding at the site has been found.
- 6.66 A Flood Risk Assessment (FRA) has been submitted with the application given the changes proposed on the site, in particular in relation to drainage; this FRA found that the only flooding from land from surface water was considered to be a risk and this was in a localised part of the site, close to the existing site entrance.
- 6.67 The Environment Agency (EA) surface water flood map indicates that during an event with a 1% AEP (or 1 in 100 year annual exceedance probability) of re-occurrence, flood depths in the area immediately adjacent to the entrance to the site would be less than 0.3m. The application has incorporated basic flood resilience measures into the redesign of the HWRC, including elevating electrics at least 0.5m above the finished floor level (in line with Building Regulations) and avoiding the use of porous surfacing at ground floor level despite the limited risks.
- 6.68 Neither the EA nor the Council's Flood Risk Manager has raised any objections, subject to conditions. Accordingly subject to suitable planning conditions, the proposals comply with the relevant criteria of Policies CSTP27, PMD2 and PMD15.

VI. GROUND CONDITIONS

- 6.69 The land to the immediate west of the application site is a former landfill site (THU0036). The Council's Environmental Health Officer advises that landfill gas from the site has been proved to be affecting the land to the western boundary. Accordingly, he has recommended that a landfill gas monitoring programme be carried out to ensure there are no gas issues arising and to determine whether any protection measures are required. This could be covered by a condition.

- 6.70 The EA concur with the details submitted in the contaminated land assessment and recommended similar conditions be applied. Subject conditions, no objections are raised on the basis of ground conditions and contamination.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 The application site is in the Green Belt and as submitted, the proposal represents inappropriate development. The applicant has put forward a strong case for Very Special Circumstances to justify the development, the most significant being the clear lack of alternative sites, either inside or outside the Green Belt, the lawfulness of the use land to the immediate north of the public area of the site and the practicalities of the transition period and costs. These and the other matters put forward are considered to clearly outweigh the harm the Green Belt, the test that is required by the NPPF to allow inappropriate development.
- 7.2 In relation to design, appearance, layout and scale the proposal would be acceptable and in terms of technical highways matters the level of activity would be acceptable. Other matters of detail are also considered to be appropriate, subject to conditions.
- 7.3 Accordingly, the proposals are considered to comply with Policies OSDP1, CSSP3, CSSP4, CSTP22, CSTP23 and Policies PMD1, PMD2, PMD6, PMD8, PMD9, PMD10 and PMD15 of the Core Strategy.

8.0 RECOMMENDATION

Grant planning permission subject to:

- A:** Referral to the Secretary of State (Planning Casework Unit) under the terms of the Town and Country Planning (Consultation) (England) Direction 2009, and subject to the application not being 'called-in' for determination

And

B: Conditions

Time Limit:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of The Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Accordance with plans:

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

Plan Number(s):		
Reference	Name	Received
001_2018	Location Plan	23 January 2020
002	Application Boundary Plan (Areas A, B & C)	23 January 2020
002_2018	Application Boundary Plan	23 January 2020
003_2018	Proposed Site Layout - Ground Floor	23 January 2020
004_2018	Proposed Site Layout Roof Plan	23 January 2020
005_2018	Proposed Site Layout Site Sections	23 January 2020
006	Proposed Tree Planting Plan	24 December 2020
006_2018	Office Welfare & Resale Layout Floor Plans	23 January 2020
007	Proposed Site Lighting Plan	24 December 2020
007_2018	Office Welfare & Resale Layout Building Elevations	23 January 2020
008_2018	Proposed Site Layout Vehicle Tracking	23 January 2020
H-001_2018	Proposed Ghost Island Junction	31 January 2020
H-001a_2018	Proposed Ghost Island Junction	31 January 2020
H-001b_2018	Proposed Site Entry	31 January 2020
H-001c_2020	Proposed Site Exit	31 January 2020
201 P0	Proposed North Site Levels & Contours	15 January 2020
202 P0	Proposed North Site Sections	15 January 2020

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 Core Strategy and Policies for the Management of Development [2015].

Details of materials:

3. Notwithstanding the information on the approved plans, no development shall commence above finished ground levels 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 Core Strategy and Policies for the Management of Development [2015].

Boundary treatments:

4. Prior to the first use or operation of the development, details of the design, materials and colour of the fences and other boundary treatments shown on drawing no. 003 Proposed Site Layout Ground Floor shall be submitted to and approved in writing by the local planning authority. The fences and other boundary treatments as approved shall be completed prior to the first use or operation of the development and shall be retained and maintained as such thereafter.

Reason: In order to safeguard the amenities of neighbouring occupiers and in the interests of the visual amenity of the area in accordance with policies PMD1 and PMD2 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

External lighting:

5. The external lighting on the site shall be installed in accordance with the details included in Appendix E of submitted Planning Statement, prior to first use or operation of the development and retained and maintained thereafter in the agreed form.

Reason: In the interests of highway safety and residential 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 Core Strategy and Policies for the Management of Development [2015].

Soft landscaping:

6. Within the first available planting season (October to March inclusive) following the commencement of the development the soft landscaping works as shown on shown on drawing no LC-06 Landscape Strategy of Appendix D Landscape and Visual Appraisal shall be implemented. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: To secure appropriate landscaping of the site in the interests of ecology,

visual amenity and the character of the area in accordance with policies CSTP18, PMD2 and PMD7 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Surface Water Drainage:

- 7 Prior to the commencement of the development details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum:

- Run-off from the site is limited to greenfield rates for a storm event that has a 100% chance of occurring each year (1 in 1 year event).
- The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance. finished first floor levels set no lower than 6.20 metres above Ordnance Datum (AOD).

Reason: To ensure that adequate drainage measures to prevent surface water runoff and for the safety of the site and for the safety of all users of the development in accordance with policy PMD15 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Sustainable Urban Drainage:

- 8 Prior to commencement of the development a detailed Sustainable Urban drainage scheme as specified in the Essex Sustainable Drainage Systems Design Guide 2014 shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that adequate drainage measures to prevent surface water runoff and for the safety of the site and for the safety of all users of the development in accordance with policy PMD15 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Maintenance of Surface Water Drainage:

- 9 Prior to first use of the development a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed in writing, by the local planning authority.

Reason: To ensure that adequate drainage measures to prevent surface water runoff and for the safety of the site and for the safety of all users of the development in

accordance with policy PMD15 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Adherence to Flood Risk Assessment

- 10 The measures contained within the Flood Risk Assessment a copy of which was submitted with the planning application (Appendix B) "Hydrology and Flood Risk" and forms part of this permission, shall be fully implemented and in place prior to the first use of the development and retained as such thereafter.

Reason: To ensure that adequate drainage measures to prevent surface water runoff and for the safety of the site and for the safety of all users of the development in accordance with policy PMD15 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Contaminated land:

- 11 No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has each be submitted to, and approved in writing by the local planning authority:

1) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the site and neighbouring land are minimised, together with those 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 offsite receptors in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Land Drainage (Contaminated land)

- 12 No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details

Reason: Infiltration through contaminated land has the potential to impact on groundwater quality and to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those 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 offsite receptors in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Contamination (Watching Brief)

- 13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those 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 offsite receptors in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Development in accordance with Construction Environmental Management Plan (CEMP)

- 14 The development of the site shall be carried on strictly in accordance with the details of the submitted CEMP (ref: Appendix E -Construction Environmental Management Plan (CEMP)).

Reason: In order to safeguard the amenities of nearby occupiers in accordance with policies PMD1 and PMD2 of the adopted Thurrock Core Strategy and Policies for the

Management of Development [2015].

Storage of Oils, Fuels or Chemicals

- 15 Any facilities for the storage oils, fuels and chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank or the combined capacity of interconnected tanks plus 10%. All filling points, vents gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any water course, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank overflow outlets shall be discharged downwards into the bund.

Reason: In order to avoid the pollution of ground water in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Submission of details – access and site splays

- 16 No development shall commence until details of the visibility splay[s] and accesses have been submitted to and agreed in writing with the local planning authority. The details to be submitted shall include plans and sections indicating design, layout, levels, gradients, materials and method of construction. The visibility splays and / access arrangements shall be constructed in accordance with the agreed details. For the avoidance of doubt the visibility splays must be designed in accordance with the Design Manual for Roads & Bridges. Once approved, the sightlines shall be maintained with no obstruction above 600mm in height above ground level for the lifetime of the use of the access.

Reason: In the interests of highway safety and amenity in accordance with policies PMD2 and PMD9 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Landfill Gas Assessment & Monitoring

- 17 The development hereby permitted shall not be commenced until a comprehensive site survey has been undertaken to:
- i. Determine the existence, depth, extent and character of any filled ground.
 - ii. Determine the existence, extent and concentrations of any landfill gas with potential to reach the application site.

- iii. A copy of the site survey findings together with a scheme to bring the site to a suitable condition in that it represents an acceptable risk including detailing measures to contain, manage and/or monitor any landfill gas with a potential to reach the site shall be submitted to and agreed in writing with, the Local Planning Authority prior to, the commencement of development hereby permitted.

Formulation and implementation of the scheme shall be undertaken by competent persons. Such agreed measures shall be implemented and completed in accordance with the agreed scheme. No deviation shall be made from this scheme.

Should any ground conditions or the existence, extent and concentrations of any landfill gas be found that was not previously identified or not considered in the scheme agreed in writing with the Local Planning Authority, the site or part thereof shall be re-assessed in accordance with the above and a separate scheme to bring the site to a suitable condition in that it represents an acceptable risk shall be submitted to and agreed in writing with the Local Planning Authority. Such measures shall be implemented in accordance with the agreed scheme.

The developer shall give one month's advanced notice in writing to the Local Planning Authority of the impending completion of the agreed works. Within four weeks of completion of the agreed works a validation report undertaken by competent person or persons shall be submitted to the Local Planning Authority for written approval. There shall be no residential occupation of the site or the individual unit affected until the Local Planning Authority has approved the validation report in writing

Reason: To ensure that risks from landfill gas to the future users of the land and neighbouring land are minimised, together with those 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 offsite receptors in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Hours of Operation

- 18 The site shall only be open to visiting members of the public between the following hours:
 - o Monday to Sunday: 08.00 to 17.00

Staff members are permitted to be on site one hour before the site opens and one hour after the site closes to visiting members of the public.

The site shall not be lit outside of the hours of which it is occupied by staff, unless in the case of an emergency.

Reason: In the interests of amenity and to ensure that the development remains integrated with its surroundings and with regard to the site's location within the Green Belt as required by policy PMD1 and PMD6 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Informative(s)

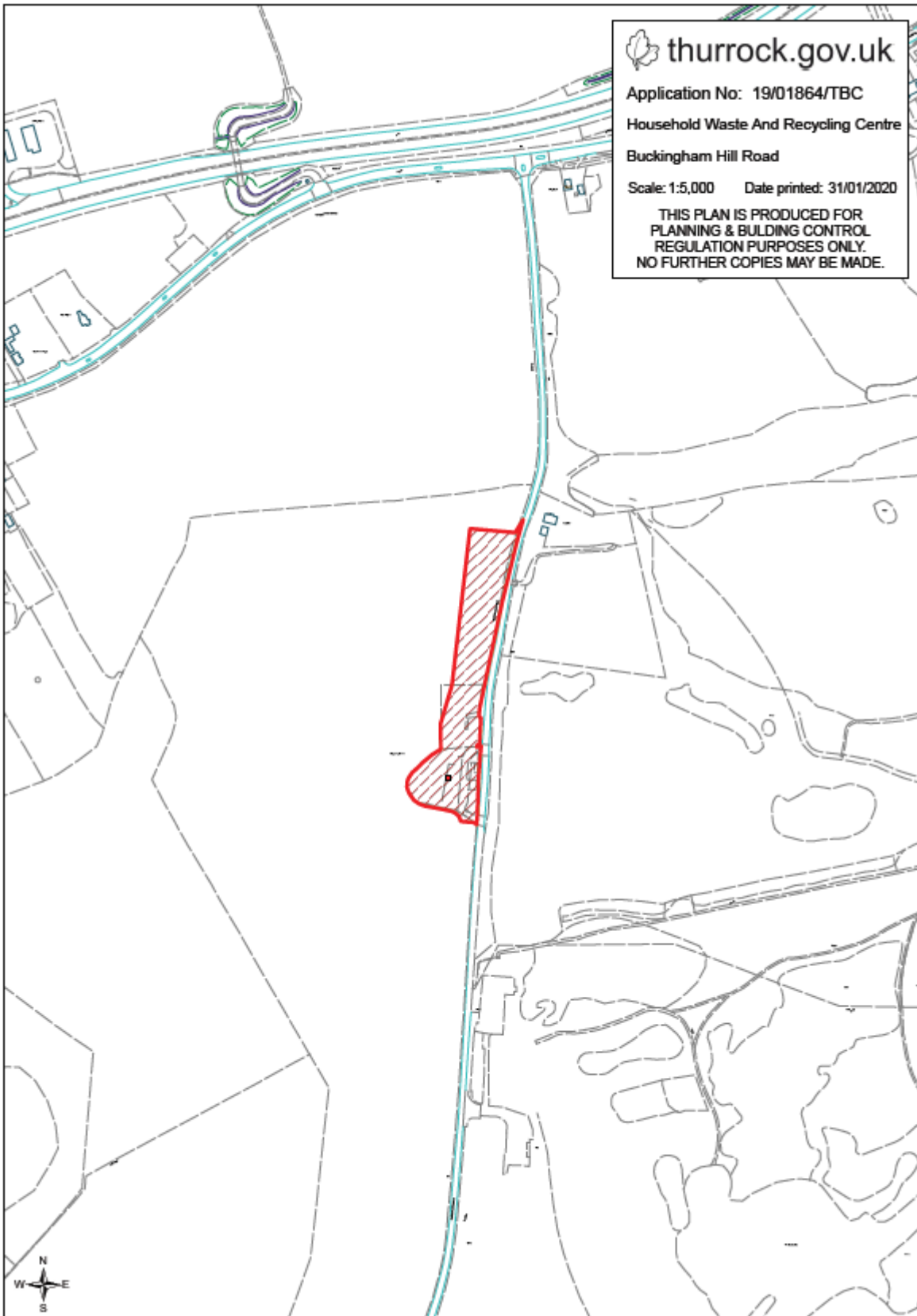
- 1 Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

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

Documents:

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

www.thurrock.gov.uk/planning



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