

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 August 2020**

Due to government guidance on social-distancing and COVID-19 virus the Planning Committee on 13 August 2020 will not be open for members of the public to attend. Arrangements have been made for the press and public to watch the meeting live via the Council's online webcast channel at <https://www.youtube.com/user/thurrockcouncil>

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 - 18
To approve as a correct record the minutes of the Planning Committee meeting held on 16 July 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 19 - 24

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 19/01814/OUT Tremorgan, Sandown Road, Orsett, Essex, RM16 3DD (Deferred) 25 - 44

9 20/00251/FUL 32 Lancaster Road, Chafford Hundred, RM16 6BB (Deferred) 45 - 58

10 18/01660/REM Land Adjacent Railway Line, The Manorway and West of Victoria Road, Stanford Le Hope 59 - 96

11 20/00409/TBC Davall House, Greenwood House and Butler House, Argent Street, Grays, Essex 97 - 106

12 20/00410/TBC Bevan House And Morrison House, Jesmond Road, Grays, Essex 107 - 114

13 20/00616/TBC Keir Hardie House, Milford Road, Grays, Essex 115 - 122

14 20/00617/TBC Arthur Toft House George Crooks House And Lionel Oxley House, New Road, Grays, Essex 123 - 132

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 August 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 16 July 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 Sue Shinnick

Steve Taylor, Campaign to Protect Rural England Representative

In attendance:

Leigh Nicholson, Interim Assistant Director of Planning, Transport and Public Protection
Jonathan Keen, Interim Strategic Lead of Development Services
Matthew Gallagher, Major Applications Manager
Chris Purvis, Major Applications Manager
Tom Scriven, Principal Planner
Matthew Ford, Chief Engineer
Julian Howes, Senior Highway Engineer
Sarah Williams, Service Manager, Education Support Service
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.

18. Minutes

Councillor Rice noted on page 6, item 3, that the declaration of interest by the Chair in regards to Tony Coughlin had been inaccurately recorded under application 19/01662/FUL. The declaration of interest would be amended to accurately reflect the interest to be recorded under 19/01058/OUT for that meeting.

Councillor Rice queried the progress of application 19/01662/FUL which Leigh Nicholson explained that the resolution passed by Members was that the conditions and heads of term would be agreed with the Applicant and the Chair. The draft with the heads of terms and conditions had been received earlier that day and officers would be reviewing before discussing with the Chair.

The minutes of the Planning Committee meetings held on 8 June 2020 and 25 June 2020 were approved as a true and correct record subject to the amendments to be made.

19. Item of Urgent Business

There were no items of urgent business.

The Chair informed the Committee that 19/01058/OUT had been deferred to a later date at the Applicant's request.

20. Declaration of Interests

There were no declarations of interest.

21. 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

On behalf of the Committee, the Chair declared correspondence from:

- James Bompas, an agent in relation to 19/01394/FUL;
- Gary Coxall, an agent in relation to 19/01373/OUT; and
- A resident and Hilary Goodban, an agent in relation to 19/01058/OUT.

The Chair reminded the Committee of the upcoming Tremorgan site visit in which Members were to attend as the site visit had been voted for by Members on 19 March 2020.

22. Planning Appeals

Referring to paragraph 4.3 of the report, the Chair asked how the decision would influence future applications for garage conversions. Leigh Nicholson explained that all appeal decisions received are reviewed on a case by case basis and against existing policies. On this occasion, the Planning Inspectorate had taken a different view to the Council.

Referring to application 19/01184/FUL in paragraph 3.3 of the report, Councillor Rice declared an interest in that the property mentioned was adjacent to his property. He sought more details which Officers would provide in an email.

23. 19/01373/OUT Land Adjacent Wood View and Chadwell Road, Grays, Essex (deferred item)

The report which can be found on pages 43 – 90 of the Agenda was presented by Matthew Gallagher. The Officer's recommendation was to refuse planning permission as outlined on page 59 of the Agenda.

Caroline Robins advised Members to be mindful that the decision they would make was lawful as an unlawful decision would not stand. An unlawful decision could also result in a section 5 report (under the Local Government and Housing Act 1989) from the Monitoring Officer or a judicial review which would be costly to the Council. Members also had to ensure that their decision would stand up to scrutiny and the decision made was supported by robust

evidence. The legal implications of the decisions on pages 55 – 58 of the Agenda were highlighted.

(Following Chapter 5, Part 3, para. 13.5 of the Constitution, Councillor Churchman and Councillor Potter could not participate or vote on this item).

Councillor Rice referred to legal advice from Paul Shadarevian QC and said that Members were not bound to accept the officer's recommendation and had the power to move away from this provided that Members acted rationally in their decision making. The Chair disagreed and said that it would be difficult to rationally overcome the issue of an acoustic barrier proposed for the site. He agreed that more homes were needed in the Borough but it would be irrational and irresponsible to allow homes to be built on the Green Belt which most Members aimed to protect on behalf of their constituents. The Chair referred back to 19/01662/FUL where Members had voted to approve development on the Green Belt and highlighted that application differed and that the application before the Committee (19/01373/OUT) was simply a housing development with no special type of design/

The Vice-Chair sought clarification on whether the Committee's reasons for a decision to approve the application were not material considerations relevant to the consideration of whether very special circumstances existed or if it was a matter of a difference in opinion on the weight to be attached to of each the factors highlighted by the officer.

Matthew Gallagher explained that it was combination of both and went on to say that one of the reasons given for approval by the Committee included reference to the scheme as being 'shovel-ready'. However, officer's research indicated that the scheme would not be covered by that recent Government initiative so was immaterial as a benefit. The other factors had common features such as the lack of a 5 year housing supply along with the need for affordable housing and the housing waiting list. Although, significant weight was afforded to the factor of a lack of a 5 year housing supply, recent appeal decisions had shown that this factor on its own was not enough to clearly outweigh the harm to the Green Belt.

Continuing on, Matthew Gallagher explained that the Committee had ascribed limited harm to the purposes of the Green Belt, but officer's view was that it could not be concluded that there would be a lesser degree of harm to two of the purposes of the Green Belt. The site was an open site and on the edge of a built-up area and if extended, it would conflict with the purpose of the Green Belt on checking unrestricted sprawl of large built-up areas and to safeguard the countryside from encroachment. He went on to say that the Committee's reason of 'contribution towards sustainable development' because of the lack of a 5 year housing land supply, did not apply to the Green Belt either. Regarding the reason that the scheme would create employment during the construction phase, this would be on a short term basis. It was officer's view that the factors given by the Committee and the Applicant were not enough to clearly outweigh the harm to the Green Belt. The NPPF was very clear about substantial weight being given to harm and the balancing exercise for the

application showed that the benefits identified did not clearly outweigh the harm.

Councillor Lawrence questioned whether there was acoustic fencing in place for the properties built on the site of the former Thurrock Technical College. Matthew Gallagher answered that the properties had been built c.10 years ago but for the current site before the Committee, the Council's Environmental Health Officer had assessed the Applicant's submitted noise report and had advised that noise attenuation was needed.

Councillor Lawrence felt that the site before the Committee was a small patch of land and that the former Thurrock Technical College had been a large Green Belt site which now had over 300 homes on the site. She went on to say that the Core Strategy outlined the guidance for Very Special Circumstances (VSC) and that in the NPPF, parcel 31 was considered to be of small importance that did not undermine the importance of the Green Belt. She also mentioned the Council's housing waiting list.

Matthew Gallagher explained that the former Thurrock Technical College had been a planned release of the Green Belt through the Core Strategy and at the time, the college needed a new campus in a sustainable location which was now in Grays Town Centre and therefore, justified the release from the Green Belt. The need for housing developments should currently be going through the Local Plan and not ad-hoc planning applications. He went on to say that VSC was not set out in any specific policy, but instead it was for the Applicant to promote the benefits or factors to support their scheme and a combination of factors could create VSC but there was no set list for this. Referring to the Council's Green Belt assessment and parcel 31, Matthew Gallagher explained that consultants had been engaged to look at parcels of land across the Borough and the Applicant had relied on this information to support their application. However, this could not be taken into consideration as the consultation only informed the potential options for changes to Green Belt boundaries. Regarding the Council's housing land supply, Matthew Gallagher referred back to previous appeals that had also relied on this factor and said that the Planning Inspectorate had recognised this was a benefit of the development but was not enough to clearly outweigh the harm to the Green Belt.

Steve Taylor noted that the application was for outline planning permission and queried whether the highlighted benefits or contributions would change as there were no design plans in the scheme. He also queried a scenario where a viability study could change agreements within the s106 and heads of terms. Matthew Gallagher explained that an outline planning application established the principle and the parameters. In the application before the Committee, one of the parameters were the 75 units proposed and from this, education contributions, healthcare contributions and affordable housing could be calculated. Regarding changes to s106 agreements, he said that the Committee had seen applications come back to Committee where it was requested that previously agreed s106 contributions be amended. With the application before the Committee, it was an open site and it was presumed

the Applicant would have surveyed the site and taken issues and factors into consideration so that there would not be any unexpected costs. However, the proposed s106 education and healthcare contributions should not be seen as a benefit. The scheme would have an impact on the site and the contributions were provided were to mitigate these impacts.

The Chair questioned whether there had been more objections received on the application. He also sought more detail on NHS England's comment in paragraph 2.2. Matthew Gallagher answered that there had been 3 more letters of objection and one letter of support from the Agent. The objections expressed disappointment at how Members had resolved the application at the last meeting and the Agent's letter set out the benefits of the scheme which had already been addressed in the officer's report and did not add anything new to the consideration of the scheme. Regarding NHS's comment, he explained that the response was received after the last Committee meeting and highlighted the impact that the development would have on the capacity of the 3 surgeries close to the site and that there was already a waiting list for each surgery so a financial contribution of £29,700 had been sought (which would be through a s106 agreement) to mitigate this impact.

Councillor Byrne questioned whether the development would potentially reduce the number of people on the Council's housing waiting list. Matthew Gallagher said that the development potentially could and referred to the number of affordable homes in paragraph 3.12 and said that through the s106, the Council would get nomination rights for these.

Councillor Rice commented that Thurrock Council was still working off an old Local Plan from 1996 which hindered the decision making process on applications similar to the one before Committee although each application was judged on its own merit and factors given due weight. Matthew Gallagher explained that the Council was using the Core Strategy from 2015 and currently working on a new Local Plan which was to be in place by 2023, a requirement set out by central Government. He went on to say that each application was judged on its own merits along with the factors surrounding the application. The application before the Committee had been looked at by officers through a balancing exercise and due weight was given to the factors highlighted by the Applicant. Recent appeal decisions on similar applications had been considered alongside this and the Applicant's factors as well as those put forward by the Committee were not significant enough to clearly outweigh the harm to the Green Belt.

The Committee discussed the need for a 5 year housing land supply and the demand for homes in Thurrock which officers accepted as factors weighing in favour of the application. However, the site before the Committee was Green Belt and local and national planning policies had strong policies about protecting the Green Belt. The benefits of the scheme, including the supply of new housing were not enough to clearly outweigh the harm to the Green Belt. The Chair felt that residents had to be protected from too much development in certain areas as this could impact upon their wards and lives. He felt there were not enough material reasons to approve the application. Councillor Rice

felt the site was more of an infill site as opposed to Green Belt and also pointed out that the affordable units would give the Council nomination rights that would help residents that were on the Council's housing waiting list and that there were enough reasons to depart from officer's recommendation.

Leigh Nicholson stated that if the Committee were minded to approve the application, clear and convincing reasons had to be found and these reasons needed to be substantiated by evidence. He highlighted that case law did not permit reasons such as affordable housing or a contribution towards housing to be sole factors that could be relied upon to approve the application. He went on to say that Matthew Gallagher had taken the Committee through the reasons given by the Committee for approving the application at the last meeting and there were no grounds to approve the application. He outlined that each of those reasons were not considered to be unique. He also pointed out that the Council's approach to the new Local Plan is to engaged with residents to allow communities to influence strategic development in their areas through Design Charrettes with landowners and developers. To approve ad-hoc planning applications such as the one that was currently before the committee was not the route to take. He warned Members that at best the approval of the application would be an unwise decision, at worst it would be an unlawful decision.

The Chair proposed the officer's recommendation which was seconded by the Vice-Chair.

(Following Chapter 5, Part 3, para. 13.5 of the Constitution, Councillor Churchman and Councillor Potter could not participate or vote on this item).

FOR: (3) Councillors Tom Kelly (Chair), Mike Fletcher (Vice-Chair) and Gary Byrne.

AGAINST: (4) Councillors Gerard Rice, Angela Lawrence, Sue Shinnick and Sue Sammons.

ABSTAINED: (0)

The officer's recommendation was rejected.

Leigh Nicholson referred the Committee to Chapter 5, Part 3, Paragraph 7.4 of the Council's Constitution and highlighted that this needed to be fulfilled before the decision made was passed to the Monitoring Officer to consider whether the decision made was lawful or unlawful. If the decision was not considered to be an unlawful decision, it would then go through the drafting of the s106 legal agreements and conditions and then referred to the Secretary of State as a departure. The first step was that Members had to provide rational reasons for going against the officer's recommendation for refusal which was on paragraph 6.0 on page 59 of the Agenda.

Councillor Rice put forward an alternative motion to approve the application for the following reasons

1. The scheme would create employment during the construction phase.
2. The scheme would contribute toward the 5 year housing supply.
3. Significant weight should be afforded to the contribution towards sustainable development.
4. Delivering a sufficient supply of homes had significant weight.
5. Making effective use of land had significant weight.
6. Achieving well-designed places had significant weight.
7. The scheme was shovel-ready project because it would come back with an application for the approval of reserved matters and if the current application was passed, the Committee would be 'duty-minded' to approve future applications.
8. The site was a windfall site.
9. Soft landscaping could be used to mitigate the impact of the acoustic fence.
10. The Council did not have a local plan.

Leigh Nicholson reminded Members to use extreme caution around factors which were not unique particularly where it was easily repeatable on other sites. Going through Councillor Rice's given reasons for a motion to approve the application, Leigh Nicholson said that:

- Any building project would create employment opportunities during the construction phase and would not overcome the Green Belt harm.
- Contribution toward the 5 year housing land supply had already been given significant weight in the officer's report.
- The weight applied by Officers to VSC factors was consistent with the weight applied by the Planning Inspectorate and was based upon case law. Attributing a higher amount of weight to the mentioned factors had to be substantiated by evidence.
- The scheme could not be considered as a 'well-designed place' as the application was an outline application with all matters reserved. The application only proposed 75 dwellings and a parameter plan. National and local planning policies sought good design as a minimum requirement
- The scheme was not 'shovel-ready' as discussed and highlighted in the officer's report as the application was an outline application.
- The site was a Green Belt site and not a windfall site.

The Chair discussed the concern that the acoustic fencing would have on the visual impact of the site. Councillor Rice said that planting bushes and trees would help to visually soften the effect of the acoustic fence around the site similar to that of the acoustic fencing along the Manorway on the A13. The Chair felt that an acoustic fence could not be completely blocked out as the fencing would be 2 metres high.

Referring to Councillor Rice's given reasons for a motion to approve the application, Caroline Robins said that no weight could be given to the design of the site as it was an outline application and shovel ready was not a policy.

The weight attributed to the other factors were also weak and unsubstantiated by evidence.

Councillor Rice also added the absence of a Local Plan to the reasons given for a motion to approve the application.

The Chair queried the next step to progress the motion proposed. Leigh Nicholson explained that the proposed motion would require a seconder to the motion before the Committee went to the vote. He reiterated the points on a potential unlawful decision and that the decision would be for the Monitoring Officer to consider. Caroline Robins reminded the Committee again that if the decision was found to be unlawful, this would result in a section 5 report (under the Local Government and Housing Act 1989) from the Monitoring Officer and would go to Full Council.

(The Committee agreed to suspend standing orders at 8.24pm to allow the Committee to continue to the end of the Agenda).

Councillor Shinnick seconded Councillor Rice's proposed motion to approve the application for the following reasons:

1. The scheme would create employment during the construction phase.
2. The scheme would contribute toward the 5 year housing supply.
3. Significant weight should be afforded to the contribution towards sustainable development.
4. Delivering a sufficient supply of homes had significant weight.
5. Making effective use of land had significant weight.
6. Achieving well-designed places had significant weight.
7. The scheme was shovel-ready project because it would come back with a full planning application and if the current application was passed, the Committee would be 'duty-minded' to approve future applications.
8. The site was a windfall site.
9. Thurrock did not have a Local Plan.

FOR: (4) Councillors Gerard Rice, Angela Lawrence, Sue Shinnick and Sue Sammons.

AGAINST: (3) Councillors Tom Kelly (Chair), Mike Fletcher (Vice-Chair) and Gary Byrne.

ABSTAINED: (0)

19/01373/OUT was approved subject to consideration by the Monitoring Officer, then drafting of s106 agreements and conditions and referral to the Secretary of State.

- 24. 19/01058/OUT Land part of Little Thurrock Marshes, Thurrock Park Way, Tilbury (deferred item)**

This item was withdrawn from the Agenda and deferred to a later date at the Applicant's request.

25. 19/01394/FUL Little Malgraves Farm, Lower Dunton Road, Bulphan, Essex, RM14 3TD

The report was presented by Chris Purvis which can be found on pages 155 – 222 of the Agenda. Officer's recommendation was to approve subject to conditions as outlined on pages 201 – 219 of the Agenda.

Councillor Rice questioned the progress of the hospice on the site. Chris Purvis confirmed that the hospice was on track with building works recently commencing again following the recent easing of lockdown restrictions.

The Agent, James Bompas' statement of support was read out by Democratic Services.

Councillor Rice proposed officer's recommendation A and was seconded by the Chair.

FOR: (9) Councillors Tom Kelly (Chair), Mike Fletcher (Vice-Chair), Gary Byrne, Colin Churchman, Dave Potter, Gerard Rice, Angela Lawrence, Sue Shinnick and Sue Sammons.

AGAINST: (0)

ABSTAINED: (0)

Councillor Rice proposed officer's recommendation B and was seconded by the Chair.

FOR: (9) Councillors Tom Kelly (Chair), Mike Fletcher (Vice-Chair), Gary Byrne, Colin Churchman, Dave Potter, Gerard Rice, Angela Lawrence, Sue Shinnick and Sue Sammons.

AGAINST: (0)

ABSTAINED: (0)

19/01394/FUL was approved subject to conditions.

26. 19/01739/CV Unit E2, Stanhope Industrial Park, Wharf Road, SLH, Essex SS17 0EH

The report was presented by Chris Purvis which can be found on pages 223 – 230. Officer's recommendation was to refuse planning permission as outlined on pages 228 – 229 of the Agenda.

Councillor Byrne questioned whether HGV drivers had riparian rights over residents on Wharf Road. He went on to say that the name of the road was termed to mean a road that provided access to the wharf so the road was a right of access for HGV drivers. Councillor Byrne also noted that the site was owned by the developers, Mersea Homes, who would lose contracts if they did not follow the time restrictions in place and result in job losses. He questioned if riparian rights were outdated as other legislations were in place such as the Road Traffic Act 1984. Matthew Ford explained that the classification of Wharf Road was an adopted highway of Thurrock Council and was the responsibility of the Council to maintain the road. Operators had the right to access the development site as it was the only access route into the site and as it was an adopted highway which the public also had the right to pass on Wharf Road. There was no particular group that had more right than another to access Wharf Road. He went on to say that the Highways Act 1980 and Road Traffic Act 1984 would have superseded previous legislations.

The Chair questioned if there was a difference between road access and access times as the application requested an extension of operation times. Chris Purvis explained that the planning application was to vary a planning condition to allow for works on the site to start at 6am instead of the current time of 7am and the main issue with the application was the consideration over earlier traffic movements along Wharf Road where there were houses and therefore there is a consideration to protect residential amenity for local residents living in that road which was why the application was recommended for refusal.

Councillor Byrne raised the issue of riparian rights again and pointed out that the wharf was on the site before residents had moved into the area. He raised concerns on the jobs of those who worked on the site. Chris Purvis explained that the application sought to vary the hours for 5 HGV movements to start from 6am instead of 7am so it was not clear how this would cause job losses from a refusal of the application. He reiterated the point on residential amenity.

The Vice-Chair questioned if the extra hour would result in more HGV movements along Wharf Road. Chris Purvis reiterated the application details for 5 HGV movements between 6am to 7am and the point on residential amenity.

Referring back to riparian rights, Matthew Ford said that riparian rights were access rights for the maintenance of water courses but not access right to the water course. He gave an example where a roadside ditch owned by a farm would have riparian rights that would enable them to maintain the ditch from the roadside. This was not the case for the application before the Committee as there were no roadside ditches that the Applicant would need to access from the highway. He went on to say that the site was located on the southern side of the DP World Gateway and the adopted highway was close to that and in terms of the riparian rights the Applicant would not necessarily have riparian right to Wharf Road. Through the Road Traffic Act 1984, there was also a weight limit on Wharf Road that would limit unauthorised HGV access

and there were also the planning conditions to the original planning permission that sought to reduce the amenity harm to residents through the current hours of movement.

A resident, Tara Haroon's statement of objection was read out by Democratic Services.

The Ward Councillor, Terry Piccolo's statement of objection was read out by Democratic Services.

Some of the Committee Members felt that there was already enough amenity harm caused to residents in Wharf Road as there was also HGV movements on the road during Saturdays. There were comments that the site could be moved into a non-residential location and that there were environmental harms caused by HGVs. Matthew Ford said that vehicles could only be operational during the hours of operation agreed under planning conditions and within the weight limits under legislation.

Councillor Rice proposed the officer's recommendation and was seconded by Councillor Shinnick.

FOR: (7) Councillors Tom Kelly (Chair), Colin Churchman, Dave Potter, Gerard Rice, Angela Lawrence, Sue Shinnick and Sue Sammons.

AGAINST: (2) Councillors Mike Fletcher (Vice-Chair) and Gary Byrne.

ABSTAINED: (0)

19/01739/CV was refused planning permission.

27. 20/00251/FUL 32 Lancaster Road, Chafford Hundred, Grays, Essex, RM16 6BB

The report was presented by Tom Scriven which can be found on pages 231 – 240 of the Agenda. Officer's recommendation was to refuse planning permission as outlined on page 238 of the Agenda.

The Vice-Chair sought more detail on the uniformity of the appearance of the homes along Lancaster Road. Tom Scriven answered that the uniformity of the appearance of homes was not the issue, the refusal was in regards to a development flaw that would lead to a cramped form of development that was a siting issue as it would not be in character with the streetscene.

The Vice-Chair referred back to an earlier application on Meesons Lane, Grays and commented that application had been recommended for approval and that amenity space had not been issue. However, with the current application before the Committee, the amenity space was an issue and questioned why this was the case. He also noted that there were no objections mentioned within the officer's report. Tom Scriven explained that each application had to be assessed on its merits and that the Meesons Lane,

Grays application had proposals for multiple dwellings whereas the current application before the Committee was for one dwelling which considered the amenity space for future occupants and that it would be out of character in the appearance of the area. He went on to say that there were no neighbour objections to the application but that the application had to be assessed against planning policies and where there could be potential future objections from future occupants.

The Agent, Matthew Wood's statement of support was read out by Democratic Services.

The Committee discussed whether the proposed dwelling could be moved to allow for a larger amenity space but the Applicant had amended the first proposal that had been refused by officers and the application before the Committee was the amended proposal. The Vice-Chair mentioned that he had been approached by the Applicant about the application and had asked officers and the Applicant to discuss the application but had no personal interest in the application.

The Vice-Chair commented that development in Chafford Hundred should be considered carefully but felt that the officer's reason for refusal was a matter of opinion in terms of amenity space. He felt the reason was based on assumption and evidence based as future buyers may have a different opinion on amenity space. The Chair said that if there was a potential for development on the site, this would be better undertaken under a pre-application.

The Vice-Chair proposed a site visit which was seconded by Councillor Rice.

FOR: (6) Councillors Mike Fletcher (Vice-Chair), Gary Byrne, Gerard Rice, Angela Lawrence, Sue Shinnick and Sue Sammons.

AGAINST: (3) Councillors Tom Kelly (Chair), Colin Churchman and Dave Potter.

ABSTAINED: (0)

20/00251/FUL was deferred for a site visit.

28. 20/00593/TBC Former Whiteacre, Daiglen Drive, South Ockendon, Essex

The report was presented by Tom Scriven which can be found on pages 241 – 248 of the Agenda. Officer's recommendation was to approve subject to conditions as outlined on page 245 of the Agenda.

Councillor Lawrence commented that the site had been vacant for 14 years and that hoarding would be in place for another 3 years. She felt the site would be suitable for the development of bungalow homes that was needed in the area.

Councillor Rice proposed the officer's recommendation which was seconded by the Chair.

FOR: (9) Councillors Tom Kelly (Chair), Mike Fletcher (Vice-Chair), Gary Byrne, Colin Churchman, Dave Potter, Gerard Rice, Angela Lawrence, Sue Shinnick and Sue Sammons.

AGAINST: (0)

ABSTAINED: (0)

20/00593/TBC was approved subject to conditions.

The meeting finished at 9.45 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 August 2020	ITEM: 6
Planning Committee	
Planning Appeals	
Wards and communities affected: All	Key Decision: Not Applicable
Report of: Jonathan Keen, Interim Strategic Lead - Development Services	
Accountable Assistant Director: Leigh Nicholson, Interim Assistant Director – Planning, Transport and Public Protection.	
Accountable Director: Andy Millard, Corporate Director – Place	

Executive Summary

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

1.0 Recommendation(s)

1.1 To note the report.

2.0 Introduction and Background

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

3.0 Appeals Lodged:

3.1 **Application No:** 19/01565/FUL

Location: 97 Sabina Road, Chadwell St Mary

Proposal: Development of a 3-bedroom residential dwelling house adjoining an existing, 2-bedroom residential unit on the land known as 97 Sabina Road, Chadwell St. Mary

3.2 Application No: 19/01317/HHA

Location: 23 Connaught Avenue, Grays

Proposal: (Retrospective) Hip-to-gable loft conversion with rear dormer, 3 front rooflights and Juliet balcony

3.3 Application No: 20/00067/FUL

Location: 53 - 55 Third Avenue, Stanford Le Hope

Proposal: Seven dwellings with associated access road, hardstanding, landscaping and bike stores following the demolition of two existing detached dwellings.

4.0 Appeals Decisions:

The following appeal decisions have been received:

4.1 Application No: 19/00077/AUNWKS

Location: 16 Rowley Road, Orsett

Proposal: Removal of existing boundary wall and erection of new means of enclosure and extension of garden onto open land adjacent to residential curtilage

Appeal Decision: Appeal Allowed

4.1.1 The Inspector considered that the main issues were the effect on the character and appearance of the surrounding area and the effect on highway safety.

4.1.2 The Inspector observed a varied layout within Wingfield Drive. He also noted that a general feeling of openness remained both in the area and towards the front of the property. As such the Inspector was satisfied that the development does not cause significant harm to the character and appearance of the surrounding area, and the objectives and requirements of policies CSTP22 and PMD2 of the Council's Core Strategy.

4.1.3 The Inspector was satisfied that the necessary alterations could potentially be made to improve the current access arrangement in terms of highway safety and the details of such could be submitted to the Council for subsequent written approval.

4.1.4 The enforcement notice was corrected and varied in such a way that the appeal was allowed and planning permission granted for the enclosure of

amenity land into an adjacent residential garden by the erection of a wooden fence with concrete posts subject to works being carried out to for sight splays.

4.1.5 The full appeal decision can be found online.

4.2 Application No: 19/01087/CLOPUD

Location: Red Lion Cottage, Stanford Road

Proposal: Summer house

Appeal Decision: Appeal Dismissed

4.2.1 As this was an appeal against a certificate of lawfulness the Inspector noted that the planning merits of the proposed development were not relevant, and they were not therefore an issue for him to consider. His decision rested on the facts of the case, and on relevant planning law and judicial authority

4.2.2 The Inspector found the outbuilding would be sited forward of the principal elevation of the dwellinghouse and was contrary to the relevant criteria of the Part 1 to Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 in that respect.

4.2.3 In addition the Inspector saw that the proposed summer house would be a substantial building of a size and with a layout of internal partitions similar to that of a medium sized dwelling and that it did not have the purpose and necessary incidental quality to comply with the relevant criteria of the GPDO in that respect. Accordingly, the outbuilding was found not to be lawful.

4.2.4 The full appeal decision can be found online.

4.3 Application No: 19/00690/FUL

Location: Tyelands Farm House, South Hill, Langdon Hills

Proposal: Demolition of existing dwelling and other outbuildings along with the removal swimming pool, tennis courts and garaging to construct 2no. 4bed detached houses

Appeal Decision: Appeal Dismissed

4.3.1 The Inspector considered the main issues to be whether i) the proposal constitutes inappropriate development in the Green Belt ii) whether there were any very special circumstances necessary to justify the proposal and iii) the effect of the development on the character and appearance of the area.

4.3.2 It was noted by the Inspector that while the proposal would involve a reduction in the amount of hard surfacing, built footprint and volume at the appeal site, the proposal would disperse the proposed built form further across the appeal site into areas that are currently open and devoid of visual obstruction. In light of this, the Inspector concluded the proposal would have a greater impact on Green Belt openness than the existing development. It would fail the second limb of the Framework paragraph 145(g) and therefore constitutes inappropriate development in the Green Belt, causing harm to the Green Belt, to which the Framework apportions substantial weight.

4.3.3 By reason of harm of inappropriateness and harm to openness and lack of very special circumstances the proposal would conflict with Policies CSSP4 and PMD4 of the Core Strategy, which seek to maintain the purpose, function and open character of the Green Belt. The appeal was therefore dismissed.

4.3.4 The full appeal decision can be found online.

4.4 Application No: 19/01608/HHA

Location: 87 Fullarton Crescent, South Ockendon

Proposal: Two storey side extension, chimney stack removal and formation of a new vehicular access to the highway

Appeal Decision: Appeal Allowed

4.4.1 The Inspector considered that the main issue for consideration was the effect the proposed development would have on the character and appearance of the area.

4.4.2 The Inspector observed the proposed side extension would result in a larger gap at the front between the neighbouring property at 85 Fullarton Crescent than existing. The Inspector observed a gap would be visible between the appeal property and its neighbour, that the proposal would increase separation at the ground floor and that the proposed extension would appear subservient to the host dwelling with a lower ridge height.

4.4.3 The Inspector concluded that the development was acceptable in terms of its effect on the character and appearance of the area, and would be in accordance with Policies CSTP22 and PMD2 of the Core Strategy.

4.4.4 The full appeal decision can be found online.

5.0 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	5	4	5	4									18
No Allowed	1	0	2	2									5
% Allowed	20.00%	0.00%	40.00%	50.00%									27.78%

6.0 Consultation (including overview and scrutiny, if applicable)

6.1 N/A

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

7.1 This report is for information only.

8.0 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 Warren**
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.

9.0. 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

Agenda Item 8

Planning Committee 13 August 2020	Application Reference: 19/01814/OUT
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Reference: 19/01814/OUT	Site: Tremorgan Sandown Road Orsett Essex RM16 3DD
Ward: Orsett	Proposal: Outline planning permission with all matters reserved for the construction of up to 10 residential dwellings with associated amenity space and parking

Plan Number(s):		
Reference	Name	Received
2037/L1	Location Plan	13 December 2020
2037/1 Rev B	Proposed Site Layout (Indicative)	9 January 2020
2037/2	Proposed Plans and Elevations – House Type A (Indicative)	9 January 2020
2037/3	Proposed Plans and Elevations – House Type B (Indicative)	9 January 2020
2037/4 Rev A	Proposed Plans and Elevations – House Type C (Indicative)	9 January 2020
2037/5 Rev A	Ground Floor Plan and Elevations – House Type D (Indicative)	9 January 2020
2037/6	Street Scene – Houses 8 -11 (Indicative)	9 January 2020
2037/7	Plans and Elevations – Garages (Indicative)	9 January 2020

The application is also accompanied by: - Design and Access Statement	
Applicant: Mr John Appleby	Validated: 8 January 2020 Date of expiry: 14 th August (Extension of time)
Recommendation: Refuse planning permission	

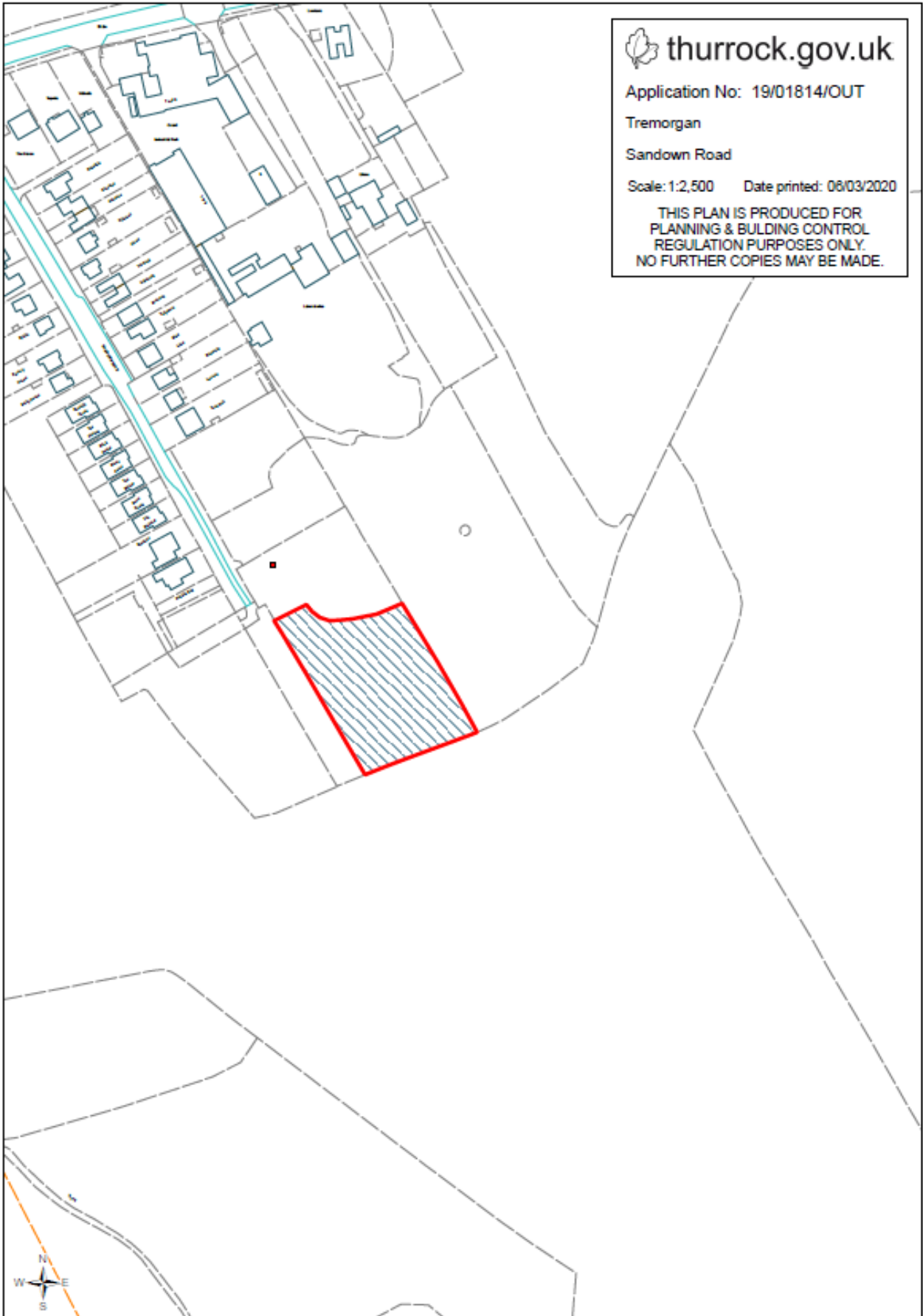
1.0 BACKGROUND

- 1.1 Consideration of this application was deferred at the 19 March 2020 Planning Committee meeting to enable a site visit to take place. Members visited the site 29 July 2020.
- 1.2 The application remains recommended for refusal on the basis of reasons 1, 2 and 4 as set out in the attached report. As verbally updated at the last meeting, the applicant supplied additional information to address the third reason for refusal.
- 1.3 In relation to reason 3, the applicant provided additional information (in the form of an updated Flood Risk Assessment and drainage plan) to address the holding objection from Essex County Council Flood Risk Team. The Flood Risk Team has responded to confirm they have removed their holding objection and now do not object to the proposal, subject to conditions being imposed on any consent granted.
- 1.4 There were an additional six objections received, which were updated verbally at the previous planning committee meeting also. The matters raised were:
 - Access to Site
 - Additional Traffic
 - Environmental Pollution
 - Loss of Amenity
 - Possible Excessive Noise
 - Out of character
 - Harm to wildlife
- 1.5 There has been a petition signed by 22 residents, received on 20 March 2020, this was to object to the proposed development, no other detail was included on the petition. A further letter of objection received from a local resident addressed to the Director was also received, with photos which focused on the history of Sandown Road and the development which has occurred on the road already, loss of wildlife and the fact that the site is not previously developed land.
- 1.6 There was also a letter of support received on 23 June 2020, This letter did not object to the proposal as the letter indicated the proposal would provide much needed housing in the area. The comment also noted that they would want to develop their land nearby should this application be approved.
- 1.7 Paragraph 6.19 of the original report needs to be updated to the following:

In 2013 a written ministerial statement confirmed that the single issue of unmet housing demand was unlikely to outweigh GB harm to constitute the very special circumstances justifying inappropriate development. This position was confirmed in a further ministerial statement in 2015 and was referred to in previous iterations of NPPG. However, the latest revision of the NPPF (2019) does not include this

provision and the corresponding guidance in NPPG has also been removed. Nevertheless, a very recent appeal decision (ref. APP/Q4625/W/19/3237026) referred specifically to this point and considered that “even so, unmet need on its own, is highly unlikely to amount to very special circumstances”. Accordingly the very significant benefit of the contribution towards housing land supply would need to combine with other demonstrable benefits to comprise the very special circumstances necessary to justify inappropriate development.

- 1.8 Whilst the additional information and amendments have resolved reason 3, reasons 1, 2 and 4 remain unresolved. The additional information does not outweigh the identified harm in terms of the impact upon the Green Belt and the character of the area. Therefore the recommendation remains to refuse the application for reasons 1, 2 and 4.
- 1.9 A copy of the original report presented at the 19 March 2020 meeting is attached.



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APPENDIX 1

Reference: 19/01814/OUT	Site: Tremorgan Sandown Road Orsett Essex RM16 3DD
Ward: Orsett	Proposal: Outline planning permission with all matters reserved for the construction of up to 10 residential dwellings with associated amenity space and parking

Plan Number(s):		
Reference	Name	Received
2037/L1	Location Plan	13 December 2020
2037/1 Rev B	Proposed Site Layout (Indicative)	9 January 2020
2037/2	Proposed Plans and Elevations – House Type A (Indicative)	9 January 2020
2037/3	Proposed Plans and Elevations – House Type B (Indicative)	9 January 2020
2037/4 Rev A	Proposed Plans and Elevations – House Type C (Indicative)	9 January 2020
2037/5 Rev A	Ground Floor Plan and Elevations – House Type D (Indicative)	9 January 2020
2037/6	Street Scene – Houses 8 -11 (Indicative)	9 January 2020
2037/7	Plans and Elevations – Garages (Indicative)	9 January 2020

The application is also accompanied by:

- Design and Access Statement

Applicant: Mr John Appleby	Validated: 8 January 2020 Date of expiry: 8 April 2020
Recommendation: Refuse planning permission	

This application is scheduled for determination by the Council’s Planning Committee because the application was called in by Cllr G Rice, Cllr J Kent, Cllr M Kerin, S Shinnick and Cllr M Fletcher in accordance with Part 3 (b) 2.1 (d) (i) of the Council’s

Constitution to consider the proposal against Green Belt policy.

1.0 BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1.1 This application seeks outline planning permission, with all matters reserved, for the construction of up to ten two-storey houses with associated amenity space, vehicular parking and landscaping.
- 1.2 An indicative masterplan has been provided, this shows the development would be laid out in a cul-de-sac arrangement, with access taken from development which is being built out presently (planning reference 18/00029/FUL).

2.0 SITE DESCRIPTION

- 2.1 The site is located at the southern end of Sandown Road, an unadopted road accessed via a T-Junction from Stanford Road (A1013) .The site measures 0.44 hectares, is free from built development and is within the Green Belt.
- 2.2 To the north of the application site is existing residential and industrial development, woodland to the east, agricultural fields to the south and a former nursery site to the west. There is residential development currently under construction immediately to the north of the site.

3.0 RELEVANT PLANNING HISTORY

Reference	Description	Decision
18/00029/FUL	Demolition of existing dwelling and outbuilding and erection of 5 detached dwellings with garages, road and parking	Approved
16/00256/FUL	Erection of 6 dwellings and associated roads, parking and landscaping and demolition of existing dwelling and outbuildings	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
- 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. There was one letter of objection, which cite the following concerns:

- Additional traffic;
- Loss of amenity;
- Overloading of utilities.

4.3 ANGLIAN WATER:

No objection.

4.4 ARCHAEOLOGY:

No objection.

4.5 CADENT:

No objection.

4.6 EMERGENCY PLANNING:

No objection.

4.7 ENVIRONMENTAL HEALTH:

No objection, subject to conditions.

4.8 FLOOD RISK MANAGER:

Holding objection.

4.9 HIGHWAYS:

No objection, subject to conditions.

4.10 NATIONAL GRID:

No objection.

4.11 NATURAL ENGLAND:

No objection.

5.0 POLICY CONTEXT

National Planning Guidance

5.1 National Planning Policy Framework (NPPF)

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:

5. Delivering a sufficient supply of homes;
12. Achieving well-designed places;
13. Protecting Green Belt land;
15. Conserving and enhancing the natural environment.

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:

- Appropriate Assessment
- Before submitting an application
- Design
- Determining a planning application
- Effective use of land
- Fees for planning applications
- Green Belt
- Making an application
- Natural environment
- Rural housing
- 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:

Overarching Sustainable Development Policy:

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

Spatial Policies:

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

Thematic Policies:

- CSTP1 (Strategic Housing Provision)
- CSTP2 (The Provision Of Affordable Housing)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)

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)
- PMD12 (Sustainable Buildings)
- 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 With reference to process, this application has been advertised as being a major development and as a departure from the Development Plan. Any resolution to grant planning permission would need to be referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009 with regard to the proposed quantum of development within the Green Belt. The Direction allows the Secretary of State a period of 21 days (unless extended by direction) within which to 'call-in' an application that a local planning authority is minded to approve for determination via a public inquiry. In reaching a decision as to whether to call-in an application, the Secretary of State will be guided by the published policy for calling-in planning applications and relevant planning policies.

6.2 The principal issues to be considered in the determination of this application are:

- I. Principle of development and impact upon the Green Belt
- II. Access, traffic impact and parking
- III. Design, layout and impact upon the area
- IV. Ecology
- V. Surface water drainage
- VI. Developer contributions
- VII. Other matters

I. PRINCIPLE OF DEVELOPMENT AND IMPACT UPON THE GREEN BELT

6.3 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

6.4 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.

6.5 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 143 states that "*inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*". At paragraph 145 the NPPF sets out a limited number of exceptions where the construction of new buildings could be acceptable. The site is currently devoid of built form and consists of an area of open land. The proposal for residential development would not fall within any of the exceptions to the presumption against inappropriate development in the Green Belt. Consequently, it is a straightforward matter to conclude that the proposals comprise inappropriate development with reference to the NPPF and Core Strategy policy.

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 site is located within a rural area outside the main village of Orsett. For the purposes of the NPPF, the site is considered to be outside of any 'large built up areas'. At a broader geographic scale the nearest large built-up areas are located at Laindon to the north-east, Stanford-le-Hope / Corringham to the south-east, Grays to the south and South Ockendon to the south-west. The proposed development would represent the addition of significant new urban form on the site, but it not considered that the proposals would significantly harm the 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

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

c. to assist in safeguarding the countryside from encroachment

6.11 With regard to the third Green Belt purpose, the proposal would involve built development on what is currently an open and undeveloped site. The term "countryside" can conceivably include different landscape characteristics (e.g. farmland, woodland, marshland etc.) and there can be no dispute that the site comprises "countryside" for the purposes of applying the NPPF policy test. It is therefore considered that the proposal would constitute an encroachment of built development into the countryside in this location. The development would consequently conflict with this Green Belt purpose.

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

6.12 The proposals do not conflict with this defined purpose of the Green Belt.

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

6.13 In general terms, the development could occur in the urban area and, in principle; there is no spatial imperative why Green Belt land is required to accommodate the proposals. The proposed development is inconsistent with the fifth purpose of the Green Belt. Therefore, the development of this Green Belt site as proposed might discourage, rather than encourage urban renewal.

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

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

- 6.15 Neither the NPPF nor the Adopted Core Strategy provide guidance as to what can comprise 'very special circumstances', either singly or in combination. However, some interpretation of very special circumstances (VSC) 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 applicant has put forward the following very special circumstances within the Design and Access statement submitted with this application:
- a) Shortfall of housing supply*
- 6.18 The applicant puts forward a lack of 5 year housing supply.

Consideration

- 6.19 The Council acknowledges that there is presently a lack of 5 year housing supply. However the NPPG advises that 'unmet housing need 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' (Paragraph 034 Reference ID: 3-034-20141006).
- 6.20 The current proposal would, consisting of 10 units, be of only limited benefit in contributing towards addressing the shortfall in the supply of new housing as set out in Core Strategy policy delivery targets and as required by the NPPF. The matter of housing delivery contributes towards very special circumstances and should be accorded significant weight in the consideration of this application. However, as noted above, this single issue on its own cannot comprise the very special circumstances to justify inappropriate development, and as such, for these circumstances to exist this factor must combine with other considerations.

b) Economic Benefit

- 6.21 The applicant has put forward that the proposal would result in an economic benefit as it would increase the value of the site and create jobs during the construction phase of the development. In addition to this they state that future residents would provide increased spending power which would support local shops and businesses.

Consideration

- 6.22 The proposal would result in some economic benefit; however, given the size of the proposal this is unlikely to be significant. In addition such benefits would be the case with any development so it has not been shown that this is a very special circumstance in relation to this particular proposal.

c) Achieving Sustainable Development

- 6.23 The applicant has quoted the general presumption in favour of sustainable development as set out in paragraph 11 of the NPPF (referred to as paragraph 49 in the Design and Access Statement). The applicant considers the Council's Policies are out of date due to the lack of a 5 year housing land supply. They consider this should be applied in the determination of this application.

Consideration

- 6.24 Irrespective of the status of the Council's Development Plan Paragraph 11 of the NPPF states that the presumption in favour of sustainable development would apply unless the application of policies in this Framework that protect areas or assets of

particular importance provides a clear reason for refusing the development proposed. The Green Belt designation is classified as a protected area and there are clear reasons within the Framework for refusing the development due to the impact upon the Green Belt. Therefore the presumption in favour of sustainable development would not constitute a very special circumstance.

6.25 A summary of the weight which has been placed on the various Green Belt considerations is provided below;

Summary of Green Belt Harm and Very Special Circumstances			
Harm	Weight	Factors Promoted as Very Special Circumstances	Weight
Inappropriate development	Substantial	Lack of 5 year housing supply	Significant
Reduction in the openness of the Green Belt			
Conflict (to varying degrees) with a number of the purposes of including land in the Green Belt – purposes a, c and e.			
		Economic Benefit	Very limited weight
		Presumption in favour of sustainable development	No weight

6.26 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 both inappropriate development and loss of openness. However, this is not considered to be the full extent of the harm; the other harm is considered further in this report. 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 combines at this location to comprise ‘very special circumstances’.

6.27 Where a proposal represents inappropriate development the applicant must demonstrate Very Special Circumstances which clearly outweigh the harm to the Green Belt. The applicant has not advanced factors which would amount to very special circumstances that could overcome the harm that would result by way of inappropriateness and the other harm identified in the assessment. There are no planning conditions which could be used to make the proposal acceptable in planning

terms. The proposal is clearly contrary to Policies CSSP4, PMD6, PMD2 and CSTP22 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2019.

II. ACCESS, TRAFFIC IMPACT AND PARKING

- 6.28 When considering development proposals, paragraph 108 of the NPPF seeks to ensure that: (a) appropriate opportunities to promote sustainable transport can be taken up; (b) safe and suitable access to the site can be achieved for all users; and (c) significant impacts on the transport network (capacity and congestion) or highways safety can be mitigated to an acceptable degree. Development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 6.29 The Council's Highways Officer has confirmed that the proposal would not severely adversely affect the local highway network. However, the development should contribute to the improvement of Sandown Road from the section which has already been funded by another development in the road, to the application site. In the event that planning permission were to be granted this could be secured through a suitable legal agreement. On this basis there are no objections on highways grounds.

III. DESIGN AND LAYOUT AND IMPACT UPON THE AREA

- 6.30 The matters of access, appearance, landscaping, layout and scale are reserved for future approval. However, the masterplan drawing, floor plans and elevations accompanying the submission provide an illustration of how the site could be developed should outline planning permission be granted. The proposal would clearly urbanise a currently open site within the countryside. As a result it is considered that the proposed development would impact negatively on this character contrary to policies CSTP22, CSTP23 and PMD2 of the Core Strategy and paragraph 170 of the NPPF.

IV. ECOLOGY

- 6.31 It has been identified that the proposal is in close proximity to a SSSI which includes important habitat features for roosting bats. The Council's Landscape and Ecology Advisor was consulted on the proposal and advises that there are no trees or buildings on site that would be suitable for roosting and minimal vegetation for foraging. Therefore it is considered that the proposal would not unacceptably impact upon protected species.

V. SURFACE WATER DRAINAGE

- 6.32 The proposal constitutes a major development for the purposes of assessment and would include extensive areas of hardstanding alongside a significant amount of built form. The site is presently open and devoid of development and there are likely to be implications in terms of surface water drainage. The Council's Flood Risk Manager has raised a holding objection due to the lack of sufficient information to allow the proposal to be fully assessed. On this basis the proposal has failed to demonstrate that the proposal would not unacceptably impact upon surface water drainage contrary to policy PMD15 and the NPPF.

DEVELOPER CONTRIBUTIONS

- 6.33 Policy PMD16 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 proposals contribute to the delivery of strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.34 Policy CSTP2 seeks the minimum provision of 35% affordable housing. There is no indication that any on site affordable housing or a financial contribution would be included within the proposal and no legal agreement has been forthcoming in relation to this. As a result the proposal would fail to contribute towards affordable housing need in the Borough contrary to policy CSTP2.
- 6.35 The site is within the Essex Coast RAMS zone of influence and therefore it would be necessary for the LPA to secure a contribution towards mitigation of the effects of recreational disturbance on Thames Estuary and Marshes SPA. In the event that the application were being recommended favourably such a contribution could be secured via an appropriate legal agreement.

VII. OTHER MATTERS

- 6.36 The comments regarding the impact upon utilities and services are noted. However, the proposal is for a relatively small scale residential development which is unlikely to have a significant impact upon such services. No concerns have been raised by the relevant providers and it would be their responsibility to ensure that sufficient capacity would be available for the development.

7.0 CONCLUSIONS AND REASONS FOR REFUSAL

- 7.1 The application site is located within the Green Belt, as identified on the Policies Map

The principal issue for consideration in this case is the assessment of the proposals against planning policies for the Green Belt and in particular whether there are considerations which clearly outweigh harm and amount to very special circumstances such that a departure from normal policy can be justified. The proposed development represents an inappropriate form of development within the Green Belt which is harmful by definition.

- 7.2 The development would result in further harm by introducing increased built development and the dwellings, garages and hard surfacing would represent urbanising features which would be visually damaging to the openness of the Green Belt. The proposals would also conflict Green Belt purposes (c) and (e).
- 7.3 It is considered that the circumstances put forward by the applicant would not clearly outweigh the identified harm to the Green Belt. The proposals are therefore contrary to national and local planning policies for the Green Belt. There are no planning conditions that could be used to make the proposal acceptable in planning terms. The development is clearly contrary to Policy PMD6 of the Core Strategy and guidance contained in the NPPF.
- 7.4 The proposal would also result in an urbanised appearance which would be out of character with the general rural character of the area contrary to policies CSTP22, CSTP23 and PMD2 of the Core Strategy and design guidance in the NPPF. Refusal is also recommended on the impact upon the general character of the area.
- 7.5 The proposal does not include a legal agreement in relation to the provision of affordable housing and would therefore fail to contribute towards meeting affordable housing need in the Borough. As a result it would be contrary to policy CSTP2 of the Core Strategy and the NPPF.

8.0 RECOMMENDATION

8.1 To Refuse for the following reasons:

- 1 The proposed development would, by reason of its location result in inappropriate development in the Green Belt which is by definition harmful. It is also considered that the proposals would harm the openness of the Green Belt and would be contrary Green Belt purposes (c) and (e) as described by paragraph 134 of the NPPF. Furthermore, the identified harm to the Green Belt is not clearly outweighed by other considerations so as to amount to the very special circumstances required to justify inappropriate development. The proposal is therefore contrary to Policies CSSP4 and PMD6 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development 2015 and the National Planning Policy Framework 2019.

2. The proposed development would, by reason of its siting, density and urban appearance, appear as overdevelopment within this rural setting given the surrounding pattern of development. The proposal is therefore contrary to Policies PMD2, CSTP22 and CSPT23 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2019.
3. The proposed development, by reason of the lack of detailed information in relation to Surface Water Drainage fails to demonstrate that there would not be an unacceptable impact upon drainage in the area. The proposal is therefore contrary to Policies PMD15 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2019.
4. The proposed development, by reason of the lack of a legal agreement towards the provision of affordable housing has failed to demonstrate that it would contribute towards meeting affordable housing need in the Borough. The proposal is therefore contrary to policy CSTP2 the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2019.

Informative:

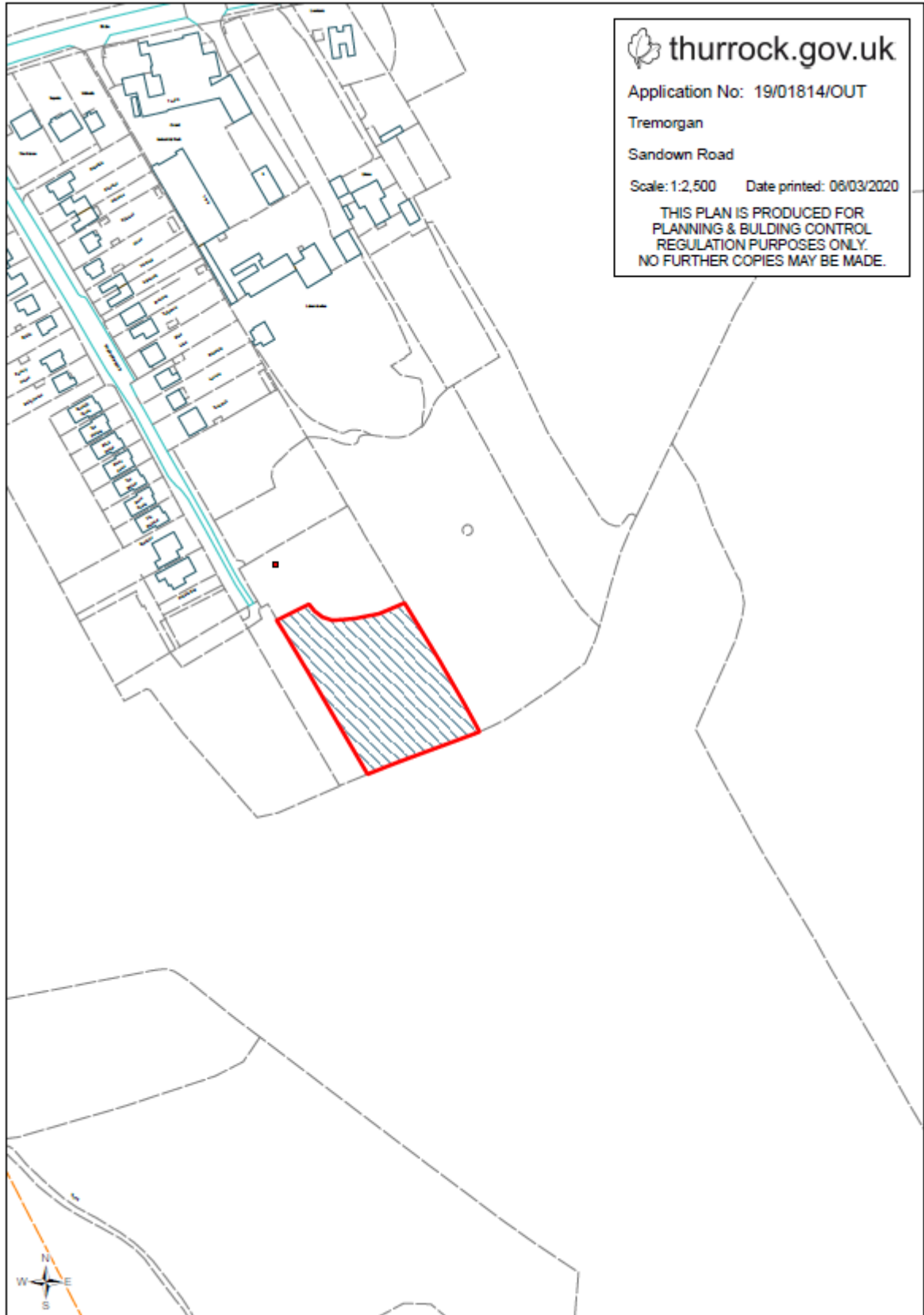
1. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

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

Documents:

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

www.thurrock.gov.uk/planning



 **thurrock.gov.uk**
Application No: 19/01814/OUT
Tremorgan
Sandown Road
Scale: 1:2,500 Date printed: 08/03/2020
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Agenda Item 9

Planning Committee 13 August 2020

Application Reference: 20/00251/FUL

<p>Reference: 20/00251/FUL</p>	<p>Site: 32 Lancaster Road Chafford Hundred Grays Essex RM16 6BB</p>
<p>Ward: South Chafford</p>	<p>Proposal: Demolition of existing double garage, subdivision of existing plot and the construction of a new detached dwelling, including off-street parking, private garden amenity space.</p>

Plan Number(s):		
Reference	Name	Received
19-017-200-06	Proposed Site Layout	28th February 2020
19-017-205-05	Proposed Plans	28th February 2020
19-017-202-05	Proposed Plans	28th February 2020
19-017-203-04	Site Layout	28th February 2020
24010EA-01	Other	28th February 2020

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> • Design and Access Statement • Planning Statement • Topographical Survey 	
<p>Applicant: C/O Agent</p>	<p>Validated: 3 March 2020 Date of expiry: 17 August 2020 Extension of time agreed by applicant</p>
<p>Recommendation: Refusal</p>	

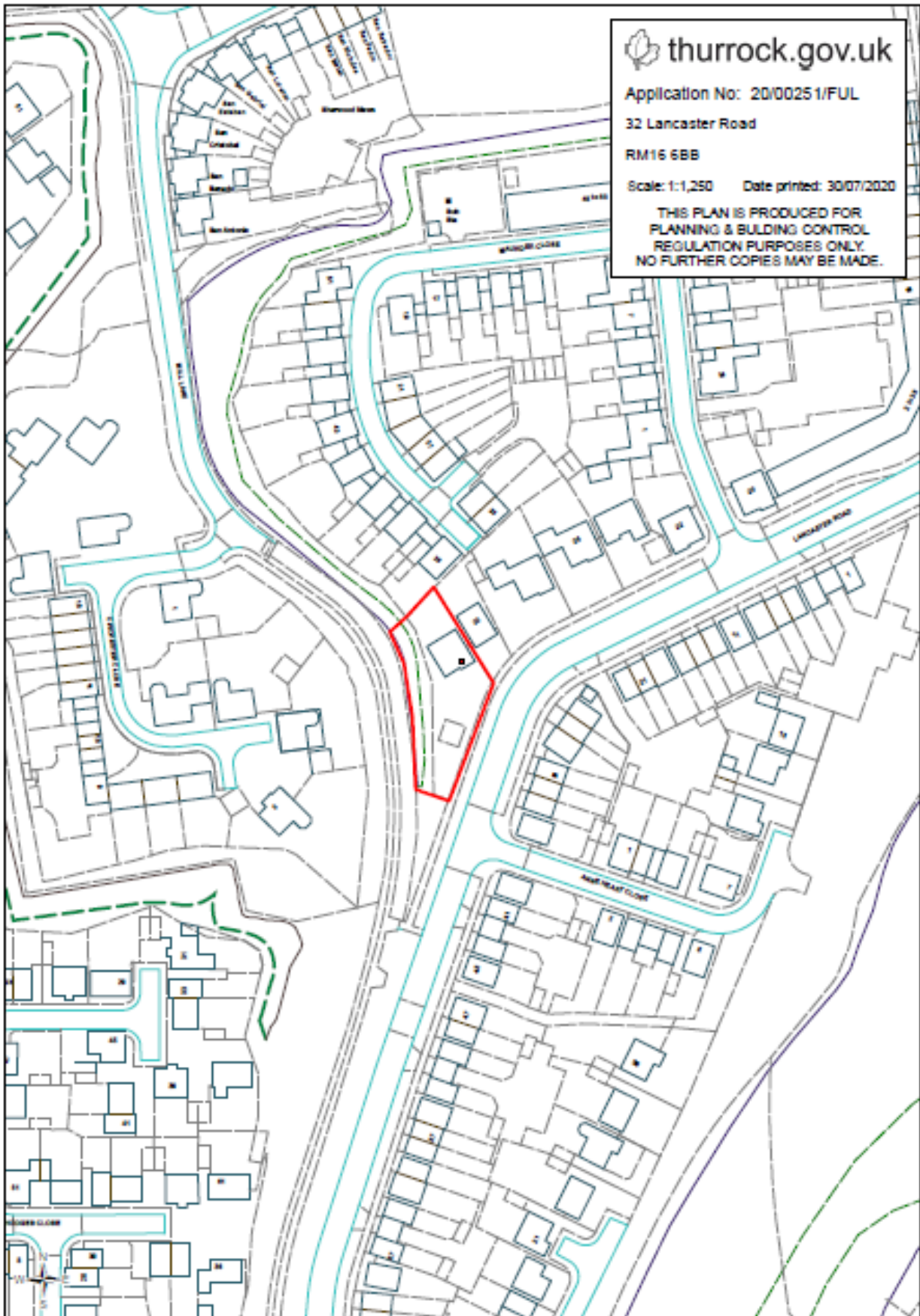
1.0 UPDATE

- 1.1 Consideration of this application was deferred at the 16th July 2020 Planning Committee meeting to enable a site visit to take place.
- 1.2 Members visited the site on 4th August 2020.
- 1.3 The application is recommended for refusal as set out in reason 1 on the attached report.

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: 20/00251/FUL	Site: 32 Lancaster Road Chafford Hundred Grays Essex RM16 6BB
Ward: South Chafford	Proposal: Demolition of existing double garage, subdivision of existing plot and the construction of a new detached dwelling, including off-street parking, private garden amenity space.

Plan Number(s):		
Reference	Name	Received
19-017-200-06	Proposed Site Layout	28th February 2020
19-017-205-05	Proposed Plans	28th February 2020
19-017-202-05	Proposed Plans	28th February 2020
19-017-203-04	Site Layout	28th February 2020
24010EA-01	Other	28th February 2020

The application is also accompanied by:	
<ul style="list-style-type: none"> • Design and Access Statement • Planning Statement • Topographical Survey 	
Applicant: C/O Agent	Validated: 3 March 2020 Date of expiry: 31 July 2020 Extension of time agreed by applicant
Recommendation: Refusal	

This application is scheduled for determination by the Council’s Planning Committee because the application was called in by Cllr M. Fletcher, Cllr J. Potheary, Cllr. S Liddiard, Cllr S. Shinnick and Cllr S. Muldowney in accordance with Part 3 (b) 2.1 (d)(ii) of the Council’s constitution to consider the proposal on the grounds amenity and character of the area.

1.0 DESCRIPTION OF PROPOSAL

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- 1.1 The application seeks permission for the subdivision of an existing plot, demolition of the existing double garage and construction of a new 2-bedroom dwelling, including private amenity space and off-street parking. The dwelling would be two storey with a pitched roof and of a traditional design.
- 1.2 The application is a revised scheme following the refusal of application: 19/00783/FUL in September 2019.

2.0 SITE DESCRIPTION

- 2.1 The application site is a largely triangular shaped plot on the north-western side of Lancaster Road and is bordered to the west by a wooded area subject to a Tree Preservation Order (11/2000).
- 2.2 The site comprises a detached 4-bedroom property and a detached double garage. The land is within a residentially allocated area in the Core Strategy.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
19/00783/FUL	Demolition of existing double garage, and subdivide existing plot to construct new dwelling, including associated development and off-street parking	Refused
19/01001/HHA	Two storey side extension.	Approved
00/00443/FUL	82 no. dwellings, parking and roads	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 and public site notice which has been displayed nearby. No comments have been received.

4.3 ENVIRONMENTAL HEALTH:

No objection subject to conditions.

APPENDIX 1**4.4 EMERGENCY PLANNING:**

No objections.

4.5 HIGHWAYS

No objection subject to conditions.

4.6 LANDSCAPE AND ECOLOGY

No objection subject to conditions.

5.0 POLICY CONTEXT**National Planning Guidance****5.1 National Planning Policy Framework (NPPF)**

The NPPF was published on 27 March 2012 and amended on 19 February 2019. Paragraph 10 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:

- 5. Delivering a sufficient supply of homes
- 11. Making effective use of land
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment

5.2 Planning Practice Guidance

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

APPENDIX 1

particular relevance to the determination of this planning application comprise:

- Design
- Determining a planning application
- Housing supply and delivery
- Tree Preservation Orders and trees in conservation areas

Local Planning Policy**5.3 Thurrock Local Development Framework (as amended) 2015**

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

Spatial Policies:

- CSSP1 (Sustainable Housing and Locations);

Thematic Policies:

- CSTP1 (Strategic Housing Provision)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)

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

APPENDIX 1

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 the 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**BACKGROUND**

6.1 In September 2019] an application (19/00783/FUL) was submitted, seeking planning permission for the demolition of the existing double garage and subdivision of the existing plot to construct new 3-bedroom dwelling. The application was refused for the following reason:

- 1 *The proposed new dwelling by reason of its siting, forward projection and scale would lead to cramped form of development within close proximity to the highway and would have an over-dominant and overbearing impact upon the street scene significantly forward of existing dwellings on this side of the road. As such the proposal would be out of character with the appearance of the streetscene. Furthermore, the proposal would result in insufficient private amenity space for both the proposed and existing dwelling, and a poor layout of private amenity space for the proposed dwelling, detrimental to the living conditions of future occupiers. For these reasons the proposal is considered to constitute overdevelopment and is therefore contrary to policies PMD1, PMD2, CSTP22, and CSTP23 of the adopted Thurrock Core Strategy and Policies for Development DPD (as amended) 2015 and the National Planning Policy Framework 2019.*

6.2 The current application has been submitted in an attempt to overcome the previous reason for refusal by reducing the depth and overall dimensions of the dwelling house to make it smaller.

The assessment below covers the following areas:

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

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III. Traffic Impact, Access and Car Parking

IV. Impacts upon Amenity

V. Impact upon Ecology and Biodiversity

I. PRINCIPLE OF THE DEVELOPMENT

- 6.3 The site is located within a residential area and currently forms part of the residential curtilage of the existing property. There are no objections in principle to accommodating a dwelling on the site, subject to the development being in compliance with all relevant development management policies.

II. DESIGN AND LAYOUT

- 6.4 The National Planning Policy Framework (NPPF) emphasises that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.5 Policy CSTP22 of the Core Strategy 2015 highlights the importance of good design and indicates that development proposals must demonstrate high quality design founded on an understanding of, and response to the local context.
- 6.6 Policy PMD2 of the Core Strategy 2015 requires that all design proposals should respond to the sensitivity of the site and its surroundings and must contribute positively to the character of the area in which it is proposed and should seek to contribute positively to local views, townscape, heritage assets and natural features and contribute to the creation of a positive sense of place.
- 6.7 The existing, single-storey garage is located further forwards towards the highway than the residential properties within the streetscene but this is seen as a subservient building to the property and is well screened by existing trees and vegetation.
- 6.8 The proposal would see the existing garage demolished and replaced with a two storey detached dwelling. The proposed dwelling would be located very close to the pavement which would be unusual on this side of Lancaster Road. The location of the dwelling would be at a point where the plot tapers considerably, meaning the dwelling would appear cramped on an uncharacteristically small plot. It is considered that the proposed dwelling by reason of its siting and scale would lead to cramped form of development within close proximity to the highway which would have an over-

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dominant and overbearing impact upon the street scene significantly forward of existing dwellings on this side of the road. As such the proposal would be out of character with the appearance of the streetscene.

- 6.9 Due to the irregular shape of the site, the proposed dwelling would have the majority of its private amenity space to its flank, on a non-private side of the dwelling. Where the space would be provided to the rear, it would be on average 3m deep. This layout would again be uncharacteristic within the wider area, appearing cramped, overdeveloped and out of keeping with the prevailing character of the area. Owing to the limited depth of the garden it is considered the proposal and would fail to ensure a suitable outdoor living environment for occupiers of the dwelling.
- 6.10 In light of the above, the proposal is contrary to policies CSTP22 and PMD2 of the adopted Core Strategy and the NPPF.

III. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.11 The current vehicle access would be used for accessing both the existing property and the proposed dwelling. The plans show sufficient off street parking provision for both the existing properties and the access arrangements are also acceptable, from a technical highway perspective.

The Council's Highways Officer has raised no objection to the proposal, but has recommended conditions, if permission were to be granted, requiring the parking area to be completed and sight splays provided prior to occupation. Therefore in respect of highways matters the proposal complies with policies PMD2, PMD8 and PMD9 of the Core Strategy.

IV. IMPACTS UPON AMENITY

- 6.12 The proposed dwelling would be sited a suitable distance from the nearest residential neighbour located on the opposite side of Lancaster Road such that there would not be a significant loss of light, overbearing impact or loss of privacy to neighbours.

V. IMPACTS UPON ECOLOGY AND BIODIVERSITY

- 6.13 The trees to the rear of the application site are covered by a Tree Preservation Order 11/2000. As such, the previous application (19/00783/FUL) was supported by an arboricultural method statement to which the Council's Landscape and Ecology consultant raised no objection, provided the approved method statement was adhered to and necessary root protection measures were secured through planning

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condition.

- 6.14 No such method statement has been provided to support the current application, however as recommended by the Council's Landscape and Ecology consultant, were permission to be granted an Arboricultural Method Statement and Landscape Scheme would need to be approved in writing by the Local Authority

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The proposed dwelling would appear cramped on an uncharacteristically small plot, resulting in an over-dominant and overbearing impact upon the streetscene.
- 7.2 The proposed rear garden would be very shallow, appearing cramped and overdeveloped within the surrounding area.
- 7.3 Owing to this limited depth, and location of usable amenity space to the flank elevation, the proposal would result in an unsuitable habitable environment for future occupiers.

8.0 RECOMMENDATION

- 8.1 Refuse planning permission for the following reason(s):

1. The proposed new dwelling by reason of its siting, forward projection and scale would lead to a cramped form of development within close proximity to the highway and would have an over-dominant and overbearing impact upon the street scene significantly forward of existing dwellings on this side of the road. As such the proposal would be out of character with the appearance of the streetscene.

Furthermore, the proposal would result in a poor layout of private amenity space for the proposed dwelling, detrimental to the living conditions of future occupiers.

For these reasons the proposal constitutes overdevelopment and is contrary to policies PMD2 and CSTP22 of the Thurrock Core Strategy 2015 and the National Planning Policy Framework 2019.

Positive and Proactive Statement

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

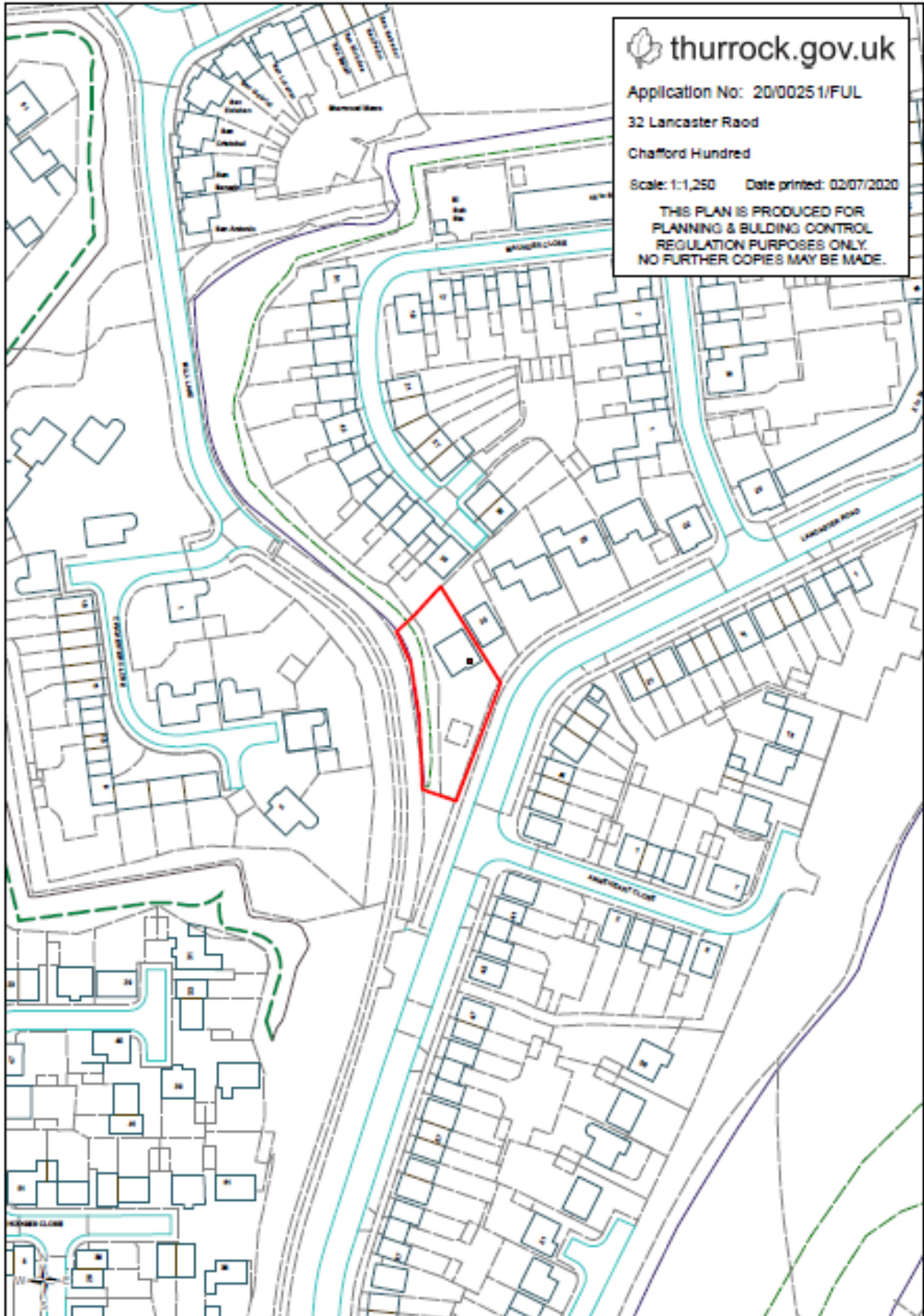
The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant/Agent the opportunity to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

Documents:

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

www.thurrock.gov.uk/planning

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Reference: 18/01660/REM	Site: Land adjacent railway line, The Manorway and west of Victoria Road Stanford Le Hope
Ward: Stanford Le Hope West	Proposal: Application for the approval of reserved matters (access, appearance, landscaping, layout and scale) following outline approval ref. 14/01321/OUT (as amended by 20/00453/CV) (Outline application with all matters reserved apart from access for the residential development of up to 153 dwellings.)

Plan Number(s):		
Reference	Name	Received
600/005	Illustrative Masterplan Open Space Plan	15.11.2018
BCS.pe Rev. A	Bin and Cycle Store Flat Block A & B Floor Plans and Elevations	15.11.2018
CS.pe Rev. A	Cycle Store Flat Block A Floor Plans and Elevations	15.11.2018
FB-B.e3 Rev. A	Flat Block B Elevations (sheet 3 of 3)	15.11.2018
PR122109 20	Play Proposals	15.11.2018
PS01 Rev. A	Parking Strategy Layout	15.11.2018
ZLDSTANFORD-RM-01	General Arrangement	15.11.2018
ZLDSTANFORD-RM-02	Longitudinal Sections	15.11.2018
ZLDSTANFORD-RM-03	Attenuation Storage Pond A	15.11.2018
ZLDSTANFORD-RM-04	Attenuation Storage Pond B	15.11.2018
ZLDSTANFORD-RM-05	Proposed Culvert & Long Section	15.11.2018
ZLDSTANFORD-RM-06	Flood Compensation Arrangement	15.11.2018
ZLDSTANFORD-RM-07	Highways	15.11.2018
SE.01 Rev. A	Street Elevations	15.11.2018
SL01 Rev. P1	Site Layout	15.11.2018
AHL.01 Rev. B	Affordable House Layout	26.02.2019
BDML.01 Rev. B	Boundary and Dwelling Material Layout	26.02.2019
CSL01 Rev. A	Coloured Site Layout	14.06.2019
FB-A.e1 Rev. D	Flat Block A Plots 105 - 110 Elevations Sheet 1 of 2	14.06.2019
FB-A.e2 Rev. D	Flat Block A Plots 105 - 110 Elevations Sheet 2 of 2	14.06.2019
FB-A.p1 Rev. C	Flat Block A Plots 105 - 110 Floor Plans Sheet 1 of 3	14.06.2019
FB-A.02 Rev. C	Flat Block A Plots 105 - 110 Floor Plans Sheet 2 of 3	14.06.2019

FB-A.p3 Rev. C	Flat Block A Plots 105 - 110 Floor Plans Sheet 3 of 3	14.06.2019
FB-B.e1 Rev. D	Flat Block B Plots 111-119 Elevations - Sheet 1 of 2	14.06.2019
FB-B.e2 Rev. D	Flat Block B Plots 111-119 Elevations - Sheet 2 of 2	14.06.2019
FB-B.p1 Rev. B	Flat Block B Plots 111-119 Floor Plans - Sheet 1 of 2	14.06.2019
FB-B.p2 Rev. B	Flat Block B Plots 111-119 Floor Plans - Sheet 2 of 2	14.06.2019
HT.2B1-1.e Rev. D	House Type 2B1 Option 1 - Brick Elevations	14.06.2019
HT.2B1-2.e Rev. D	House Type 2B1 Option 2 - Brick and Boarding Elevations	14.06.2019
HT.2B1.p Rev. B	House Type 2B1 Floor Plans	14.06.2019
HT.2B4P-2.e Rev. C	House Type - 2B4P Elevations Option 2	14.06.2019
HT.2B4P-1.e Rev. D	House Type - 2B4P Elevations Option 1	14.06.2019
HT.2B4P.p Rev. B	House Type - 2B4P Floor Plans	14.06.2019
HT.3B1-1.e Rev. D	House Type 3B1 Option 1 - Brick Elevations	14.06.2019
HT.3B1-1.p Rev. B	House Type 3B1 Option 1 Floor Plans	14.06.2019
HT.3B1-2.e Rev. D	House Type 3B1 Option 2 - Brick and Timber Elevations	14.06.2019
HT.3B1-2.p Rev. B	House Type 3B1 Option 2 Floor Plans	14.06.2019
HT.3B2-1.e Rev. D	House Type 3B2 Option 1 – Brick Elevations	14.06.2019
HT.3B2-1.p Rev. B	House Type 3B2 Option 1 Floor Plans	14.06.2019
HT.3B2-2.e Rev. D	House Type 3B2 Option 2 - Brick and Boarding Elevations	14.06.2019
HT.3B2-2.p Rev. B	House Type 3B2 Option 2 Floor Plans	14.06.2019
HT.3B3.e Rev. D	House Type 3B3 Elevations	14.06.2019
HT.3B3.p Rev. D	House Type 3B3 Floor Plans	14.06.2019
HT.3B4.e Rev. D	House Type 3B4 Elevations	14.06.2019
HT.3B4.p Rev. B	House Type 3B4 Floor Plans	14.06.2019
HT.3B5P-1.e Rev. D	House Type 3B5P Elevations Option 1	14.06.2019
HT.3B5P-2.e Rev. C	House Type 3B5P Elevations Option 2	14.06.2019
HT.3B5P-A.e Rev. D	House Type - 3B5P-A Elevations	14.06.2019
HT.3B5P-A.p Rev. B	House Type - 3B5P-A Floor Plans	14.06.2019
HT.3B5P.p Rev. C	House Type 3B5P Floor Plans	14.06.2019
HT.4B1.e Rev. D	House Type 4B1 Elevations	14.06.2019
HT.4B1.p Rev. C	House Type 4B1 Floor Plans	14.06.2019
HT.4B2.e Rev. D	House Type 4B2 Elevations	14.06.2019
HT.4B2.p Rev. B	House Type 4B2 Floor Plans	14.06.2019
HT.4B3.e Rev. D	House Type 4B3 Elevations	14.06.2019
HT.4B3.p Rev. B	House Type 4B3 Floor Plans	14.06.2019

HT.4B4-1.p Rev. B	House Type 4B4 Option 1 Floor Plans	14.06.2019
HT.4B4-2.e Rev. D	House Type 4B4 Option 2 - Brick and Boarding Elevations	14.06.2019
HT.4B4-2.p Rev. B	House Type 4B4 Option 2 Floor Plans	14.06.2019
HT.4B6P.e Rev. D	House Type - 4B6P Elevations	14.06.2019
HT.4B6P.p Rev. B	House Type - 4B6P Floor Plans	14.06.2019
HT.CS-01 Rev. A	House Type Concept - 01 Light Boarding & Brick	14.06.2019
HT.CS-02 Rev. A	House Type Concept - 02 Red Brick	14.06.2019
HT.CS-03 Rev. A	House Type Concept - 03 Buff Brick	14.06.2019
HT.CS-04 Rev. A	House Type Concept - 04 Dark Boarding & Brick	14.06.2019
PR122109 11B Sheet 1 of 7	Landscape Proposals	14.06.2019
PR122109 11B Sheet 2 of 7	Landscape Proposals	14.06.2019
PR122109 11B Sheet 3 of 7	Landscape Proposals	14.06.2019
PR122109 11B Sheet 4 of 7	Landscape Proposals	14.06.2019
PR122109 11B Sheet 5 of 7	Landscape Proposals	14.06.2019
PR122109 11B Sheet 6 of 7	Landscape Proposals	14.06.2019
PR122109 11B Sheet 7 of 7	Landscape Proposals	14.06.2019
PR122109 12B Sheet 1 of 7	Hard Landscape Proposals	14.06.2019
PR122109 12B Sheet 2 of 7	Hard Landscape Proposals	14.06.2019
PR122109 12B Sheet 3 of 7	Hard Landscape Proposals	14.06.2019
PR122109 12B Sheet 4 of 7	Hard Landscape Proposals	14.06.2019
PR122109 12B Sheet 5 of 7	Hard Landscape Proposals	14.06.2019
PR122109 12B Sheet 6 of 7	Hard Landscape Proposals	14.06.2019
PR122109 12B Sheet 7 of 7	Hard Landscape Proposals	14.06.2019
PVLP01 Rev. P1	PV Location Plan - 01	14.06.2019

The application is also accompanied by:

- Arboricultural Implications Report;
- Design & Access Statement;
- Environmental Noise Assessment;
- Flood Risk Assessment;
- Highways & Drainage Technical Note;
- Planning Statement;
- Soft Landscape Management and Maintenance Plan;
- Soft Landscape Specification;
- Sustainable Design and Construction Code;
- Car Parking Management Plan;
- Ecological Assessment.

Applicant:

C&S Associates

Validated:

15 November 2018

Date of expiry:

31 August 2020 (Extension of time agreed with applicant)

Recommendation: Approve the reserved matters, subject to conditions and subject to the issuing of the decision notice for application reference 20/00453/CV.

1.0 DESCRIPTION OF PROPOSAL

1.1 This is an application for the approval of reserved matters, following the grant of outline planning permission for residential development in 2015 (ref. 14/01321/OUT). The outline planning permission (ref. 14/01321/OUT) is currently subject to an application (ref. 20/00453/CV) submitted pursuant to s73 of the Town and Country Planning Act 1990 which seeks to amend a planning condition attached to the outline permission. There is a resolution to approve this s73 submission under delegated powers, subject to conditions and subject to the completion of a deed of variation to the s106 legal agreement. As the deed of variation has not yet been completed, a decision has not been issued for application ref. 20/00453/CV. The current application (18/01660/REM) seeks approval for the reserved matters of access (within the development), appearance, landscaping, layout and scale for a development of 153 dwellings. For clarity, the reserved matters submission reflects revised parameters relating to building heights to be established when a decision is issued for application reference 20/00453/CV. Notwithstanding the 'live' s73 application the description of development remains unchanged and is set out below:

“Outline application with all matters reserved apart from access for the residential development of up to 153 dwellings”.

1.2 The table below summarises some of the main points of detail contained within the current submission:

Site Area	c. 6.1 Ha	
Residential density	<ul style="list-style-type: none"> c. 25.1 dwellings per Ha based on total site area c. 49.7 dwellings per Ha based on net developable area of c. 3.1 HA 	
Dwelling Mix	Private Housing	10 x two-bed houses
		61 x three-bed houses
		28 x four-bed houses
		TOTAL 99 dwellings
	Affordable Rented	15 x two-bed flats
		15 x two-bed houses
		8 x three-bed houses
		TOTAL 38 dwellings
	Shared Ownership	12 x two-bed houses
		4 x three-bed houses
		TOTAL 16 dwellings
	Affordable Housing (Affordable Rented + Shared Ownership)	54 dwellings (35% of total)
	Building heights	Two and three-storeys
Car Parking	46 x on-plot spaces 12 x garage spaces 177 x frontage spaces 19 x courtyard spaces 19 x unallocated spaces 41 x visitor spaces TOTAL – 314 spaces	

1.3 The outline planning permission established the principle of residential development on the site as well as confirming the access to the development via a new road arm on the Southend Road / Victoria Road roundabout junction. The outline planning permission is subject to s.106 obligations and planning conditions. Conditions attached to the outline approval refer to a number of parameters to control the development of the site including:

- maximum quantum of housing;
- mix of dwellings;

- maximum building heights;
- provision of open space; and
- compliance with a Design Code.

The main elements of the current proposals are described below.

1.4 Access:

As the arrangements for access to the site have already been established, matters of access in relation to this submission comprise accessibility within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network. All vehicles would access and egress the site via a new road connecting to the Southend Road / Victoria Road junction at the site’s north-eastern corner. This primary site access road (with associated footpaths) is aligned east-west before turning to a north-south direction. Lower category, shared-surface access roads serve dwellings on the western and central areas of the site which would link to the primary road.

- 1.5 A dedicated footpath would run through the site from the north-eastern corner, connecting the site to public footpath no. 36 south and west of the site.

1.6 Appearance:

Matters of appearance comprise the external built form of the development including architecture, materials, colour and texture. The submission proposes a mix of flats and houses with a variety house types and variations as summarised in the table below:

Dwelling Type	Storey Height	Wall Finish	Roof
<u>Flats</u>			
Flat Block ‘A’	Three	Red brick / light boarding	Flat
Flat Block ‘B’	Three	Red brick / light boarding	Flat
<u>Houses</u>			
2B1	Two	Red brick or red brick / light boarding	Red tile / pitched
2B4P	Two	Red brick	Grey tile / pitched
3B1	Three	Red brick / light boarding	Grey tile / pitched
3B2	Three	Red brick / light or dark boarding	Red tile / pitched
3B3	Three	Red brick / light or dark boarding	Red or grey tile / pitched

3B4	Three	Red brick / dark boarding	Red tile / pitched
3B5P	Two	Red or buff brick	Grey tile / pitched
3B5P-A	Two	Red brick / dark boarding	Grey tile / pitched
4B1	Two	Red brick / light or dark boarding	Red tile / pitched
4B2	Two	Red brick / light boarding	Red tile / pitched
4B3	Two	Red brick / light boarding	Red tile / pitched
4B4	Three	Red brick / light or dark boarding	Red tile / pitched
4B6P	Two	Red brick	Grey tile / pitched

1.7 The proposed elevations of the flats and houses can be described as modern in appearance but with the use of traditional external materials. The proposed house types would include full-height windows, front dormer windows, balconies and canopies above front doors.

1.8 Landscaping:

For the purposes of considering this application for the approval of reserved matters, landscaping includes screening by fences, walls etc., planting of trees, shrubs etc., and the laying out of gardens, courts squares etc. The reserved matters submission includes detailed plans for both hard and soft landscaping proposals. Fencing would comprise 1.8m high timber fences to rear gardens and post / rail fencing adjacent to roads and an attenuation basin. Proposed hardsurfaced landscaping would include conventional tarmac (roads), block paving, slabs and resin-bound surfacing. The proposed soft landscaping specification comprises tree, hedge and shrub planting with areas of grassland. An area of open space, approximately 2.6Ha in area, is accommodated on the southern and eastern parts of the site which would provide ecological mitigation as well as areas for flood storage.

1.9 Layout:

For the purposes of considering this application for the approval of reserved matters, the term layout refers to the way in which buildings, routes and open spaces are provided in relation to each other within the site and to buildings and spaces outside the site. Due to the constraints operating on the site, the proposed layout of built development is confined to the northern part of the site, with open space adjacent to the site’s southern and eastern boundaries. The proposed layout of houses would be arranged in groups and small terraces and semi-detached pairs. The dwellings would be arranged as perimeter blocks with building ‘fronts’ facing onto the public realm of access routes through the site. Within the site the proposed layout would result in clear back-to-back or back-to-flank relationships between dwellings. Two

blocks containing a total of 15 no. flats would be positioned in the north-western corner of the site.

1.10 Scale:

For the purposes of considering this application for the approval of reserved matters, the term scale refers to the height, width and length of buildings in relation to their surroundings. The two blocks containing flats (three-storeys in height) are located at the north-western corner of the site, closest to where the railway line passes under The Manorway. A small number of three-storey houses would be used through the development to ‘book-end’ rows of dwellings. The remaining dwellings would comprise either two-storey or two-storey with roofspace accommodation (served by dormer windows). Houses would form either pairs of semi-detached properties or terraces of three, four or six properties.

2.0 SITE DESCRIPTION

2.1 This 6.1 hectares triangular-shaped site is located immediately to the north-east of the existing built up area of Stanford-le-Hope. The site has a c.360m long northern boundary with the embankment to The Manorway (A1014), the road being elevated above the site along this section. The site has a c.350m long western boundary with the railway line to the west. The north-western part of the site is at grade with the railway line. Further to the south, the railway line is elevated by some 3m above the adjacent site levels. The c.450m long eastern boundary of the site is adjoins a watercourse (defined by the Environment Agency as a ‘main river’), beyond which are residential properties fronting Victoria Road, Ellie Close and Bell-Reeves Close. To the south of the site is the industrial area of Baryta Close, with London Road and Stanford-le-Hope railway station beyond.

2.2 The topography of the site is largely flat although there is a fall from a height of 7.92m AOD at the north-west corner to the southern tip part of the site at 4.93m AOD. The site lies within the low, medium and high risk flood zones (zones 1, 2, and 3). The site is allocated as a ‘Housing Broad Location – Urban Extension’ by the policies map accompanying the adopted Core Strategy.

2.3 The site is open with areas of tree cover and scrub vegetation.

3.0 RELEVANT HISTORY

<u>Application Ref.</u>	<u>Description</u>	<u>Decision</u>
10/50146/TTGOUT	To erect residential development of up to 185 dwellings	Withdrawn
11/50289/TTGOUT	Residential development of up to 185 dwellings	Approved

13/00184/NMA	Minor material amendment for the change in access to the site	Approved
14/00355/OUT	Residential development of up to 153 dwellings	Withdrawn
14/00985/SCR	Formal request for an EIA screening of the proposed development of the land south of The Manorway	EIA not required
14/01321/OUT	Outline application with all matters reserved apart from access for the residential development of up to 153 dwellings	Approved
16/00155/CONDC	Discharge of condition 36 [Code for Sustainable Homes] from approved planning application 14/01321/OUT	Approved
17/01662/NMA	Application for a proposed non-material amendment: The minimum finished floor levels for living and sleeping accommodation will be set to a minimum of 300mm above the 1 in 100 plus climate change flood level. It is proposed that the finished floor levels for living and sleeping accommodation will be set at 6.048m AOD	Approved
18/00736/NMA	Application for a proposed non-material amendment to planning permission ref 14/01321/OUT (Outline application with all matters reserved apart from access for the residential development of up to 153 dwellings.) to amend trigger point of Condition 35 for the archaeological mitigation (from prior to submission of reserved matters to post reserved matters).	Approved
20/00453/CV	Application under section 73 of the Town and Country Planning Act 1990 for the variation of a condition following the grant of planning permission: Proposed variation of condition no. 6 (a) (maximum building heights) of planning permission ref. 14/01321/OUT (Outline application with all matters reserved apart from access for a residential development of up to 153 dwellings.)	Approved, subject to the completion of a deed of variation to a s106 legal agreement (pending)

3.1 Outline planning permission for residential development was originally granted in March 2012 (ref. 11/50289/TTGOUT). This permission established the principle for the development of up to 153 dwellings and access to the site via a new road arm onto the Victoria Road / Southend Road roundabout junction. All other matters (appearance, landscaping, layout and scale) were reserved for subsequent approval. Permission was granted subject to planning conditions and following the completion of a s106 legal agreement with the following obligations on the landowner:

- Planning Obligation Strategy payment;
- provision of outdoor exercise equipment;
- provision of open space
- submit and comply with an invertebrate mitigation strategy;
- highway works; and
- provision of affordable housing.

A non-material amendment to the approved alignment of the access was approved in 2013 via application ref. 13/00184/NMA. However, this outline permission lapsed in March 2014 as no applications for the approval of reserved matters had been submitted for approval.

3.2 An updated application for outline planning permission (to incorporate the approved non-material amendment to 11/50289/TTGOUT) was submitted in 2014 and approved in December 2015 (ref. 14/01321/OUT). This permission followed the completion of a s106 legal agreement including the obligations referred to in the paragraph above. Although the application sought permission for access to the site (as per 11/50289/OUT) the planning permission requires the subsequent submission and approval of all reserved matters, including access within the development. This permission was also subject to 43 planning conditions. Condition no. 36 required the development to be built to a minimum Code for Sustainable Homes 'Level 4'. However, following the Government's withdrawal of the Code the applicant sought the discharge of this condition (i.e. the condition is no longer applicable) in 2016 (application ref. 16/00155/CONDC).

3.3 Outline planning permission (ref. 14/01321/OUT) was also subject to non-material amendments as follows:

- 17/01662/NMA – amendment to condition no. 15 to reduce finished floor levels to 6.048m AOD; and
- 18/00736/NMA – amendment to condition no. 35 to revise timing for archaeological investigation and safeguarding.

- 3.4 As noted above, there is a current 'live' application (ref. 20/00453/CV) to amend a planning condition attached to the 2015 outline planning permission (ref. 14/01321/OUT). Condition no. 6(a) of the 2015 permission requires reserved matters submission(s) to conform with maximum building heights as detailed in an accompanying Design Code. However, the current reserved matters submission shows two blocks of flats at 3-storeys high, taller than the 2.5 storey height parameter operating on the north-western part of the site. Therefore, as the reserved matters submission was not within the ambit of the 2015 outline permission, the applicant sought to amend the permission via a s73 application, the effect of which is to allow for three-storey development at the site's north-western corner.

4.0 CONSULTATIONS AND REPRESENTATIONS

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

4.1 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters sent to 98 surrounding properties, press advert and public site notice.

- 4.2 Two letters of representation have been received (originating from the same address) which refer to:

- Increased traffic, congestion and risk of accidents.

A letter has also been received from Hassengate Medical Centre referring to flood risk and pressure on GP facilities. Finally a letter has been received from a local resident neither objecting to nor supporting the application but seeking clarification on the proposed footpath crossing of the brook.

- 4.3 The following consultation responses have been received:

4.4 CADENT (Gas):

Draw attention to the position of gas apparatus close to the site.

4.5 ESSEX FIELD CLUB:

Object on the ground that development would impact on the ecology of a Local Wildlife Site which is of particular importance for invertebrates. The scheme cannot mitigate for the loss of habitat and biodiversity. The proposals are considered to be contrary to Core Strategy policy for Local Wildlife Sites.

4.6 ENVIRONMENT AGENCY:

(Response dated 13th December 2018) Confirm that condition nos. 15 and 20 (site / floor levels) are capable of being discharged. More information is required before condition no. 19 (flood risk) can be discharged.

(Response dated 1st February 2019) Confirm that condition no. 19 can be discharged.

4.7 ANGLIAN WATER:

Offer no comments with regard to surface water drainage. Recommend a planning condition requiring submission and approval of a foul water drainage strategy.

4.8 EMERGENCY PLANNING:

No objection, subject to the mitigation measures in the Flood Risk Assessment Addendum.

4.9 PUBLIC RIGHTS OF WAY:

Draw attention to the opportunities the site presents to extend walking and cycle links.

4.10 FLOOD RISK MANAGER:

No objections, subject to conditions addressing surface water drainage.

4.11 LANDSCAPE & ECOLOGY:

The current proposals provide a slightly larger mitigation area than the area approved by the outline permission. The Biodiversity Management Plan and Invertebrate Mitigation Report are considered appropriate in principle although clarity is required on a number of detailed points. The submitted landscape plans require some amendments.

NB – further clarifications have been received from the applicant.

4.12 HIGHWAYS:

No objections.

4.13 ENVIRONMENTAL HEALTH

No objections.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework (NPPF)

The revised NPPF was published on 24th July 2018 (and subsequently updated with minor amendments on 19th February 2019). The NPPF sets out the Government's planning policies. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. 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:

5. Delivering a sufficient supply of homes;
8. Promoting healthy and safe communities;
9. Making effective use of land;
12. Achieving well-designed places;
14. Meeting the challenge of climate change, flooding and coastal change; and
15. Conserving and enhancing the natural environment.

5.2 National Planning Practice Guidance (NPPG)

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. 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;
- Determining a planning application;
- Flood risk and coastal change;
- Health and wellbeing;
- Housing for older and disabled people;
- Housing: optional technical standards;
- Natural environment;
- Noise;

- Open space, sports and recreation facilities, public rights of way and local green space;
- Renewable and low carbon energy; and
- 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:

Overarching Sustainable Development Policy:

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

Spatial Policies:

- CSSP1 (Sustainable Housing and Locations)

Thematic Policies:

- CSTP1 (Strategic Housing Provision);
- CSTP18 (Green Infrastructure);
- CSTP19 (Biodiversity);
- CSTP20 (Open Space);
- CSTP22 (Thurrock Design);
- CSTP25 (Addressing Climate Change); and
- CSTP27 (Management and Reduction of Flood Risk)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity);
- PMD2 (Design and Layout);
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities);
- PMD7 (Biodiversity, Geological Conservation and Development);
- PMD8 (Parking Standards);
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation); and
- PMD15 (Flood Risk Assessment).

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 Report on the Council's website and agreed the approach to preparing the 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 principle of the residential development of this site was established by the grant of outline planning permission under reference 14/01321/OUT as amended by 20/00453/CV, when a decision is issued. Accordingly, the use of the site for residential purposes cannot be revisited through consideration of this application for the approval of reserved matters.

6.2 The outline planning permission also establishes vehicular and pedestrian access to the site from the Southend Road / Victoria Road junction. Therefore the principal issues to be considered in this case are the access (within the site), appearance, landscaping, layout and scale of the development with reference to the parameters of which were set by the outline permission and its accompanying documentation. The compliance of the reserved matters with the requirements of relevant planning conditions attached to the outline planning permission is also matters for consideration.

Access (within the site):

6.3 The outline planning permission 'fixes' the point of access for the development onto the public highway in the form of a new vehicular and pedestrian connection to the Southend Road / Victoria Road junction. Condition no. 3 of the planning permission requires the development to accord with this detail (in the form of an approved plan) as well as a plan showing upgrades to the existing public footpath in-between Victoria

Road and the site. However, as these approved drawings did not refer to access arrangements within the site, condition no. 2 of the planning permission requires access within the site to form part of the reserved matters submission.

- 6.4 A highways layout drawing accompanies the submission which shows the arrangements for vehicular and pedestrian access within the site. From the access on the public highway (located at the site's north-eastern corner) a primary road c.5.5m wide with two c.1.8m wide footpaths would provide access in the form of two main streets. Lower category shared-surface roads (i.e. without separate pedestrian footpaths) would serve the remainder of the development. Given the constraints operating on the site (i.e. a fixed point of access, flood risk, underground services etc.) the proposed access within the site is very similar to that indicated on the illustrative masterplan accompanying the outline planning application.
- 6.5 A number of conditions attached to the outline planning permission refer to access arrangements and requirements for the submission of reserved matters as follows.
- 6.6 Condition no. 20 requires that the reserved matters includes details of:
- the siting and levels of the principal access road;
 - design of bridges over the watercourses; and
 - the access road shall be above the 1 in 1,000 year flood event.

A series of seven 'engineering' drawings accompany this submission which provide sections, details of levels and flood compensation / attenuation arrangements. These drawings and an associated highways and drainage technical note provide sufficient information for the purposes of this condition.

- 6.7 Condition no. 31 requires that the reserved matters includes details of the movement network within the site including visibility splays, sightlines, accesses, turning spaces etc. It is considered that the engineering drawings referred to above and the technical note address the requirements for the content of the reserved matters condition.

Appearance:

- 6.8 The application for outline planning permission (ref. 14/01321/OUT), included a 'Design Code', which was subsequently revised under the S.73 application (ref. 20/00453/CV), and condition no. 7 requires that the reserved matters submission adheres to the 'Key Design Commitments' in the Code and shall also have regard to the illustrative material within the Code. With regard to the consideration of 'appearance' as a reserved matter (that is the external built form of the development including architecture, materials, colour and texture), part 4 of the Code refers in

general to buildings. More specifically part 4.3 of the Code includes the following principles which must be considered in the design and detailing of all dwellings:

- the majority of buildings should have balconies and/or balconettes that overlook the street. The majority of these balconies should be projecting and accessible. The use of projecting balconies will increase amenity space and add interest to elevations;
- buildings should have generous window openings (full height where possible in main rooms). This will improve views out for all age groups and increase natural daylight penetration;
- key openings and balconies should address open spaces and streets where possible to improve natural surveillance of the public realm;
- high quality materials should be used throughout the development;
- material changes should generally be used to articulate changes in plane and not be used arbitrarily within a single plane.

Of the total of 138 houses proposed, balconies would be provided on the front elevation of 69 houses, in accordance with the guidance in the Code. All properties, including the two buildings which would accommodate flats would include at least one ‘oversize’ window to the front elevation, as encouraged by the Code. As noted above, the elevations of all buildings would be finished with a variety of materials including brickwork, boarding and roof tiles, although no detailed specifications are supplied. The Design Code refers to ‘high quality’ materials which are not specified in the current submission. Nevertheless condition nos. 13 and 14 of the planning permission require material samples and a sample panel on-site.

6.9 Parts 4.4 to 4.6 of the Design Code includes general details and guidance for the appearance of house types which is assessed as follows:

<u>Dwelling Type</u>	<u>Design Code Guidance (Appearance)</u>	<u>Submitted Details</u>
Town Houses (generally 3-storeys or 2-storeys with roofspace accommodation)	<ul style="list-style-type: none"> • first floor bays to address open spaces • front doors address the street • integral garages face the street with accommodation above • generous window openings (main rooms) • where applicable balconies to address the street 	House types generally incorporate either bays, balconies or integral garages. Front doors face the street and all types incorporate large window openings

Terraced houses	<ul style="list-style-type: none"> • front doors address the street • projecting canopies to entrances • generous window openings (main rooms) 	Front doors face the street. House types incorporate projecting canopies above entrance doors and large window openings
Detached / semi-detached houses	<ul style="list-style-type: none"> • front doors address the street • projecting canopies to entrances • integral garages face the street with accommodation above • generous window openings (main rooms) 	Front doors face the street. House types incorporate projecting canopies above entrance doors and large window openings
Boulevard houses	<ul style="list-style-type: none"> • balconies to address the street • front doors address the street • generous window openings (main rooms) 	The majority of dwellings incorporate balconies. House types have front doors facing the street and large window openings

6.10 It is considered that the appearance of the proposals are generally in accordance with the Design Code and there are no objections to this element of the reserved matters submission.

Landscaping:

6.11 Landscaping matters for consideration via the submission of reserved matters include screening by fences, walls etc., planting of trees, shrubs etc., and the laying out of gardens, courts squares etc.

6.12 Condition no. 6 of the outline planning permission refers to the parameters for the development and part (D) of this condition has relevance to landscaping. Condition no. 6 (D) requires the reserved matters submission to incorporate the retention of trees detailed within the Arboricultural Impact Assessment submitted with the application for outline planning permission. The current reserved matters submission is accompanied by an ‘Arboricultural Implications Report’ which includes an update of the Assessment previously submitted. Appendix 4 of the updated document broadly confirms that those trees and groups of trees referred to by condition no. 6 (D) would be retained. Although a small number of trees previously identified for retention would be removed to accommodate the proposal, this loss is compensated by the retention of trees previously ‘lost’ to the development, including a group of trees positioned parallel to the railway line.

- 6.13 Condition no. 8 of the outline planning permission sets out detailed requirements for the content of reserved matters submission for landscaping as follows:
- a) tree retention plan;
 - b) tree assessment plan;
 - c) details of any proposed works to retained trees;
 - d) details of any changes in ground levels adjacent to retained trees;
 - e) details of tree protection fencing;
 - f) location, species and size of new planting;
 - g) details of surfacing materials;
 - h) specifications of operations associated with plant establishment;
 - i) details of publically accessible areas and management arrangements;
 - j) details of ecological mitigations through landscaping;
 - k) implementation timetables;
 - l) programme of maintenance; and
 - m) measures to retain a specified Oak tree.
- 6.14 In response to the detailed requirements of this condition, the current submission is accompanied by drawings confirming both proposed new soft and hard landscaping proposals, including boundary treatments. Accompanying these drawings the applicant has prepared written reports comprising:
- Arboricultural Implications Report;
 - Ecological Assessment (including Biodiversity Management Plan and Invertebrate Mitigation Report);
 - Soft Landscape Management and Maintenance Plan; and
 - Soft Landscape Specification.
- 6.15 In common with proposals for soft landscaping for similar residential developments, the landscaping scheme has to perform the functions of retaining existing planting (where appropriate), introducing new planting and areas for ecological enhancement and mitigation and finally providing opportunities for formal play and informal recreation. It is considered that the proposals generally meet the requirements of condition no. 8 of the outline planning permission. The consultation response received from the Council's landscape and ecology advisor confirms no objections to the landscaping proposals, subject to conditions.

Layout:

- 6.16 In relation to the consideration of reserved matters layout is defined as the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development. In broad terms, the arrangement of open space and built development within the site is addressed by condition no. 6 of the outline planning permission. In particular part (B) of this condition requires the incorporation of 2.6 hectares of open space (in accordance with the Design and Access Statement submitted in 2014 and recently updated) and part (C) requires the area for housing, associated gardens and roads to be accommodated within an area defined by the Design and Access Statement.
- 6.17 The submitted site layout drawing is consistent with the requirements of condition no. 6 (B) and shows an area of open space located on the southern part of the site and adjacent to the eastern boundary. This open space would also provide for drainage attenuation, ecological mitigation / enhancement and formal / informal recreation. In compliance with condition no. 6 (C) built development comprising dwellings, associated garden areas and roads would be provided on the northern part of the site, closest to The Manorway. The proposed layout of residential roads and blocks of dwellings is also very similar to the 'masterplan' presented in the 2014 outline planning application.
- 6.18 The development plan for Thurrock includes a small number of 'saved' Local Plan policies, including Local Plan Annex 1 (Control of Development in Residential Areas). Annex 1 includes 'standards' for new residential development referring to, inter-alia, amenity space, garden depth and back-back-distances. However, in applying these 'standards' it should be remembered that Annex 1 dates from 1997. Furthermore, more up to date national policy and guidance (NPPF and NPPG) refers to a design-led approach to make effective use of land and achieve appropriate densities. In particular, the more up to date National design Guide refers to:

"Well-designed private or shared external spaces are fit for purpose and incorporate planting wherever possible. The appropriate size, shape and position for an external amenity space can be defined by considering:

- how the associated building sits in the wider context, including access to public and open spaces;*
- how the amenity space will be used, what for, and by whom;*
- environmental factors that may affect its usability, such as sunlight and shade, noise or pollution;*

- *wider environmental factors affecting its quality or sustainability, such as a green corridor or drainage”.*

In this context, Annexe 1 should be seen as providing guidance only and over-reliance on the detailed ‘standards’ in the document should be avoided.

- 6.19 The majority of proposed dwellinghouses within the development would have rear garden depth of c.10-11m. Although a small number of houses would exceed the 12m depth suggested by Annexe 1, there are approximately 6 dwellinghouses where minimum rear garden depths would be between 8-9m. The majority of back-to-back relationships between proposed houses would meet the minimum 20m suggested standard. However, the proposed layout includes two places where a distance of only c.16-18m is achieved (plots 28 – 44 and 11 – 19). Despite these minor shortfalls as assessed against Annexe 1, the vast majority of the residential layout complies with the suggested standard. Furthermore it is notable that the minor shortfalls would exist within the site, that is, the distances between new dwellings and existing properties outside the site (located in Victoria Road) are all in excess of suggested guidelines. Consequently, no objections are raised to this element of the proposed layout. Nevertheless, as some rear garden sizes are somewhat smaller than the suggested standard, it is recommended that a planning condition is used to restrict the future use of specified permitted development rights. This is justified as the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) permits (subject to conditions) single-storey rear extensions to a depth of 6m in the case of semi-detached or terraced houses. Were these permitted development rights to be engaged the design quality of the development and provision of meaningful amenity space would suffer. In this case it is considered that the removal of permitted development rights within Schedule 2, Part 1, Class A of the Order is reasonable and necessary.
- 6.20 With reference to the internal layout of dwellings and in particular the size of accommodation to be provided, paragraph 61 of the NPPF states that *“the size, type and tenure of housing for different groups in the community should be assessed and reflected in planning policies”*. National guidance within PPG (Housing: optional technical standards) makes reference to the ‘national described space standard’, but makes it clear that where a local planning authority wishes to require an internal space standard they should only do so by reference in a Local Plan. Current development plan policy, as expressed by Core Strategy policy CSTP1 refers only generically to a range of dwelling types and sizes to reflect the Borough’s housing need.
- 6.21 The proposed mix and size of dwellings by tenure is presented in the table below:

Private

<u>Type</u>	<u>No.</u>	<u>Size (Gross Internal Area – GIA))</u>
2-bed house	10	75.1 sq.m
3-bed house	61	111.4 - 122.9 sq.m
4-bed house	28	133.7 - 143.9 sq.m
Affordable Rented		
2-bed flat	15	61.2 sq.m - 62.4 sq.m
2-bed house	15	81.9 sq.m
3-bed house	6	96.6 sq.m
4-bed house	2	107.9 sq.m
Shared Ownership		
2-bed house	12	81.9 sq.m
3-bed house	4	95.5 sq.m. - 96.6 sq.m

For information, the nationally described space standard (which sets out minimum gross internal floor areas by bedrooms, bedspaces and storey heights) is compared to the proposals in the table below. It can be seen that across all proposed dwelling types the minimum floorspace figure is met.

<u>Dwelling Type</u>	<u>Proposed GIA (sq.m.)</u>	<u>'Nationally Described Space Standard' minimum GIA (sq.m)</u>
2-bed / 3-person flat	61.2 - 62.4 sq.m	61 sq.m
2-bed / 3-person house (2-storey)	75.1 sq.m.	70 sq.m
2-bed / 4-person house (2-storey)	81.9 sq.m.	79 sq.m
3-bed / 5-person house type 1 (3-storey)	119.4 sq.m	99 sq.m
3-bed / 5-person house type 2 (3-storey)	118.8 sq.m	
3-bed / 5-person house type 3 (3-storey)	112 sq.m	
3-bed / 5-person house type 4 (3-storey)	111.4 sq.m	
3-bed / 6-person house type 1 (3-storey)	122.8 sq.m	108 sq.m
3-bed / 6-person house type 2 (3-storey)	129.3 sq.m	
3-bed / 5-person house type 1 (2-storey)	96.6 sq.m	93 sq.m
3-bed / 5-person house type 2 (2-storey)	95.6 sq.m	

4-bed / 8-person house type 1 (2-storey)	143.9 sq.m	124 sq.m
4-bed / 8-person house type 2 (2-storey)	138.6 sq.m	
4-bed / 7- person house (2-storey)	142.3 sq.m	115 sq.m
4-bed / 7-person house type 1 (3-storey)	134.4 sq.m.	121 sq.m
4-bed / 7-person house type 2 (3-storey)	133.7 sq.m	
4-bed / 6-person house (2-storey)	109.5 sq.m	106 sq.m

Scale:

6.22 In relation to the consideration of reserved matters scale is defined as the height, width and length of each building proposed within the development in relation to its surroundings. Condition no. 6 of the outline planning permission sets a number of parameters for the submission of reserved matters, including (A) a requirement that maximum building heights conform with a 'Building Height Distribution' drawing forming part of the 2014 Design Code. However, this Design Code has since been revised under the approved (subject to the completion of a deed of variation) s73 application (ref. 20/00453/CV). This drawing allocates a maximum of 2.5 storeys across the majority of the site, with more limited areas of 3 storey development on 'The Boulevard', on the western edge of the 'Northern Green Lung' and on the north-western corner of the site.

6.23 In response to the detailed requirements of this condition, the current submission is accompanied by drawings confirming storey heights, including site layouts and elevations. It is considered that the proposals generally meet the requirements of condition no. 6 of the outline planning permission.

Compliance with relevant planning conditions:

6.24 A number of planning conditions attached to the outline planning permission inform the content of application(s) for the approval of reserved matters and are relevant to the current submission. An assessment of compliance is set out as follows.

Condition no. 4 (residential quantum / mix)

6.25 This condition requires that, unless otherwise agreed by the local planning authority, the mix of dwellings delivered by the totality of the development shall adhere to the following mix:

<u>Type</u>	<u>Percentage</u>	<u>Maximum Number</u>
2 / 3 bedroom house	27%	41
3 bedroom house	54%	82
4 bedroom house	19%	30

6.26 Comment: It is notable that the proposed housing mix does not adhere to that outlined within condition no. 4, however the wording of the condition allows for variation, if agreed by the local authority. The current mix has been accepted by the Council’s Housing Officer.

Condition no. 6 (Development Parameters)

6.27 Requires the submission of reserved matters to demonstrate conformity with the following parameters –

(A) maximum building heights as detailed by the 2020 Design Code Rev II (page 40)

Comment: Paragraph 6.25 (above) confirms that the reserved matters submission adheres to the maximum buildings heights.

(B) incorporation of 2.6 hectares of open space as detailed in the 2014 Design & Access Statement (page 50)

Comment: Paragraph 6.17 (above) confirms that the reserved matters submission includes the required open space.

(C) housing, gardens and roads to be accommodated within the area defined by the 2014 Design & Access Statement.

Comment: as a corollary to the requirements of condition 6 (B), the layout of the Reserved Matters submission shows that built development would be located within the prescribed areas.

(D) retention of trees as detailed within the Arboricultural Impact Report (2014)

Comment: Paragraph 6.12 (above) confirms broad compliance with this requirement.

Condition no. 7 (Design Code)

6.28 Requires the content of reserved matters submission to adhere to ‘Key Design Commitments’ within the Design Code Rev II (2020). The Key Design Commitments

within this Code are “to be taken forward as commitments through the design process” and comprise a large number of design principles under the headings of:

- Masterplan structure;
- Site movement;
- Public realm & open spaces;
- Northern Green Lung;
- Primary access street;
- The Boulevard;
- Secondary streets;
- The Drive;
- Southern Green Lung;
- Parking strategy & Traffic Calming;
- Cycle storage;
- Recycling & refuse storage;
- Building arrangement;
- Building height & scale;
- Building details & materials;
- Townhouse types;
- Terrace house types;
- Detached & semi-detached house types; and
- Houses on the Boulevard.

In light of the analysis earlier in this report, it is not necessary to go through the Key Design Commitments of the 2020 Code on a line-by-line basis. However, it is considered that the reserved matters is in general conformity with the Design Code and there are no areas where significant difference between the two exist.

Condition no. 8 (Landscaping)

6.29 Requires that the plans and particulars submitted in accordance with condition 2 Part (e) Reserved Matters for 'Landscaping' shall include:

(a) a plan(s) showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;

(b) details of the species, diameter [measured in accordance with paragraph (a) above], and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs [c] and [d] below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, (within the crown spread of any retained tree or of any tree on land adjacent to the site) (within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree);

(e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

(f) the location, species and size of all new trees, shrubs and hedgerows to be planted, those areas to be grassed and/or paved, and for a programme of planting and transplanting.

(g) The landscaping scheme shall include details of all surfacing materials and existing and proposed ground levels.

(h) Written specifications (including cultivation and other operations associated with plant and grass establishment),

(i) detail whether such land shall be accessible by the public and the management principles for such area,

(j) detail how the landscaping scheme proposed promotes ecological interests and biodiversity in a manner which accords with the Ecological Mitigation accompanying the application.

(k) Implementation timetables

(l) Programme of maintenance

(m) measures to retain Oak 26 detailed in the Arboricultural Impact Report (2014)

In light of the analysis earlier in this report, it is not necessary to go through each of the requirements of condition no. 8 individually. Paragraph 6.15 (above) confirms broad compliance with this condition.

Condition no. 15 (Levels) (As amended under 17/01662/NMA)

- 6.30 Requires the submission of reserved matters to provide full details of the existing and finished site levels and finished external surface levels, the levels of the surrounding

area and the finished floor level of the buildings hereby permitted. Notwithstanding this, the dwellings shall be constructed with finished floor levels no lower than 6.048m AOD, which allows for 300mm freeboard above the critical flood level (para 2.40 of FRA) (i.e. 300mm above the 1 in 200-year flood level, the extent of such areas is detailed in blue on plan ref: IPSTANFORD/FR/0004 PR02 in the appendix 1 figures to the Flood Risk Assessment Mayer Brown, November 2014) accompanying the outline planning permission.

Comment: in compliance with the requirements of condition 15, the following plans:

- General Arrangement Plan
- Longitudinal Sections Plan
- Attenuation Storage Pond A Plan
- Attenuation Storage Pond B Plan
- Proposed Culvert and Long Section Plan
- Flood Compensation Arrangement Plan

of the reserved matters submission shows that built development would be finished to the prescribed floor levels. The Environment Agency have raised no objections.

Condition no.18 (Secure by Design)

- 6.31 Requires that the submission of reserved matters be accompanied by a statement showing how the development has incorporated the principles and practices of 'Secure By Design'.

Comment: The Design and Access Statement (p26-27) refers to “creating a safe environment” and outlines how the “Secure By Design” principles and practices have been incorporated within the development.

Condition no. 19 (flood risk)

- 6.32 Requires that the submission of reserved matters ensure that no part of any dwelling, including its curtilage or the access road to any dwelling is located within the area at risk of flooding in the 1:100 plus climate change events.

Comment: in accordance with the requirements of condition 19, the plans submitted, the Flood Risk Assessment and relevant addendums and additional information confirm compliance with this condition. The Environment Agency has raised no objection.

Condition no. 20 (levels)

- 6.33 Requires that applications for approval of reserved matters shall include details of the siting and levels of the principle access road to and from Southend Road and design of the associated bridging structures over the watercourses. The access road shall be set at a level so that it remains dry and accessible on foot and in vehicles in the 1 in 1000 year flood event. Development shall be in strict accordance with the approved details.

Comment: Paragraph 6.6 (above) confirms that the reserved matters submission complies with this requirement.

Condition no. 21 (water efficiency)

- 6.34 Requires that the submission of reserved matters shall include a scheme for the provision and implementation of water efficiency for the residential units.

Comment: in compliance with the requirements of condition 21, the Flood Risk Assessment and relevant addendums confirm compliance with this condition.

Condition no. 23 (surface water drainage)

- 6.35 Requires that the submission of reserved matters be accompanied by a further iteration of the Flood Risk Assessment and Surface Water & SuDs Design Statement which shall include:
- clear details of the ownership and responsibility for maintenance of all drainage elements for the lifetime of the development. If appropriate, details of adoption of any drainage elements of the drainage system should be included.
 - details of all surface water drainage infrastructure for inclusion on the Lead Local Flood Authority's s21 Asset Register.
 - finalised proposed surface water run-off rates
 - details of measures limiting the surface water run-off generated by the 1 in 100 year climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
 - details of the provision of attenuation storage to contain the 1 in 100 year climate change rainfall event in the event of a surcharged outfall.
 - details of pipe network to contain the peak 1 in 100 year rainfall event.

- calculations to demonstrate that the surface water management scheme has been adequately sized including the electronic versions of modelling files to accurately assess the drainage system's performance
- plans and drawings showing the locations and dimensions of all aspects of the proposed surface water management scheme, including pipework. The submitted plans should demonstrate that the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features. In addition, Full design details, including cross sections of any proposed infiltration or attenuation features will be required.
- confirmation that in the event of exceedance flows that surpass the critical duration rainfall event or a blockage/failure occurs within the drainage network any proposed features should incorporate an emergency spillway as part of their design. Emergency spillway shall direct any exceedance flows away from the development.
- sufficient information to demonstrate that people and property will be kept safe from flooding, with consideration given to overland flow routing where required.
- details of future adoption and maintenance of all aspects of the surface water drainage strategy.
- information to demonstrate that priority is given to the use of sustainable drainage systems (SuDS) for the disposal of surface water from all elements of the development proposal.
- the scheme shall incorporate the SuDS "Management Train" and ensure all features are designed in accordance with CIRIA (C697) The SUDS Manual so ecological, water quality and aesthetic benefits can be achieved in addition to the flood risk management benefits.

Comment: in accordance with the requirements of condition 23, the Flood Risk Assessment and relevant addendums confirm compliance with this condition

Condition no. 27 (cycle parking)

- 6.36 Requires submission of Reserved Matters to provide full details of the number, size, location, design and materials of secure and weather protected cycle parking facilities to serve the dwellings hereby permitted. Such secure and weather protected cycle parking facilities as approved in writing by the local planning authority shall be installed on site prior to the first occupation of the dwellings hereby permitted and shall thereafter be permanently retained for sole use as cycle parking for the users and visitors of the development.

Comment: The following plans:

- Parking Strategy Layout Plan;
- Cycle Store Flat Block A Floor Plans and Elevations;
- Bins and Cycle Store Flat Block A & B Floor Plans and Elevations;

and the Parking Management Strategy provide these details and are considered satisfactory.

Condition no. 28 (bin / recycling storage)

- 6.37 States that applications for approval of Reserved Matters shall include full details of the number, size, location, design and materials of bin and recycling stores to serve the development, together with details of the means of access to bin and recycling stores for residents and refuse operatives, including collection points if necessary. The development shall make provision for:

o 1 x 180 litre container for refuse, 1 x 240 litre container for recycling and 1 x 240 litre container for kitchen and garden waste per residential dwelling.

Comment: The following plans:

- Parking Strategy Layout Plan
- Bin and Cycle Store Flat Block A & B Floor Plans and Elevations
- Refuse Plan;

in addition to the Refuse Plan on page 21 of the Design and Access Statement, confirms that the waste facilities comply with this condition.

Condition no. 31 (movement network)

- 6.38 Requires application(s) for approval of reserved matters to include (where applicable) the following details: Movement network including layout of streets, visibility splay(s), sightlines, accesses, turning space(s), footways, cycleways and footpaths. The details to be submitted shall include:

(a) External lighting (including to roads, car parking areas, footways / cycleways) and shall include details of the spread and intensity of light together with the size, scale and design of any light fittings and supports and a timescale for its installation. The external lighting shall be provided in accordance with the approved details and timescales.

(b) Street furniture,

(c) Surface finishes,

- (d) Cycle and car parking,
- (e) Signage,
- (f) Estate road construction and geometry. Details of whether such roads are proposed to be put forward for adoption by the Local Highway Authority
- (g) Drainage (including to roads, car parking areas, footways / cycleways)
- (h) Timescale for the provision of this highway infrastructure.

The details submitted pursuant to this condition shall (where applicable) accord with the Design Code unless otherwise first agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with the approved details and timescales or in accordance with any variation first agreed in writing by the local planning authority

Comment: In light of the analysis earlier in this report, it is not necessary to go through each of the requirements of condition no. 31 individually. Paragraph 6.7 (above) confirms broad compliance with this condition.

Condition no. 32 (parking)

6.39 States that submissions of reserved matters shall;

- a. show provision for the parking and / or garaging of private cars in accordance with the standards for allocated and unallocated parking spaces specified in the outline application unless a variation to these standards is first agreed in writing with the Local Planning Authority.
- b. be accompanied with a Parking Management Strategy specifying the restrictions on car parking, what constitutes an enforceable parking offence, how and by whom this will be administered and enforced.

The reserved matters shall detail the parking allocation. Residential units shall only be occupied when the car parking areas and turning areas serving that unit have been constructed in accordance with details that have been submitted to, and approved in writing by, the local planning authority.

The parking spaces shall thereafter be retained for the parking of cars. The Parking Management Strategy for this phase shall be implemented and thereafter retained for the duration of the residential use in accordance with the approved Car Parking Management Strategy.

Comment: The following documents demonstrate that the reserved matters adhere to the requirements of this condition:

- Parking Strategy Layout Plan; and
- Parking Management Strategy

Condition no. 37 (Sustainable Design & Construction Code)

6.40 Requires that submissions of reserved matters be accompanied by a Sustainable Design and Construction Code for that phase. The Sustainable Design and Construction Code shall:

- (a) detail the area to be covered by the Sustainable Design and Construction Code;
- (b) detail when development is proposed to commence and be completed on that phase;
- (c) provide a brief review of the technical solutions prevailing at the time;
- (d) indicate how the proposed building design(s) realise(s) opportunities to include design and technology energy efficiency measures;
- (e) detail the sustainable design measures incorporated into the phases, including but not limited to, building orientation, passive solar gain and sustainable landscape design, water conservation and efficiency measures;
- (f) detail how this phase will contribute to the residential development as a whole securing at least 10% of its energy from decentralised and renewable or low carbon sources;
- (g) detail how sustainable construction methods will be utilised.

Comment: The application is supported by a Sustainable Design and Construction Code, which complies with the requirements of condition no. 37.

Condition no. 38 (Lifetime Homes)

6.41 States that the reserved matters submission shall be accompanied by a statement outlining the specification for Lifetime Home measures and detailing the proposed development's compliance with that specification.

Comment: The Design and Access Statement supporting this Reserved Matters submission outlines how the development accords with The Building Regulations 2010 Approved Document M: Access to and use of buildings, specifically "M4: Cat 2: Accessible and Adaptable Dwellings", which is considered to supersede the 'Lifetime Home' measures.

Condition no. 39 (noise insulation)

- 6.42 Requires the submission for reserved matters to include a scheme for noise insulation of the proposed dwellings. The scheme shall assess the noise impact from the adjacent railway and road upon the dwellings and shall propose appropriate measures so that all habitable rooms will achieve 'good' internal levels as specified by BS8233:2014. The scheme shall identify and state the glazing specifications for all the affected windows, including acoustic ventilation, where appropriate.

Comment: The submission is supported by an Environmental Noise Assessment, which demonstrates compliance with the requirements of this condition.

6.43 Other Matters

An objection has been received from the Essex Field Club referring to impact on the ecology of a Local Wildlife Site, loss of habitat and biodiversity and inadequate mitigation. It should be noted that this is an application for the approval of reserved matters and the issue of impact on ecological interests was considered in detail when the outline planning application was considered. Planning conditions and a s106 obligation secure appropriate mitigation for ecological interests.

7.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION

- 7.1 The reserved matters as submitted are within the ambit of the outline planning permission (as amended) and accord with adopted relevant Core Strategy policies in respect of the scale, layout, appearance, access and landscaping of the development. The proposal would represent an appropriate form of development that will accord with the character of the immediate locality and thereby reflect Government Guidance as contained within the National Planning Policy Framework (2019).
- 7.2 With reference to planning conditions, the outline permission is subject a detailed and comprehensive suite of planning conditions which inform this reserved matters submission and also control the construction and operational phases of the development. Planning Policy Guidance make it clear that the only planning conditions which can be imposed when reserved matters are approved are conditions which directly relate to those reserved matters. Accordingly, only a limited number of planning conditions relating specifically to the submitted reserved matters are recommended below.

8.0 RECOMMENDATION

The Committee is recommended to:

- A. Approve the Reserved Matters, subject to:

- (i) the completion of the s106 deed and subsequent issuing of the decision notice for application reference 20/00453/CV; and
- (ii) the following planning conditions

Condition(s):

1. Accordance with Plans

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

Plan Number(s):		
<u>Reference</u>	<u>Name</u>	<u>Received</u>
600/005	Illustrative Masterplan Open Space Plan	15.11.2018
BCS.pe Rev. A	Bin and Cycle Store Flat Block A & B Floor Plans and Elevations	15.11.2018
CS.pe Rev. A	Cycle Store Flat Block A Floor Plans and Elevations	15.11.2018
FB-B.e3 Rev. A	Flat Block B Elevations (sheet 3 of 3)	15.11.2018
PR122109 20	Play Proposals	15.11.2018
PS01 Rev. A	Parking Strategy Layout	15.11.2018
ZLDSTANFORD-RM-01	General Arrangement	15.11.2018
ZLDSTANFORD-RM-02	Longitudinal Sections	15.11.2018
ZLDSTANFORD-RM-03	Attenuation Storage Pond A	15.11.2018
ZLDSTANFORD-RM-04	Attenuation Storage Pond B	15.11.2018
ZLDSTANFORD-RM-05	Proposed Culvert & Long Section	15.11.2018
ZLDSTANFORD-RM-06	Flood Compensation Arrangement	15.11.2018
ZLDSTANFORD-RM-07	Highways	15.11.2018
SE.01 Rev. A	Street Elevations	15.11.2018
SL01 Rev. P1	Site Layout	15.11.2018
AHL.01 Rev. B	Affordable House Layout	26.02.2019
BDML.01 Rev. B	Boundary and Dwelling Material Layout	26.02.2019
CSL01 Rev. A	Coloured Site Layout	14.06.2019
FB-A.e1 Rev. D	Flat Block A Plots 105 - 110 Elevations Sheet 1 of 2	14.06.2019
FB-A.e2 Rev. D	Flat Block A Plots 105 - 110 Elevations Sheet 2 of 2	14.06.2019
FB-A.p1 Rev. C	Flat Block A Plots 105 - 110 Floor Plans Sheet 1 of 3	14.06.2019
FB-A.02 Rev. C	Flat Block A Plots 105 - 110 Floor Plans Sheet 2 of 3	14.06.2019

FB-A.p3 Rev. C	Flat Block A Plots 105 - 110 Floor Plans Sheet 3 of 3	14.06.2019
FB-B.e1 Rev. D	Flat Block B Plots 111-119 Elevations - Sheet 1 of 2	14.06.2019
FB-B.e2 Rev. D	Flat Block B Plots 111-119 Elevations - Sheet 2 of 2	14.06.2019
FB-B.p1 Rev. B	Flat Block B Plots 111-119 Floor Plans - Sheet 1 of 2	14.06.2019
FB-B.p2 Rev. B	Flat Block B Plots 111-119 Floor Plans - Sheet 2 of 2	14.06.2019
HT.2B1-1.e Rev. D	House Type 2B1 Option 1 - Brick Elevations	14.06.2019
HT.2B1-2.e Rev. D	House Type 2B1 Option 2 - Brick and Boarding Elevations	14.06.2019
HT.2B1.p Rev. B	House Type 2B1 Floor Plans	14.06.2019
HT.2B4P-2.e Rev. C	House Type - 2B4P Elevations Option 2	14.06.2019
HT.2B4P-1.e Rev. D	House Type - 2B4P Elevations Option 1	14.06.2019
HT.2B4P.p Rev. B	House Type - 2B4P Floor Plans	14.06.2019
HT.3B1-1.e Rev. D	House Type 3B1 Option 1 - Brick Elevations	14.06.2019
HT.3B1-1.p Rev. B	House Type 3B1 Option 1 Floor Plans	14.06.2019
HT.3B1-2.e Rev. D	House Type 3B1 Option 2 - Brick and Timber Elevations	14.06.2019
HT.3B1-2.p Rev. B	House Type 3B1 Option 2 Floor Plans	14.06.2019
HT.3B2-1.e Rev. D	House Type 3B2 Option 1 - Brick Elevations	14.06.2019
HT.3B2-1.p Rev. B	House Type 3B2 Option 1 Floor Plans	14.06.2019
HT.3B2-2.e Rev. D	House Type 3B2 Option 2 - Brick and Boarding Elevations	14.06.2019
HT.3B2-2.p Rev. B	House Type 3B2 Option 2 Floor Plans	14.06.2019
HT.3B3.e Rev. D	House Type 3B3 Elevations	14.06.2019
HT.3B3.p Rev. D	House Type 3B3 Floor Plans	14.06.2019
HT.3B4.e Rev. D	House Type 3B4 Elevations	14.06.2019
HT.3B4.p Rev. B	House Type 3B4 Floor Plans	14.06.2019
HT.3B5P-1.e Rev. D	House Type 3B5P Elevations Option 1	14.06.2019
HT.3B5P-2.e Rev. C	House Type 3B5P Elevations Option 2	14.06.2019
HT.3B5P-A.e Rev. D	House Type - 3B5P-A Elevations	14.06.2019
HT.3B5P-A.p Rev. B	House Type - 3B5P-A Floor Plans	14.06.2019
HT.3B5P.p Rev. C	House Type 3B5P Floor Plans	14.06.2019
HT.4B1.e Rev. D	House Type 4B1 Elevations	14.06.2019
HT.4B1.p Rev. C	House Type 4B1 Floor Plans	14.06.2019
HT.4B2.e Rev. D	House Type 4B2 Elevations	14.06.2019

HT.4B2.p Rev. B	House Type 4B2 Floor Plans	14.06.2019
HT.4B3.e Rev. D	House Type 4B3 Elevations	14.06.2019
HT.4B3.p Rev. B	House Type 4B3 Floor Plans	14.06.2019
HT.4B4-1.p Rev. B	House Type 4B4 Option 1 Floor Plans	14.06.2019
HT.4B4-2.e Rev. D	House Type 4B4 Option 2 - Brick and Boarding Elevations	14.06.2019
HT.4B4-2.p Rev. B	House Type 4B4 Option 2 Floor Plans	14.06.2019
HT.4B6P.e Rev. D	House Type - 4B6P Elevations	14.06.2019
HT.4B6P.p Rev. B	House Type - 4B6P Floor Plans	14.06.2019
HT.CS-01 Rev. A	House Type Concept - 01 Light Boarding & Brick	14.06.2019
HT.CS-02 Rev. A	House Type Concept - 02 Red Brick	14.06.2019
HT.CS-03 Rev. A	House Type Concept - 03 Buff Brick	14.06.2019
HT.CS-04 Rev. A	House Type Concept - 04 Dark Boarding & Brick	14.06.2019
PR122109 11B Sheet 1 of 7	Landscape Proposals	14.06.2019
PR122109 11B Sheet 2 of 7	Landscape Proposals	14.06.2019
PR122109 11B Sheet 3 of 7	Landscape Proposals	14.06.2019
PR122109 11B Sheet 4 of 7	Landscape Proposals	14.06.2019
PR122109 11B Sheet 5 of 7	Landscape Proposals	14.06.2019
PR122109 11B Sheet 6 of 7	Landscape Proposals	14.06.2019
PR122109 11B Sheet 7 of 7	Landscape Proposals	14.06.2019
PR122109 12B Sheet 1 of 7	Hard Landscape Proposals	14.06.2019
PR122109 12B Sheet 2 of 7	Hard Landscape Proposals	14.06.2019
PR122109 12B Sheet 3 of 7	Hard Landscape Proposals	14.06.2019
PR122109 12B Sheet 4 of 7	Hard Landscape Proposals	14.06.2019
PR122109 12B Sheet 5 of 7	Hard Landscape Proposals	14.06.2019
PR122109 12B Sheet 6 of 7	Hard Landscape Proposals	14.06.2019
PR122109 12B Sheet 7 of 7	Hard Landscape Proposals	14.06.2019
PVLP01 Rev. P1	PV Location Plan - 01	14.06.2019

Retention and Protection of Existing Trees

- 2 The tree protection measures shall be carried out in accordance with the approved details outlined within Appendix 4 of the Arboriculture Implications Report.

Reason: To secure the retention of the trees within the site in the interests of visual amenity and the character of the area in accordance with policies CSTP18 and PMD2 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Biodiversity Management Plan

- 3 The Biodiversity Management Plan to be submitted to comply with the requirements

of condition no. 41 of the outline planning permission shall, in addition to the details required by that condition, include arrangements for the continuation of appropriate biodiversity management measures in perpetuity.

Reason: To ensure effects of the development upon the natural environment are adequately mitigated in accordance with policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Permitted Development Rights

- 4 Notwithstanding the provisions of Schedule 2, Part 1 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extensions shall be erected to the buildings hereby permitted without planning permission having been obtained from the local planning authority.

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

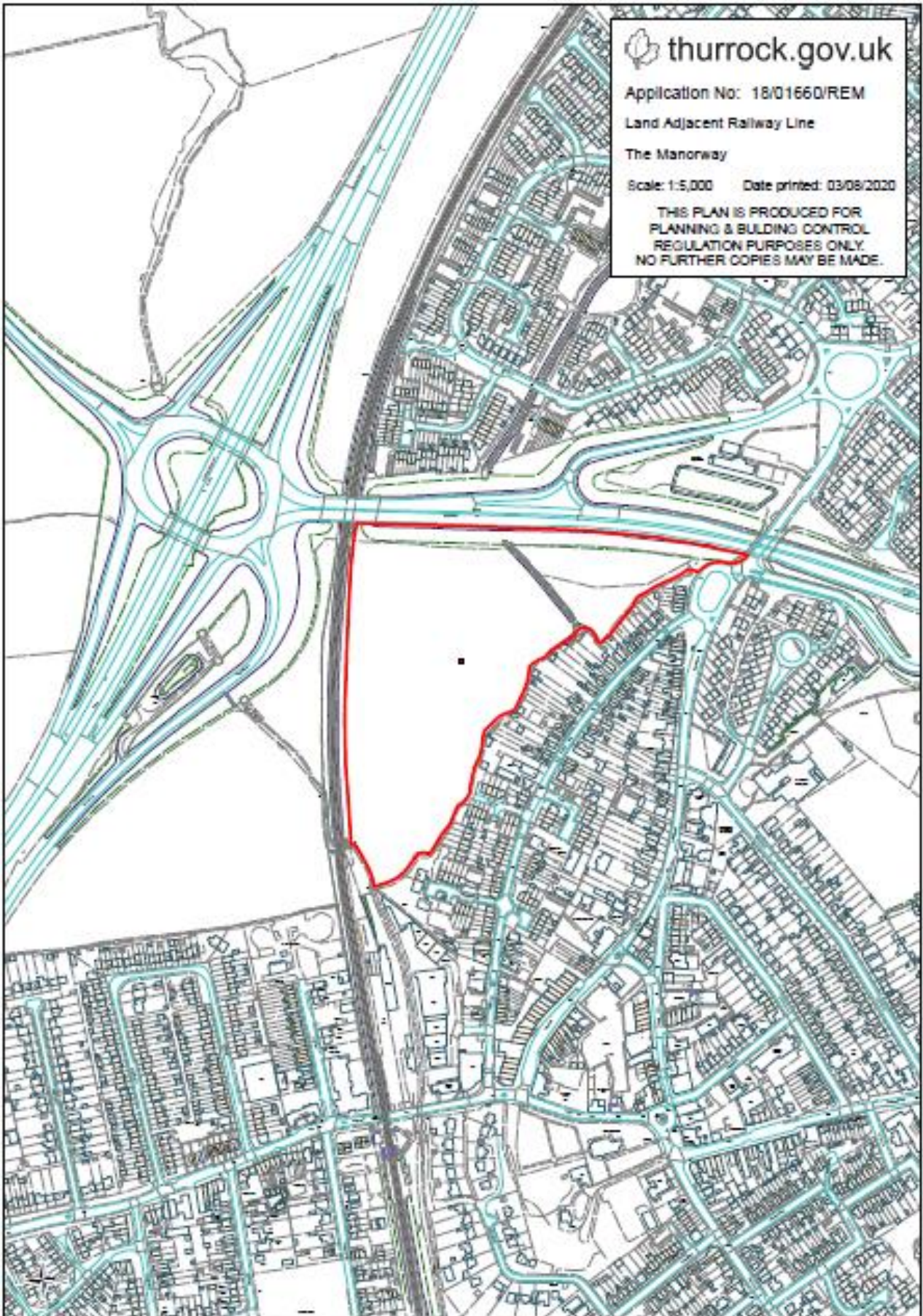
- 5 Notwithstanding the provisions of Schedule 2, Part 1 Class E of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no building/outbuilding, enclosure, swimming or other pool, container, veranda/balcony/raised platform shall be carried out on the site without planning permission having been obtained from the local planning authority.

Reason: In order to safeguard the amenities of neighbouring occupiers and in the interests of visual amenity of the area in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (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: 20/00409/TBC	Site: Davall House, Greenwood House and Butler House, Argent Street Grays Essex
Ward: Grays Riverside	Proposal: Replacement of the external wall coverings, replacement of windows, replacement of communal entrance canopies, installation of new external lighting and installation of new roof guardrails

Plan Number(s):		
Reference	Name	Received
2510505_P-GR01A	Location Plan	26 May 2020
2510505_PGR02A	Site Plan	26 May 2020
2510505_PGR03	Butler House Existing Elevations 1	26 May 2020
2510505_PGR04	Butler House Existing Elevations 2	26 May 2020
2510505_PGR05	Butler House Existing Sections 1	26 May 2020
2510505_PGR06	Butler House Existing Sections 2	26 May 2020
2510505_PGR07	Davall House Existing Elevations 1	26 May 2020
2510505_PGR08	Davall House Existing Elevations 2	26 May 2020
2510505_PGR09	Davall House Existing Sections 1	26 May 2020
2510505_PGR10	Davall House Existing Sections 2	26 May 2020
2510505_PGR11	Greenwood House Existing Elevations 1	26 May 2020
2510505_PGR12	Greenwood House Existing Elevations 2	26 May 2020
2510505_PGR13	Greenwood House Existing Sections 1	26 May 2020
2510505_PGR14	Greenwood House Existing Sections 2	26 May 2020
2510505_PGR27	Butler House Proposed Elevations 1	26 May 2020
2510505_PGR28	Butler House Proposed Elevations 2	26 May 2020
2510505_PGR29	Butler House Proposed Sections 1	26 May 2020
2510505_PGR30	Butler House Proposed Sections 2	26 May 2020
2510505_PGR31	Davall House Proposed Elevations 1	26 May 2020
2510505_PGR32	Davall House Proposed Elevations 2	26 May 2020
2510505_PGR33	Davall House Proposed Sections 1	26 May 2020
2510505_PGR34	Davall House Proposed Sections 2	26 May 2020
2510505_PGR35	Greenwood House Proposed Elevations 1	26 May 2020

2510505_PGR36	Greenwood House Proposed Elevations 2	26 May 2020
2510505_PGR37	Greenwood House Proposed Sections 1	26 May 2020
2510505_PGR38	Greenwood House Proposed Sections 2	26 May 2020
2510505_PGR51	Window Details	26 May 2020
2510505_PGR52	CGI Views	1 April 2020

The application is also accompanied by: - Design and Access Statement	
Applicant: Thurrock Council	Validated: 26 May 2020 Date of expiry: 17 August 2020 (Agreed extension of time)
Recommendation: Approve	

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 The application seeks planning permission for the replacement of the external wall coverings, windows, communal entrance canopies, roof guardrails and the installation of new external lighting at Davall House, Greenwood House and Butler House.

2.0 SITE DESCRIPTION

2.1 The application site is an L-shaped area of land on the western corner of Argent Street and Sherfield Road. The surrounding area features a variety of uses including residential properties, pubs and cafés, open parkland and Thurrock Learning Campus.

2.2 The site comprises three, broadly identical, 12-storey tower blocks, namely Davall House, Greenwood House and Butler House.

3.0 RELEVANT HISTORY

None.

4.0 CONSULTATIONS AND REPRESENTATIONS

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

PUBLICITY:

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

4.3 **BUILDING CONTROL**

No objections.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

- 5.1 The NPPF was published on 27 March 2012 and amended on 19 February 2019. Paragraph 10 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:

12. Achieving well-designed places

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 a number of 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

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

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

Thematic Policies:

- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)
- CSP27 (Management and Reduction of Flood Risk)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- 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

The planning issues to be considered in this case are:

- I. Principle of the Development
- II. Design and Layout
- III. Impact on Amenity
- IV. Flood Risk

I. PRINCIPLE OF THE DEVELOPMENT

- 6.1 The application site is currently used for residential purposes and there are no land use objections to the proposed development, subject to compliance with relevant development management policies.

II. DESIGN AND LAYOUT

- 6.2 The proposed development comprises the replacement of the external wall coverings, windows, communal entrance canopies, roof guardrails and the installation of new external lighting at the three tower blocks. There would be no change to the site layout or increase in built footprint.
- 6.3 The current cladding system for these high-rise buildings is showing signs of failure due to the fixing method and is considered to be beyond economic repair. The new materials would utilise a similar palette to the existing, namely light and dark grey, but would introduce a horizontal dark grey band at ground floor level.
- 6.4 The replacement windows would not increase overlooking but would modernise the external appearance of the buildings, in a complementary fashion.
- 6.5 The change to the entrance door and canopy would allow for a more spacious and modern character, while the additional lighting would reflect this character and provide additional security for residents.
- 6.6 The proposal would improve the appearance and character of the existing properties, resulting in a more modern style and the design would be of a high quality. The appearance of the blocks would be improved and the proposal would comply with proposals in relation to the character or appearance with the wider area. The proposals therefore comply with Policies CSTP22, CSTP23 and PMD2, associated design guidance and the NPPF
- 6.7 The Council's Building Control Officer has been consulted at this stage to consider the choice of materials proposed. It has been confirmed that throughout the construction process the Council's Technical Services Delivery team will liaise with

Building Control, the Fire Service and external engineer to ensure the latest regulations are met.

III. IMPACT ON AMENITY

- 6.8 The proposed upgrades to the external wall coverings and UPVC windows would improve thermal comfort for the residents.
- 6.9 The proposals would result in no adverse impact upon neighbour amenity and would comply with Policy PMD1.

IV. FLOOD RISK

- 6.10 The application site lies partially within Flood Zone 3, however, no Flood Risk Assessment is required as the proposal relates to the external appearance of the buildings only and the proposals would therefore comply with Policies CSTP27 or PMD15 in regard to flood risk.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 The principle of the development is acceptable. The proposed changes to the appearance and the installation of new external lighting will modernise the external appearance of the buildings, improve thermal comfort for residents, improve safety and protect the buildings into the future.
- 7.2 In relation to design, appearance, and amenity impacts the proposal would be acceptable.
- 7.3 Accordingly, the proposals are considered to comply with Policies CSTP22, CSTP23 PMD1 and PMD2 of the Core Strategy 2015.

8.0 RECOMMENDATION

- 8.1 Approve, subject to the following 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
2510505_P-GR01A	Location Plan	26 May 2020
2510505_PGR02A	Site Plan	26 May 2020
2510505_PGR03	Butler House Existing Elevations 1	26 May 2020
2510505_PGR04	Butler House Existing Elevations 2	26 May 2020
2510505_PGR05	Butler House Existing Sections 1	26 May 2020
2510505_PGR06	Butler House Existing Sections 2	26 May 2020
2510505_PGR07	Davall House Existing Elevations 1	26 May 2020
2510505_PGR08	Davall House Existing Elevations 2	26 May 2020
2510505_PGR09	Davall House Existing Sections 1	26 May 2020
2510505_PGR10	Davall House Existing Sections 2	26 May 2020
2510505_PGR11	Greenwood House Existing Elevations 1	26 May 2020
2510505_PGR12	Greenwood House Existing Elevations 2	26 May 2020
2510505_PGR13	Greenwood House Existing Sections 1	26 May 2020
2510505_PGR14	Greenwood House Existing Sections 2	26 May 2020
2510505_PGR27	Butler House Proposed Elevations 1	26 May 2020
2510505_PGR28	Butler House Proposed Elevations 2	26 May 2020
2510505_PGR29	Butler House Proposed Sections 1	26 May 2020
2510505_PGR30	Butler House Proposed Sections 2	26 May 2020
2510505_PGR31	Davall House Proposed Elevations 1	26 May 2020
2510505_PGR32	Davall House Proposed Elevations 2	26 May 2020
2510505_PGR33	Davall House Proposed Sections 1	26 May 2020
2510505_PGR34	Davall House Proposed Sections 2	26 May 2020
2510505_PGR35	Greenwood House Proposed Elev 1	26 May 2020
2510505_PGR36	Greenwood House Proposed Elev 2	26 May 2020
2510505_PGR37	Greenwood House Proposed Sections 1	26 May 2020
2510505_PGR38	Greenwood House Proposed Sections 2	26 May 2020
2510505_PGR51	Window Details	26 May 2020
2510505_PGR52	CGI Views	1 April 2020

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

MATERIALS AND FINISHES AS DETAILED WITHIN APPLICATION

- The materials to be used on the external surfaces of the development hereby permitted shall be implemented as detailed within the application.

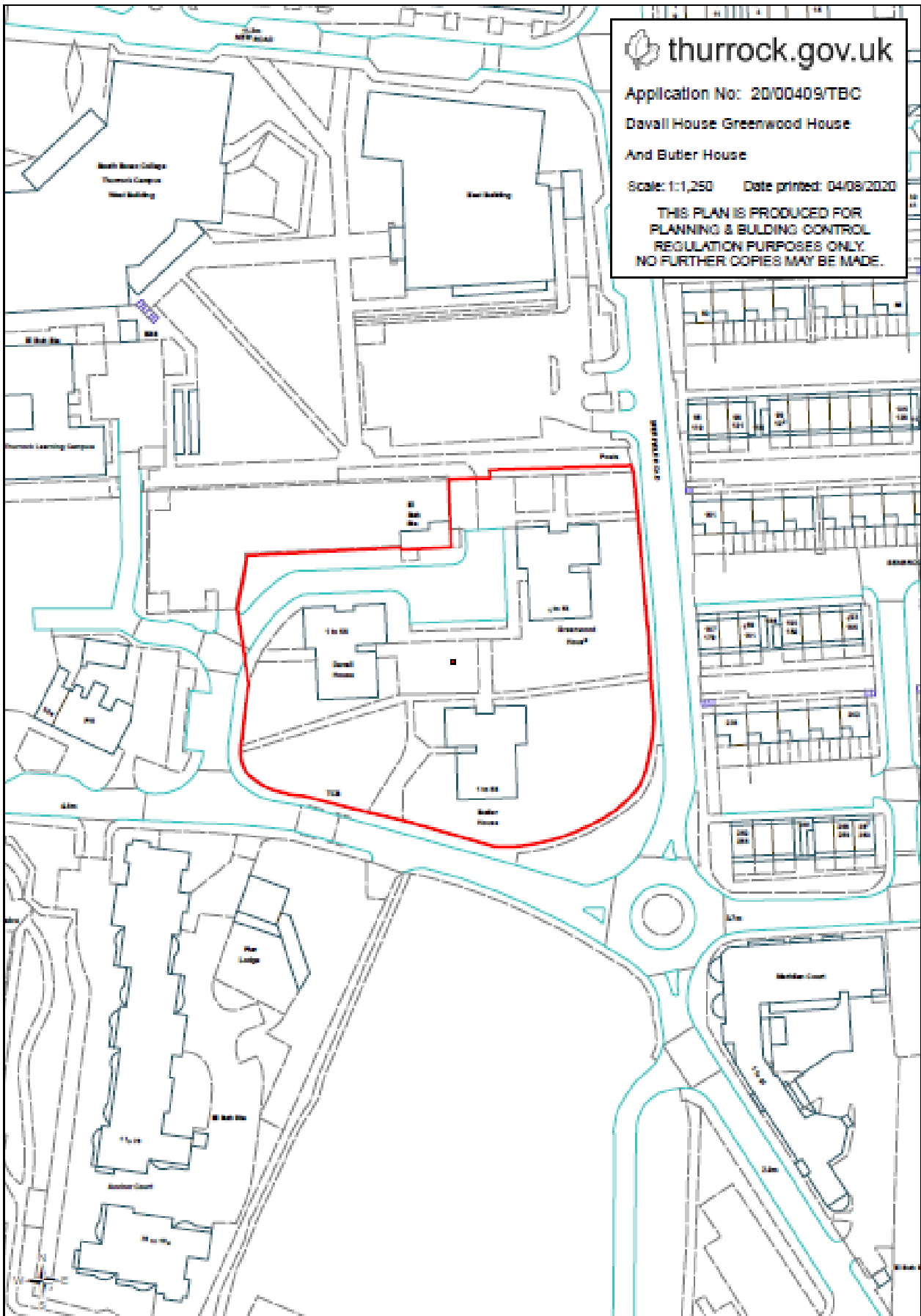
Reason: In the interests of visual amenity and to ensure that the proposed development is integrated with its surroundings in accordance with policy PMD2 of

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

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: 20/00410/TBC	Site: Bevan House And Morrison House Jesmond Road Grays Essex
Ward: Little Thurrock Blackshots	Proposal: Replacement of the external wall coverings, replacement of windows, replacement of communal entrance canopies, replacement of roof guardrails and installation of new external lighting at Bevan House and Morrison House.

Plan Number(s):		
Reference	Name	Received
BL01 A	Location Plan	26th May 2020
BL02 A	Site Plan	26th May 2020
BL03	Bevan House Existing Elevations 1	26th May 2020
BL04	Bevan House Existing Elevations 2	26th May 2020
BL05	Bevan House Existing Sections 1	26th May 2020
BL06	Bevan House Existing Sections 2	26th May 2020
BL11	Morrison House Existing Elevations 1	26th May 2020
BL12	Morrison House Existing Elevations 2	26th May 2020
BL13	Morrison House Existing Sections 1	26th May 2020
BL14	Morrison House Existing Sections 2	26th May 2020
BL15	Bevan House Proposed Elevations 1	26th May 2020
BL16	Bevan House Proposed Elevations 2	26th May 2020
BL17	Bevan House Proposed Sections 1	26th May 2020
BL18	Bevan House Proposed Sections 2	26th May 2020
BL23	Morrison House Proposed Elevations 1	26th May 2020
BL24	Morrison House Proposed Elevations 2	26th May 2020
BL25	Morrison House Proposed Sections 1	26th May 2020
BL26	Morrison House Proposed Sections 2	26th May 2020
BL27	Window Details	26th May 2020
BL28	CGI View	1 April 2020

The application is also accompanied by:

- Design and Access Statement: Rev A

<p>Applicant: Thurrock Council</p>	<p>Validated: 26 May 2020 Date of expiry: 17 August 2020 (Agreed extension of time)</p>
<p>Recommendation: Approve</p>	

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 The application seeks planning permission for the replacement of the external wall coverings, windows, communal entrance canopies, roof guardrails and the installation of new external lighting at Bevan House and Morrison House.

2.0 SITE DESCRIPTION

2.1 The application site is a largely rectangular area of land to the south of Laird Avenue and to the west of Jesmond Road, on the northern edge of Blackshots / King George's Field.

2.2 The site comprises two, broadly identical, 12-storey tower blocks, Bevan House and Morrison House.

3.0 RELEVANT HISTORY

None.

4.0 CONSULTATIONS AND REPRESENTATIONS

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

PUBLICITY:

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

4.3 **BUILDING CONTROL:**

No objections.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

- 5.1 The NPPF was published on 27 March 2012 and amended on 19 February 2019. Paragraph 10 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:

12. Achieving well-designed places

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 a number of 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

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

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

Thematic Policies:

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

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)

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

The planning issues to be considered in this case are:

- I. Principle of the Development
- II. Design and Layout
- III. Impact on Amenity

I. PRINCIPLE OF THE DEVELOPMENT

- 6.1 The application site is currently used for residential purposes and there are no land use objections to the proposed development, subject to compliance with relevant development management policies.

II. DESIGN AND LAYOUT

- 6.2 The proposed development comprises the replacement of the external wall coverings, windows, communal entrance canopies, roof guardrails and the installation of new external lighting at the three tower blocks. There would be no change to the site layout or increase in built footprint.
- 6.3 The current cladding system for these high-rise buildings is showing signs of failure due to the fixing method and is considered to be beyond economic repair. The new materials would utilise a similar palette to the existing, namely light and dark grey, but would introduce a horizontal dark grey band at ground floor level.
- 6.4 The replacement windows would not increase overlooking but would modernise the external appearance of the buildings, in a complementary fashion.
- 6.5 The change to the entrance door and canopy would allow for a more spacious and modern character, while the additional lighting would reflect this character and provide additional security for residents.
- 6.6 The proposal would improve the appearance and character of the existing properties, resulting in a more modern style and the design would be of a high quality. The appearance of the blocks would be improved and the proposal would comply with proposals in relation to the character or appearance with the wider area. The proposals therefore comply with Policies CSTP22, CSTP23 and PMD2, associated design guidance and the NPPF
- 6.7 The Council's Building Control Officer has been consulted at this stage to consider the choice of materials proposed. It has been confirmed that throughout the construction process the Council's Technical Services Delivery team will liaise with Building Control, the Fire Service and external engineer to ensure the latest regulations are met.

III. IMPACT ON AMENITY

- 6.8 The proposed upgrades to the external wall coverings and UPVC windows would improve thermal comfort for the residents.
- 6.9 The proposals would result in no adverse impact upon neighbour amenity and would comply with Policy PMD1.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 The principle of the development is acceptable. The proposed changes to the appearance and the installation of new external lighting will modernise the external appearance of the buildings, improve thermal comfort for residents, improve safety and protect the buildings into the future.
- 7.2 In relation to design, appearance, and amenity impacts the proposal would be acceptable.

7.3 Accordingly, the proposals are considered to comply with Policies CSTP22, CSTP23 PMD1 and PMD2 of the Core Strategy, associated design guidance and the NPPF.

8.0 RECOMMENDATION

8.1 Approve, subject to the following 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
BL01 A	Location Plan	26th May 2020
BL02 A	Site Plan	26th May 2020
BL03	Bevan House Existing Elevations 1	26th May 2020
BL04	Bevan House Existing Elevations 2	26th May 2020
BL05	Bevan House Existing Sections 1	26th May 2020
BL06	Bevan House Existing Sections 2	26th May 2020
BL11	Morrison House Existing Elevations 1	26th May 2020
BL12	Morrison House Existing Elevations 2	26th May 2020
BL13	Morrison House Existing Sections 1	26th May 2020
BL14	Morrison House Existing Sections 2	26th May 2020
BL15	Bevan House Proposed Elevations 1	26th May 2020
BL16	Bevan House Proposed Elevations 2	26th May 2020
BL17	Bevan House Proposed Sections 1	26th May 2020
BL18	Bevan House Proposed Sections 2	26th May 2020
BL23	Morrison House Proposed Elevations 1	26th May 2020
BL24	Morrison House Proposed Elevations 2	26th May 2020
BL25	Morrison House Proposed Sections 1	26th May 2020
BL26	Morrison House Proposed Sections 2	26th May 2020
BL27	Window Details	26th May 2020
BL28	CGI View	1 April 2020

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

MATERIALS AND FINISHES AS DETAILED WITHIN APPLICATION

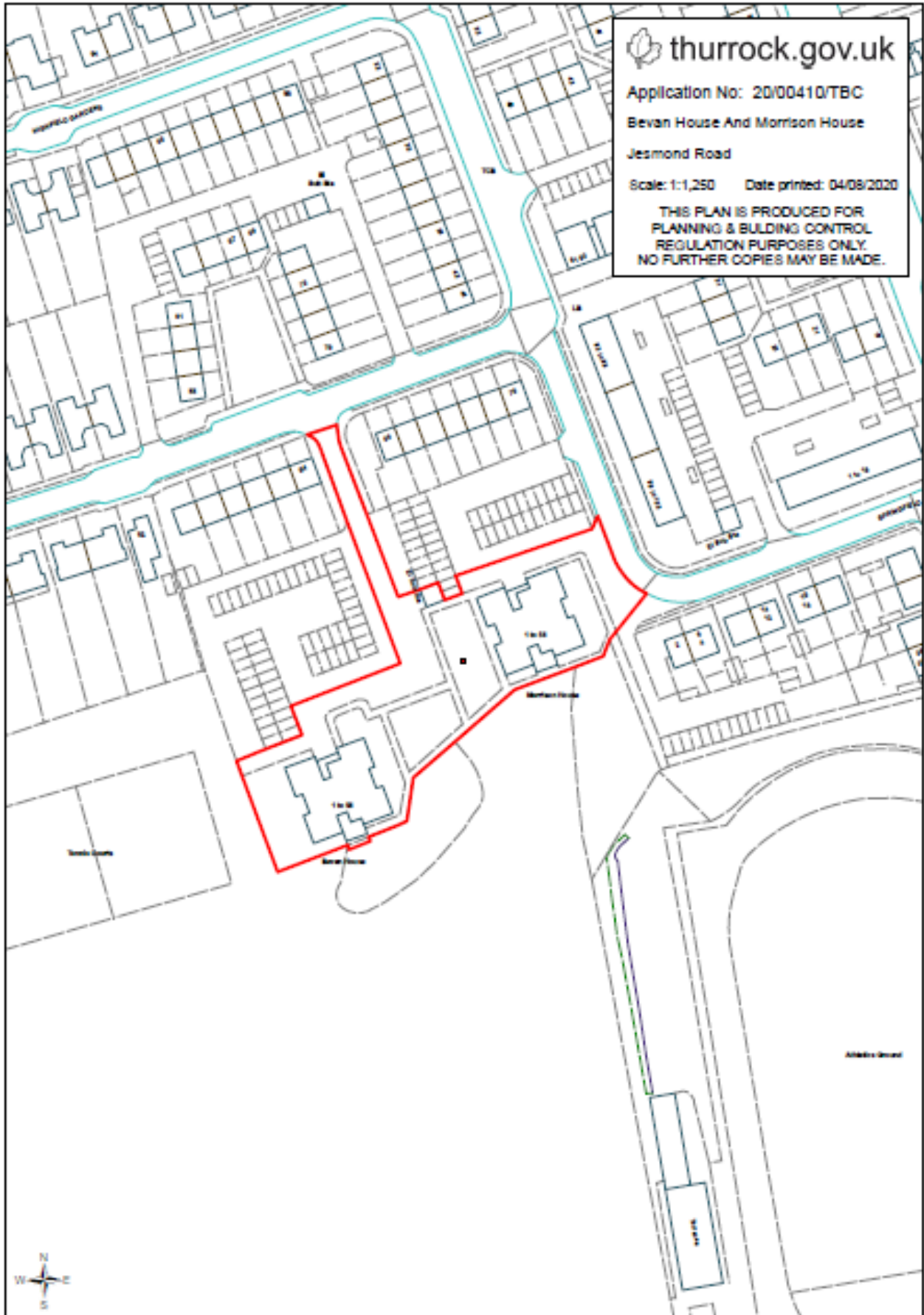
3. The materials to be used on the external surfaces of the development hereby permitted shall be implemented as detailed within the application.

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].

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: 20/00616/TBC	Site: Keir Hardie House Milford Road Grays Essex
Ward: Little Thurrock Blackshots	Proposal: Replacement of the external wall coverings, replacement of windows, replacement of communal entrance canopies, replacement of roof guardrails and installation of new external lighting at Keir Hardie House, Grays.

Plan Number(s):		
Reference	Name	Received
2510505_P-BL07	Existing Elevations 1	28th May 2020
2510505_P-BL08	Existing Elevations 2	28th May 2020
2510505_P-BL09	Existing Sections 1	28th May 2020
2510505_P-BL10	Existing Sections 2	28th May 2020
2510505_P-BL101	Location Plan	28th May 2020
2510505_P-BL102	Site Layout	28th May 2020
2510505_P-BL19	Proposed Elevations 1	28th May 2020
2510505_P-BL20	Proposed Elevations 2	28th May 2020
2510505_P-BL21	Proposed Sections 1	28th May 2020
2510505_P-BL22	Proposed Sections 2	28th May 2020
2510505_P-BL27	Window Details	28th May 2020

The application is also accompanied by: - Design and Access Statement	
Applicant: Thurrock Council	Validated: 2 June 2020 Date of expiry: 17 August 2020 (Extension of Time As agreed with Applicant)
Recommendation: Approve	

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 The application seeks planning permission for the replacement of the external wall coverings, windows, communal entrance canopies, roof guardrails and the installation of new external lighting at Kier Hardie House on Milford Road

2.0 SITE DESCRIPTION

- 2.1 The application site is a largely rectangular area of land on the north eastern corner of Milford Road, bordered to the west and south by residential properties and by the Metropolitan Green Belt to the north and east.

- 2.2 Kier Hardie House is a 12-storey tower block dating from the 1960s.

3.0 RELEVANT HISTORY

None

4.0 CONSULTATIONS AND REPRESENTATIONS

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

PUBLICITY:

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

4.3 BUILDING CONTROL:

No objections.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

- 5.1 The NPPF was published on 27 March 2012 and amended on 19 February 2019. Paragraph 10 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:

12. Achieving well-designed places

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 a number of 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

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

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

Thematic Policies:

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

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)

- PMD2 (Design and Layout)

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

The planning issues to be considered in this case are:

- I. Principle of the Development
- II. Design and Layout
- III. Impact on Amenity

I. PRINCIPLE OF THE DEVELOPMENT

- 6.1 The application site is currently used for residential purposes and there are no land use objections to the proposed development, subject to compliance with relevant development management policies.

II. DESIGN AND LAYOUT

- 6.2 The proposed development comprises the replacement of the external wall coverings, windows, communal entrance canopies, roof guardrails and the installation of new external lighting at the three tower blocks. There would be no change to the site layout or increase in built footprint.

- 6.3 The current cladding system for these high-rise buildings is showing signs of failure due to the fixing method and is considered to be beyond economic repair. The new materials would utilise a similar palette to the existing, namely light and dark grey, but would introduce a horizontal dark grey band at ground floor level.
- 6.4 The replacement windows would not increase overlooking but would modernise the external appearance of the buildings, in a complementary fashion.
- 6.5 The change to the entrance door and canopy would allow for a more spacious and modern character, while the additional lighting would reflect this character and provide additional security for residents.
- 6.6 The proposal would improve the appearance and character of the existing properties, resulting in a more modern style and the design would be of a high quality. The appearance of the blocks would be improved and the proposal would comply with proposals in relation to the character or appearance with the wider area. The proposals therefore comply with Policies CSTP22, CSTP23 and PMD2, associated design guidance and the NPPF
- 6.7 The Council's Building Control Officer has been consulted at this stage to consider the choice of materials proposed. It has been confirmed that throughout the construction process the Council's Technical Services Delivery team will liaise with Building Control, the Fire Service and external engineer to ensure the latest regulations are met.
- III. Impact on Amenity
- 6.8 The proposed upgrades to the external wall coverings and UPVC windows would improve thermal comfort for the residents.
- 6.9 The proposals would result in no adverse impact upon neighbour amenity and would comply with Policy PMD1.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 The principle of the development is acceptable. The proposed changes to the appearance and the installation of new external lighting will modernise the external appearance of the buildings, improve thermal comfort for residents, improve safety and protect the buildings into the future.
- 7.2 In relation to design, appearance, and amenity impacts the proposal would be acceptable.
- 7.3 Accordingly, the proposals are considered to comply with Policies CSTP22, CSTP23 PMD1 and PMD2 of the Core Strategy as amended (2015).

8.0 RECOMMENDATION

- 8.1 Approve, subject to the following 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
2510505_P-BL07	Existing Elevations 1	28th May 2020
2510505_P-BL08	Existing Elevations 2	28th May 2020
2510505_P-BL09	Existing Sections 1	28th May 2020
2510505_P-BL10	Existing Sections 2	28th May 2020
2510505_P-BL101	Location Plan	28th May 2020
2510505_P-BL102	Site Layout	28th May 2020
2510505_P-BL19	Proposed Elevations 1	28th May 2020
2510505_P-BL20	Proposed Elevations 2	28th May 2020
2510505_P-BL21	Proposed Sections 1	28th May 2020
2510505_P-BL22	Proposed Sections 2	28th May 2020
2510505_P-BL27	Window Details	28th May 2020

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

MATERIALS AND FINISHES AS DETAILED WITHIN APPLICATION

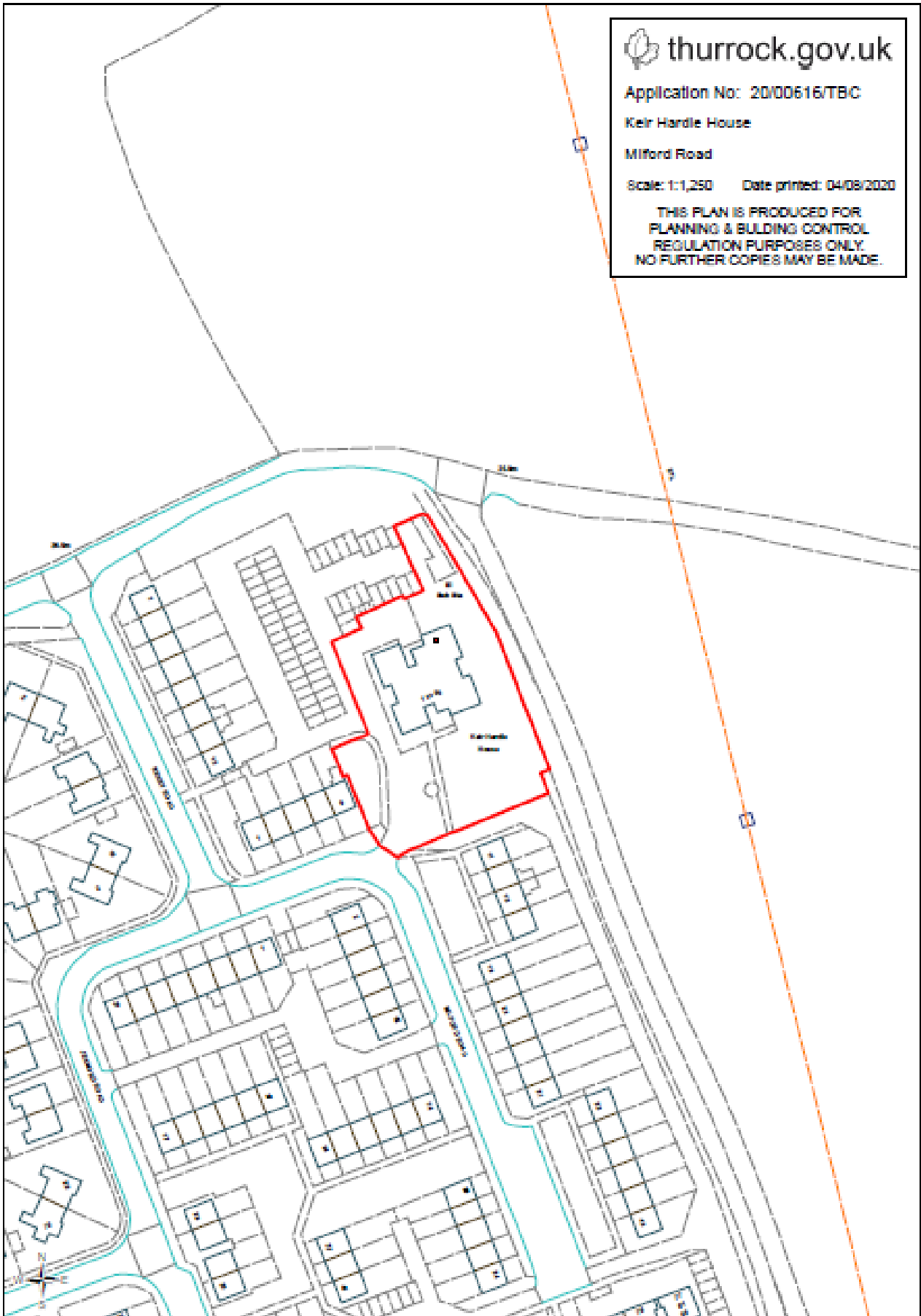
3. The materials to be used on the external surfaces of the development hereby permitted shall be implemented as detailed within the application.

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].

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: 20/00617/TBC	Site: Arthur Toft House George Crooks House And Lionel Oxley House New Road Grays Essex
Ward: Grays Riverside	Proposal: Replacement of the external wall coverings, replacement of windows, replacement of communal entrance canopies, installation of new external lighting and installation of new roof guardrails at Arthur Toft House, George Crooks House and Lionel Oxley House, Grays.

Plan Number(s):		
Reference	Name	Received
2510505_P-GR101	Location Plan	28th May 2020
2510505_P-GR102	Site Layout	28th May 2020
2510505_P-GR15	Arthur Toft House Existing Elevations 1	28th May 2020
2510505_P-GR16	Arthur Toft House Existing Elevations 2	28th May 2020
2510505_P-GR17	Arthur Toft House Existing Sections 1	28th May 2020
2510505_P-GR18	Arthur Toft House Existing Sections 2	28th May 2020
2510505_P-GR19	George Crooks House Existing Elevations 1	28th May 2020
2510505_P-GR20	George Crooks House Existing Elevations 2	28th May 2020
2510505_P-GR21	George Crooks House Existing Sections 1	28th May 2020
2510505_P-GR22	George Crooks House Existing Sections 2	28th May 2020
2510505_P-GR23	Lionel Oxley House Existing Elevations 1	28th May 2020
2510505_P-GR24	Lionel Oxley House Existing Elevations 2	28th May 2020
2510505_P-GR25	Lionel Oxley House Existing Sections 1	28th May 2020
2510505_P-GR26	Lionel Oxley House Existing Sections 2	28th May 2020
2510505_P-GR39	Arthur Toft House Proposed Elevations 1	28th May 2020
2510505_P-GR40	Arthur Toft House Proposed Elevations 2	28th May 2020
2510505_P-GR41	Arthur Toft House Proposed Sections 1	28th May 2020
2510505_P-GR42	Arthur Toft House Proposed Sections 2	28th May 2020
2510505_P-GR43	George Crooks House Proposed Elevations 1	28th May 2020
2510505_P-GR44	George Crooks House Proposed Elevations 2	28th May 2020
2510505_P-GR45	George Crooks House Proposed Sections 1	28th May 2020
2510505_P-GR46	George Crooks House Proposed Sections 2	28th May 2020
2510505_P-GR47	Lionel Oxley House Proposed Elevations 1	28th May 2020

2510505_P-GR48	Lionel Oxley House Proposed Elevations 2	28th May 2020
2510505_P-GR49	Lionel Oxley House Proposed Sections 1	28th May 2020
2510505_P-GR50	Lionel Oxley House Proposed Sections 2	28th May 2020
2510505_P-GR51	Window Details	28th May 2020

The application is also accompanied by:	
- Design and Access Statement	
Applicant: Thurrock Council	Validated: 27 May 2020 Date of expiry: 17 August 2020 (Agreed extension of time)
Recommendation:	

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 The application seeks permission for the replacement of the external wall coverings, windows, communal entrance canopies and roof guardrails and installation of new external lighting at Arthur Toft House, George Crooks House and Lionel Oxley House.

2.0 SITE DESCRIPTION

2.1 The application site is a largely triangular area of land to the on the southern side of New Road, bordered by Exmouth Road to the west, Argent Street to the south, Bridge Road to the east, and New Road and the railway line to the north.

2.2 The site comprises three, broadly identical, 15-storey tower blocks, namely Arthur Toft House, George Crooks House and Lionel Oxley House.

2.3 The application site falls within the Zone of Influence within the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Zone of Influence but is not considered a relevant development in relation to the ecological impacts.

3.0 RELEVANT HISTORY

None.

4.0 CONSULTATIONS AND REPRESENTATIONS

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

PUBLICITY:

4.2 This application has been advertised by way of individual neighbour notification letters, press advert and public site notice which has been displayed nearby. Seven comments have been received from four properties within one of the blocks on the application site, objecting to the application on the following grounds:

- Contrary to Local Plan
- Contrary to NPPF
- Contrary to Town and Country Planning Act 1990
- Contrary to Town and Country Planning Act 2015
- Contrary to Planning Practice Guidance
- Contrary to Thurrock Planning Strategy
- Non-compliance with the Development Management Procedure Regulations [DMPR], Town and Country Planning (Development Management Procedure) Regulations
- Lack of proportionality assessment
- Lack of Viability assessment
- Lack of other options / alternatives
- Lack of Environmental Impact Assessment
- Unsubstantiated benefits
- Lack of access and design plans
- Public hearing required

4.3 BUILDING CONTROL:

No objections.

4.4 NETWORK RAIL:

No objections.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

- 5.1 The NPPF was published on 27 March 2012 and amended on 19 February 2019. Paragraph 10 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:

12. Achieving well-designed places

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 a number of 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

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

- 5.3 The Council adopted the “Core Strategy and Policies for the Management of

Development Plan Document” in (as amended) in January 2015. The following Core Strategy policies apply to the proposals:

Thematic Policies:

- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)
- CSP27 (Management and Reduction of Flood Risk)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- 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

The planning issues to be considered in this case are:

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

III. Impact on Amenity

IV. Flood Risk

I. PRINCIPLE OF THE DEVELOPMENT

- 6.1 The application site is currently used for residential purposes and there are no land use objections to the proposed development, subject to compliance with relevant development management policies.

II. DESIGN AND LAYOUT

- 6.2 The proposed development comprises the replacement of the external wall coverings, windows, communal entrance canopies, roof guardrails and the installation of new external lighting at the three tower blocks. There would be no change to the site layout or increase in built footprint.
- 6.3 The current cladding system for these high-rise buildings is showing signs of failure due to the fixing method and is considered to be beyond economic repair. The new materials would utilise a similar palette to the existing, namely light and dark grey, but would introduce a horizontal dark grey band at ground floor level.
- 6.4 The replacement windows would not increase overlooking but would modernise the external appearance of the buildings, in a complementary fashion.
- 6.5 The change to the entrance door and canopy would allow for a more spacious and modern character, while the additional lighting would reflect this character and provide additional security for residents.
- 6.6 The proposal would improve the appearance and character of the existing properties, resulting in a more modern style and the design would be of a high quality. The appearance of the blocks would be improved and the proposal would comply with proposals in relation to the character or appearance with the wider area. The proposals therefore comply with Policies CSTP22, CSTP23 and PMD2, associated design guidance and the NPPF
- 6.7 The Council's Building Control Officer has been consulted at this stage to consider the choice of materials proposed. It has been confirmed that throughout the construction process the Council's Technical Services Delivery team will liaise with Building Control, the Fire Service and external engineer to ensure the latest regulations are met.

III. IMPACT ON AMENITY

- 6.8 Seven letters of objection have been received from occupiers of the site. The letters raise concern, amongst other matters, that the proposals would be contrary to local and national planning policy and that an Environmental Impact Assessment (EIA)

and Viability Assessment would be required. The proposals would be fully compliant with both local and national planning policies and, given the scale of the development, would not require the submission of an EIA or Viability Assessment.

- 6.9 The proposed upgrades to the external wall coverings and UPVC windows would improve thermal comfort for the residents.
- 6.10 The proposals would result in no adverse impact upon neighbour amenity and would comply with Policy PMD1.

IV. FLOOD RISK

- 6.11 The application site lies partially within Flood Zone 3, however, no Flood Risk Assessment is required to replace existing materials and the proposals would not conflict with Policies CSTP27 or PMD15 in regard to flood risk.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 The application site is within a residential area and so the principle of development has been established. The replacement of the external wall coverings, windows, communal entrance canopies, roof guardrails and the installation of new external lighting will modernise the external appearance of the buildings, improve thermal comfort for residents and protect the structures into the future.
- 7.2 In relation to design, appearance, and amenity impacts the proposal would be acceptable.
- 7.3 Accordingly, the proposals are considered to comply with Policies CSTP22, CSTP23 PMD1 and PMD2 of the Core Strategy, associated design guidance and the NPPF.

8.0 RECOMMENDATION

- 8.1 Approve, subject to the following 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.

APPROVED PLANS

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

Plan Number(s):		
Reference	Name	Received
2510505_P-GR101	Location Plan	28th May 2020
2510505_P-GR102	Site Layout	28th May 2020
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2510505_P-GR24	Lionel Oxley House Existing Elevations 2	28th May 2020
2510505_P-GR25	Lionel Oxley House Existing Sections 1	28th May 2020
2510505_P-GR26	Lionel Oxley House Existing Sections 2	28th May 2020
2510505_P-GR39	Arthur Toft House Proposed Elevations 1	28th May 2020
2510505_P-GR40	Arthur Toft House Proposed Elevations 2	28th May 2020
2510505_P-GR41	Arthur Toft House Proposed Sections 1	28th May 2020
2510505_P-GR42	Arthur Toft House Proposed Sections 2	28th May 2020
2510505_P-GR43	George Crooks House Proposed Elevations 1	28th May 2020
2510505_P-GR44	George Crooks House Proposed Elevations 2	28th May 2020
2510505_P-GR45	George Crooks House Proposed Sections 1	28th May 2020
2510505_P-GR46	George Crooks House Proposed Sections 2	28th May 2020
2510505_P-GR47	Lionel Oxley House Proposed Elevations 1	28th May 2020
2510505_P-GR48	Lionel Oxley House Proposed Elevations 2	28th May 2020
2510505_P-GR49	Lionel Oxley House Proposed Sections 1	28th May 2020
2510505_P-GR50	Lionel Oxley House Proposed Sections 2	28th May 2020
2510505_P-GR51	Window Details	28th May 2020

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

MATERIALS AND FINISHES AS DETAILED WITHIN APPLICATION

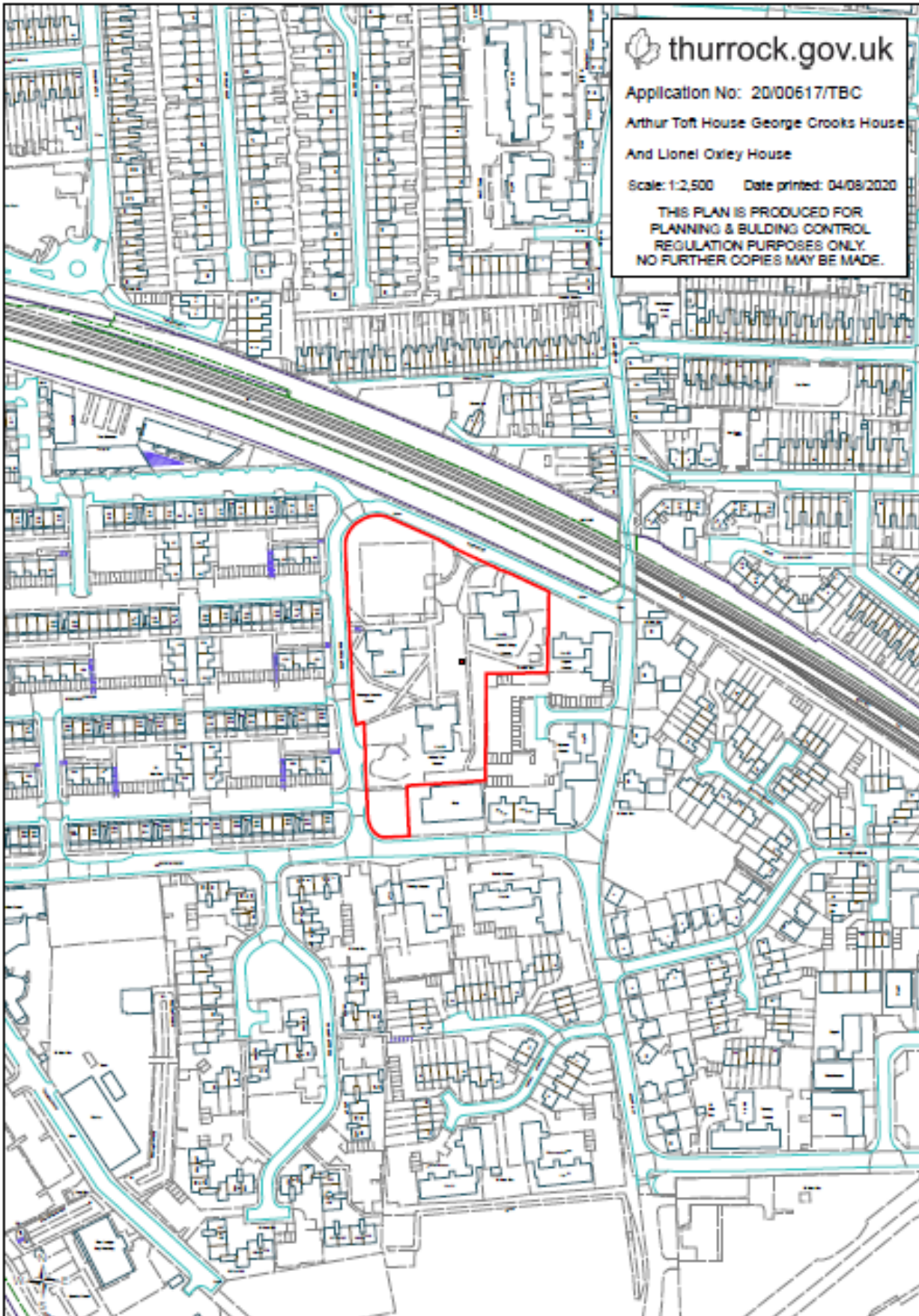
- The materials to be used on the external surfaces of the development hereby permitted shall be implemented as detailed within the application.

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].

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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