

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 **19 August 2021**

Council Chamber, Civic Offices, New Road, Grays, Essex, RM17 6SL (limited seating) and livestreamed via www.thurrock.gov.uk/webcast

Due to the COVID-19 virus, there will be limited seating available for the press and members of the public to physically attend council meetings. These seats will be prioritised for registered speakers which will be one seat per speaker.

Anyone wishing to attend physically should email direct-democracy@thurrock.gov.uk to book a seat. Alternatively, council meetings can be watched live via the Council's online webcast channel: www.thurrock.gov.uk/webcast

Membership:

Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Gary Byrne, Colin Churchman, Mike Fletcher, James Halden, Terry Piccolo, Georgette Polley and Lee Watson

Steve Taylor, Campaign to Protect Rural England Representative

Substitutes:

Councillors Qaisar Abbas, Abbie Akinbohun, Susan Little, Bukky Okunade and Elizabeth Rigby

Agenda

Open to Public and Press

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1 Apologies for Absence

2 Minutes

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To approve as a correct record the minutes of the Planning

Committee meeting held on 15 July 2021.

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 - 30

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 20/00592/OUT The Springhouse, Springhouse Road, Corringham, Essex, SS17 7QT (deferred) 31 - 88

9 21/00931/FUL Thurrock Football Club, Ship Lane, Aveley, Essex RM19 1YN 89 - 126

10 20/01761/FUL - Windy Ridge, 251 Branksome Avenue, Stanford Le Hope, Essex, SS17 8DF 127 - 154

Queries regarding this Agenda or notification of apologies:

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

Agenda published on: **11 August 2021**

Information for members of the public and councillors

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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 15 July 2021 at 6.00 pm

Present: Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Gary Byrne, Terry Piccolo, Georgette Polley, Lee Watson, Abbie Akinbohun (Substitute) (substitute for James Halden) and Susan Little (Substitute) (substitute for Colin Churchman)

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillors Colin Churchman, Mike Fletcher and James Halden

In attendance:

Ian Hunt, Assistant Director Law and Governance and Monitoring Officer
Leigh Nicholson, Assistant Director of Planning, Transport and Public Protection
Louise Reid, Strategic Lead - Development Services
Jonathan Keen, Principal Planner
Matthew Gallagher, Major Applications Manager
Nadia Houghton, Principal Planner
Lucy Mannion, Senior Planning Officer
Julian Howes, Senior Highway Engineer
Caroline Robins, Locum Solicitor
Wendy Le, Senior Democratic Services Officer

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

12. Minutes

The minutes of the meeting held on 10 June 2021 was approved as a true and correct record.

13. Item of Urgent Business

There were no items of urgent business.

14. Declaration of Interests

Councillor Byrne declared that he was pre-determined on 20/01743/FUL, 20/01811/FUL and 21/00073/FUL. He stated that he would remove himself from participating on these items.

Councillor Piccolo declared that he had presented a speaker statement at the request of his residents on 20/01743/FUL when it had been considered at Planning Committee previously. He stated that he would keep an open mind and listen to the officer's presentation and committee debate before making a decision.

Councillor Little declared that residents in her ward had contacted her about 21/00077/FUL and she had directed them to their other Ward Councillor, Barry Johnson as she would be sitting on this Planning Committee meeting.

15. 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 that correspondence had been received from Jennifer Wrayton on 20/01662/OUT and from Adam Beckford on 21/00073/FUL.

16. Planning Appeals

The Committee was satisfied with the report.

RESOLVED:

That the report be noted.

17. London Gateway Logistics Park Local Development Order

The Chair stated that he was employed by DP World and would remove himself from participating on this item. The Vice-Chair would chair this item in his place.

Matthew Gallagher presented the report.

There were no questions or comments from the Committee.

RESOLVED:

That the report was noted.

18. 20/01743/FUL Stanford Le Hope Railway Station, London Road, Stanford Le Hope, Essex, SS17 0JX

The report was presented by Lucy Mannion.

Councillor Little asked if the footbridge was for passengers or for the general public. She also sought clarification on the location of the bus stop and commented that there could be potential traffic queues if the bus was stopping on the road for pick up/drop off. Lucy Mannion answered the footbridge was for passengers. She said that the application was for the station building and

that it did not include the bus facilities whereas the previous application had. She said that the daybreak site next to the station had room for buses to turn around.

Councillor Little pointed out that some Ensign buses were large so needed adequate room to turn. She was concerned that the application would be approved but without plans for a bus stop or a facility for buses to turn around. She also pointed out that the general public was currently able to access the footbridge. Julian Howes explained that buses would stop where they currently stopped now just east of the station and west of the station in a layby. There was a potential that the Daybreak Windows site would have a transport hub with a bus turn round facility. He went on to say that the current station layout did not have a turnaround facility and the proposal did not have one either so the Highways Team had no objection on this part. He explained that members of the public should not be able to access the footbridge and had not been able to in the past but there were times when the barriers were open and pedestrians were able to access the footbridge. The footbridge had always been the station side of the development and only train passengers were able to access the footbridge.

Speaker Statements were heard from:

- Shane Hebb, Ward Councillor – in support.
- Colin Black, Applicant's Representative – in support.

Steve Taylor sought clarification on who owned the land. He also said that there was a missed opportunity in the proposals for a pedestrian footbridge. Lucy Mannion answered that Network Rail owned the land which was leased to c2c. Julian Howes added that installing a footbridge would involve a lot of logistics in another location.

Councillor Piccolo said that he was concerned over how long the project had taken to complete and felt it would take longer in the winter months to come. He commented that a bus layby was needed but that the Committee needed to consider the application that was before them on its own merits. He pointed out that some projects would come in separate applications due to the separate phases of each project. He said that it would not be fair to delay this application to wait for other applications that was related to this project. Councillor Polley said that Members comments needed to be considered to help shape the masterplan but agreed that it was the application before Committee that needed to be considered. Councillor Watson said that care around the lizards on the site should be taken during construction and asked if the transport phase would come to Committee for consideration. It was confirmed that this would.

The Chair proposed the officer's recommendation to approve planning permission and was seconded by Councillor Piccolo.

(Councillor Byrne did not participate in this application due to his declaration of interest.)

FOR: (7) Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Terry Piccolo, Georgette Polley, Lee Watson, Abbie Akinbohun and Susan Little.

AGAINST: (0)

ABSTAINED: (0)

19. 20/01662/OUT Greenwise Nurseries, Vange Park Road, Vange, SS16 5LA

The report was presented by Jonathan Keen.

There were no questions.

Speaker statements were heard from:

- Russell Forde, Agent – in support.

The Chair noted that the previous application had proposed all custom build homes and that the current application now included affordable housing which was not considered appropriate development on Green Belt (GB). He asked if Basildon Council had commented on this application as well. Jonathan Keen explained that the affordable housing factor had been given some weight in balancing the harm to the GB. Along with other factors, it was not enough to clearly outweigh that harm to the GB so the application was recommended for refusal. He said that the previous application had been recommended for approval as it proposed custom build homes but the number of those proposed in the current application had dropped significantly.

The Committee commented that the proposed homes were too small and that the development would result in traffic issues with the increase of vehicles in the area. They felt that there would be overcrowding issues in the development and that the density of the development was not appealing. The Committee said that affordable housing did not always address housing need nor did it mean that it was affordable for people on the Council's housing waiting list. The Committee commented that the original application had been attractive as it had offered people the opportunity to build their own homes.

The Vice-Chair proposed the officer's recommendation to refuse planning permission and was seconded by Councillor Watson.

FOR: (8) Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Gary Byrne, Terry Piccolo, Georgette Polley, Lee Watson, Abbie Akinbohun and Susan Little.

AGAINST: (0)

ABSTAINED: (0)

20. 20/01811/FUL The Willows, Morley Hill, SLH, Essex, SS17 8HY

The report was presented by Nadia Houghton.

Councillor Little asked which part of the road would be hard surfaced by the Applicant. She questioned whether future occupants of the bungalows would be allowed to make adjustments on the roof and also where the waste bins would be placed on each property. Nadia Houghton answered that hard surfacing would take place on the road of Morley Hill that was in front of the application site. With regards to adjustments to the bungalow roofs, she said that there were strict restrictions in place preventing these under condition 14 on page 99 of the agenda. For the waste bins, she explained that each plot had its own designated area for waste bins which were either to the rear or side of the property.

Steve Taylor noted the access road at the end of Branksome Avenue and sought further clarification on the road widening proposal. He commented that there could be a potential 'pinch point' on the road as it was likely that bin lorries would have to reverse into the road to access those properties on Morley Hill. Nadia Houghton explained that the application site boundary was before the properties on Morley Hill and not at 98 Morley Hill which was the first property in front of the application site. She said that the road that was part of the application site would be widened to 4.8 metres. She explained that the Applicant's submitted plans indicated that bin lorries would have enough room to turn out from that road as well.

Councillor Akinbohun questioned the number of car parking spaces allocated to each property. Nadia Houghton answered that there were two allocated to each property and two visitor spaces located at the top of the 'T' of the development so it was 18 spaces in total.

Referring to the road at the bottom of the 'T' on the application's plan map, the Chair sought clarification on who owned that road. Nadia Houghton explained that the Land Registry had no title deed for who owned that road so it was not an adopted road. It could potentially have a private established right of way as there was a public footpath north of the road. She said that the Applicant had satisfied all planning procedures by searching into this strip of road and with its notification process.

Councillor Polley asked whether there would be policies in place to prevent internal adjustments to the properties. Nadia Houghton answered that this would fall within the remit of building controls and legislation. She highlighted that the proposal before the Committee was of a high quality design and materials. She said that permitted development rights were restricted to prevent additional extensions or alterations which would require a formal planning application to be submitted for these.

Speaker statements were heard from:

- James Halden, Ward Councillor – in objection.
- Adam Beckford, Agent – in support.

The Chair asked if the right processes had been carried out in regards to the amount of homes proposed on this development due to the amount of space

on the site. He also noted the concerns on HGVs and other large vehicles accessing the single track road and asked if the service was confident that the road would be safe in regards to weight limit. He also asked if parking would be allowed on the road. Nadia Houghton explained that the proposed eight bungalows were acceptable on the application site because of the limited impact it would have in the area. She said that a higher number of properties would have a bigger impact as properties would be smaller and gardens would be squeezed in. With regards to the weight limit on the unadopted road, Julian Howes said that the road would be hard surfaced to a level that would be able to withstand the appropriate type of vehicles needing access to the site. He said that the Highways Team had looked at accident records which showed that there had not been any. The application was considered to be finely balanced in highway terms. In regards to parking, he said that the inside road was 6 metres wide which was a shared surface but there was sufficient room to park a car there if needed. He stated that the parking spaces proposed met the Council's draft parking standards.

Councillor Little questioned whether there was proposal for a footpath on the single track road. She said that the accident records showed no accidents because it was currently not tarmacked. Julian Howes explained that there was no proposal for footpath as it was a dirt track road which had a public right of way over a footpath. Nadia Houghton said that the access road on Morley Hill would be widened to 4.8 meters and within the cul-de-sac of the development, it would be six meters wide with a shared surface for pedestrians and vehicles. This would provide a better surface for pedestrians to walk upon than what was currently in place.

Councillor Polley questioned who would own the unadopted road once the development was built. She also sought clarification on where there was a turning head for fire engines. Julian Howes answered that the Council could not adopt the road as it linked to a private road. However, the service had asked for planning conditions that required the road to be constructed to an acceptable standard under highway terms. Nadia Houghton explained that the plan showed access for a pump appliance so a fire engine would be able to go in forward gear and reverse in the turning head, that was the little 'T' at the end of the road, and then come out in forward gear.

Councillor Watson mentioned that an objection stated that Highways England had concerns on the track and access road and asked whether these concerns had been addressed. She also highlighted her concerns on the access which she noted from objections was dangerous and obstructive. She asked what the developers would do to ensure that the road was safer and what mitigations were in place to prevent a potential accident. She also questioned whose responsibility it was for the unadopted road if it was to cave in. Julian Howes explained that Highways England would not have been consulted on this application as it was a small scale application. He said that Network Rail could potentially have concerns as they would need to access the railway track from the site's location. Nadia Houghton said that the objection may have referred to a previous response from the Highways Team that had raised a concern on the red line boundary which had now been

mitigated as the red line boundary had moved. In regards to the safety of the road, Julian Howes explained that the site had been visited by the Highways Team and were satisfied that the visibility was adequate at the access road and reiterated his point about the accident records. He also added that the Council could be involved if the unadopted road caved in or became dangerous but other than that, it would be the responsibility of the owners to fix the road.

Councillor Piccolo questioned who was responsible for the upkeep of the unadopted road. Julian Howes explained that the responsibility would fall to the owner of the land which was potentially the homeowners of the proposed properties. However the hard surfacing would help to maintain the road for at least 20 – 30 years.

The Vice-Chair said that infill was possible on the site and the proposed development was of a high quality design. He thought that the access was adequate and there were enough parking spaces. The Chair agreed and said that the current properties near the site did not have traffic issues. He said that it would be good to see more bungalows as currently there was only one bungalow on the site. Councillor Piccolo said that there were a lack of bungalows in Thurrock and the number proposed was not considered to be an overdevelopment. He agreed with officers that the bungalows would keep to the character of the area. Councillor Watson agreed and said that it would be good to see some safety measures put in place such as road mirrors to help road users see other vehicles coming in and out of the access road. The Committee felt that the concerns with the access road had been addressed.

The Vice-Chair proposed the officer's recommendation to grant planning permission and was seconded by the Chair.

(Councillor Byrne did not participate in this application due to his declaration of interest.)

FOR: (7) Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Terry Piccolo, Georgette Polley, Lee Watson, Abbie Akinbohun and Susan Little.

AGAINST: (0)

ABSTAINED: (0)

The meeting was adjourned at 8pm for technology issues to be resolved. The meeting recommenced at 8.15pm.

21. 21/00073/FUL 53-55 Third Avenue, SLH, Essex

The report was presented by Nadia Houghton.

The Committee agreed to suspend standing orders at 8.22pm to allow the agenda to be completed.

Councillor Polley sought clarification on the difference between the current and previous application. Nadia Houghton answered that the current application now had an s106 attached and there was now no justifiable reason to refuse planning permission. She explained that there was no RAMs payment and the Traffic Regulation Order (TRO) offered as part of an s106 on the previous application and the Planning Inspectorate had dismissed the appeal because of this reason. The Planning Inspectorate had not agreed with officers' assessment of the proposed development to be a case of overdevelopment and had said that it was not harmful to character. However the s106 was needed to make the development acceptable.

Speaker statements were heard from:

- James Halden, Ward Councillor – in objection.
- Ian Coward, Agent – in support.

Councillor Little asked whether the contributions on the s106 could be increased. She felt that the amount contributed was minimal and that the community would not be able to benefit from this. She also said that the development would result in parking issues. Nadia Houghton explained that the s106 contributions were not for the developers and that these were for the RAMs implications that related to ecological mitigations from the impact of the development. The other contribution was the TRO to facilitate funding for parking restrictions along the access road and the immediate stretch of Third Avenue near the cul-de-sac. The development's proposed parking spaces were compliant with the Council's parking standards so the service would not ask for more than the 16 parking spaces proposed in the application.

The Chair felt that there was not enough parking spaces and that the roads were narrow. He questioned what the process was in regards to the Council's draft parking standards and where this resulted in potential parking issues around the site's area. Nadia Houghton answered that each site was considered on its own merits and that the current application had been considered before but had been refused on other reasons that did not include parking spaces. On appeal of the previous application, the Planning Inspectorate had agreed with the Highways Team that a TRO was needed but did not agree that there would be parking issues. She said that the site was 800 metres away from the nearest shops and that the station was 2km away. The parking standards had been met by the Applicant and the service could not reasonably see what else could be done with the parking spaces proposed. Julian Howes added that the draft parking standards may not change in the future as national government was encouraging people to use other modes of transport.

Councillor Watson commented that the proposed plans looked nice and questioned whether there was a demand for 4 bedroom properties. Councillor Polley noted that the oak trees on the site had Tree Preservation Orders (TPOs) and questioned whether the construction works would impact on those trees. She asked what plans were in place if the trees were damaged. She also asked who was responsible for the unadopted road. Nadia Houghton answered that the Council's landscape advisor had confirmed that the

proposal would not impact upon the oak trees. She pointed out that condition 7 detailed how the trees and its root systems would be protected. Condition 4 also gave a detailed construction management plan that would protect the trees. Julian Howes said that the Council would not adopt the unadopted road.

Councillor Little questioned whether the proposed properties would have the option to install an electric powerpoint for electric cars. Julian Howes said that developments now had the facility to install an electric power point as the service now requested that a number of parking spaces were made available for electric vehicles.

Councillor Piccolo raised concerns over the unadopted road as it would create issues for people in the future. He felt that the proposal looked cramped and there were many similar properties and sites in the area that was demolishing houses and rebuilding with more homes. He felt that this would change the character of the area. Councillor Polley said that back land development needed to be carefully considered and that the proposal was an overdevelopment on the site. She was concerned on the type of houses proposed on the site and the increased amount of traffic from that site once the development was built.

The Chair proposed the officer's recommendation to grant planning permission and was seconded by the Vice-Chair.

(Councillor Byrne did not participate in this application due to his declaration of interest.)

FOR: (5) Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Lee Watson, Abbie Akinbohun and Susan Little.

AGAINST: (2) Councillors Terry Piccolo and Georgette Polley.

ABSTAINED: (0)

22. 21/00077/FUL Land adjacent Fen Farm Judds Farm and part of Bulphan Fen, Harrow Lane, Bulphan, Essex

The report was presented by Lucy Mannion. Since the publication of the agenda, the following updates had been received:

- A response from Highways England who had no objections to the application.
- A response from Havering Council who had no objections in principle.
- An additional objection from the owners of Fen Farm who had also submitted the same objection previously.

Steve Taylor sought clarification on the battery storage and how the solar energy stored would be discharged to the energy grid. Lucy Mannion answered that the power would be discharged directly to the grid and needed to be near a substation.

Councillor Little asked how many hectares were 18 arable fields. She also questioned how Thurrock would benefit from the proposal. Lucy Mannion answered that 18 arable fields was equal to 138 hectares. She explained that the proposal would bring clean energy and lower carbon emissions to Thurrock which was beneficial for Thurrock and the country. Matthew Gallagher pointed out that the proposal was for up to 49.9MW of clean energy and if this had been over the 50MW mark, the application would have gone directly to the Secretary of State for determination and Thurrock Council would have been a consultee in that only. He stated that planning policies did not require an Applicant who was promoting clean energy to justify the need for more energy and that as traditional thermal generation stations had gone out of commission there was a clear need for new clean sources of energy. There was a need to consider green energy which would be a nationwide benefit and not just a borough wide benefit. He said that a local benefit would be that the proposal would increase biodiversity on that site.

Councillor Little said that the Fens were special to the people of Thurrock and that everyone should have been consulted on the application. She agreed that energy was needed but pointed out that green spaces were also needed. She noted that there had been no objections in regards to archaeology but pointed out that Fen Farm was a historical bronze age farm. She stated that the geese on the site was not mentioned in the report either and that Bulphan was famous for these geese. Lucy Mannion explained that the archaeology advisor had looked at the information on the application and considered the application to be acceptable as long as any archaeology on the site was not affected. Referring to the ecological survey report in 6.89 of the report, Matthew Gallagher said that the site was not a designated nature conservation site and that arable fields and farmland tended to be relatively sterile sites with regard to ecological interest. The Applicant had undertaken habitat and species surveys which did not reveal much interest other than some in the hedgerows with nesting birds. He said that he understood the point about geese but there was no known link between the location of solar farms and incidences of bird strike. He referred to a previous case in East Tilbury which had been close to a mud flats site that was a special conservation area. However, he pointed out that the surveys had been undertaken and the ecological advisor had no objection subject to mitigation measures which included a 10 metre buffer for wildflowers to grow to increase the biodiversity on the site.

The Chair questioned why the Applicant had chosen to keep the energy output lower than 50MW which left the decision in the hands of the Planning Committee. Matthew Gallagher explained that the application process through national government was a longer process that could take up to two years. He said that changes to the thresholds for Nationally Significant Infrastructure Projects allowed for battery storage schemes above 50MW to be considered as normal planning applications.

The Chair commented that there needed to be alternative solutions as solar energy was not effective in the winter months and felt that the solar farm

would obliterate the Fens. He felt a site visit was needed. Matthew Gallagher explained that the alternatives highlighted in the report referred to other potential sites and the current location was a key location due to its proximity to the Warley substation that would allow the site to easily connect to the power grid. If an alternative location was used, time and money would be spent on making the power grid connection which was costly, therefore there was no alternative site for this proposal. As the site was in the GB, he explained that the harm to the GB would have to be assessed and based on the landscape advisor's report and the applicant's environmental statement, it was considered that one would have to be very close to the site or within the site to notice the significance of visual impact to the GB. Officers had assessed the harms and benefit of the application to the GB and had considered the harm to be clearly outweighed.

Councillor Akinbohun asked whether the proposals would impact upon people's health. Lucy Mannion answered that there were various information from other sources that found toxins from solar panels to be harmful but some other sources would disagree. The service went by the British Standards on solar panels. Matthew Gallagher added that the noise and air quality implications had been considered and that the Environmental Health Officer had considered there to be no impact.

Councillor Polley asked whether the 49.9MW of energy would be over the site area of 138 hectares that was within Thurrock's borders or if this would be on the overall site of 143 hectares. Matthew Gallagher answered that the Thurrock part of the application was of the solar panels which was 138 hectares and that the remaining hectares was for the grid connection within Havering's borders so it would be 49.9MW.

Councillor Polley said that the Fens were ancient fenland and geese had been there as it was once a wetland so it was a natural flood plain. She was concerned on the use of electricity here. She noted that the Applicant needed to provide 3 months' notice if they were to cease operations on the site and was concerned over how the batteries would be safely disposed of. She also pointed out that the site was a large amount of land that could be used for food production, once it was returned to its organic state, and food production had been an important issue in the press recently. Matthew Gallagher said that the service was aware of the flood risk on the site and that a sequential test had been undertaken. It was found that the important components of the battery storage and substation proposed would be located in the areas of the site that had the lowest flood risk. With the disposal of the batteries, he said that if the batteries were hazardous, these would need to be disposed of safely. On agriculture, he agreed that government guidance was that grades 1, 2, 3a should not be used for solar farms and the Applicant had carried out the assessments that identified the site as grade 3b which was below average. Therefore there would not be an in principle objection to the loss of land but the balancing act of harm to the GB still had to be assessed.

Councillor Piccolo questioned what would the minimum energy output be. He was concerned that the Applicant may not maximise its energy output. Lucy

Mannion explained that the minimum energy output could not be controlled but as it was a business, it would seek to maximise its output.

Speaker statements were heard from:

- Joy Jarvis, a resident – in objection.
- Barry Johnson, Ward Councillor – in objection.
- Simon Wheeler, Applicant – in support.

The Chair asked if there was a solar farm in South Ockendon and whether it had been built yet. Matthew Gallagher confirmed that there was permission for a solar farm to the south west of this site within South Ockendon but there was no solar panels in place yet.

The Chair noted that there was a lot of opposition to the proposals in a rural area which he felt suggested that there would be a visual impact as Bulphan had different levels of land. He said that the site was on a hill and would have a visual impact from afar particularly as the poles were 3 metres high. Lucy Mannion explained that the immediate visual impact would be on Fen Farm, Judds Farm and Glasshouse Retreat. There would be a minimal impact for other residents looking out of their windows as hedgerows would be planted. Matthew Gallagher explained that the environmental impact statement from the Applicant had detailed a theoretical zone of influence that the proposal would have in terms of potential visual impact. Unless one was inside the site or very close to the site, the visual impact would not be very significant. Fen Farm would be affected but they would not be overshadowed and other properties down Harrow Lane would not be affected due to the distance from the site.

Steve Taylor stated that he disagreed with the assessment of the proposal's impact to the GB. He said that the openness of the GB would be taken away and destroyed even with the hedgerows planted as there would no longer be an open view. He raised concerns over the safety of the batteries as there had been articles in the media where batteries on solar farms had exploded. He pointed out that battery storages were unregulated in the UK.

The Chair felt that he needed to see the site as he was not familiar with the area or what a solar farm looked like. The Committee commented that they wished to see a travel plan as the building of the site would increase traffic in the area and to also see the routes into the site. The Committee wished to see where the batteries would be placed on the site and to have a 3m pole placed on the site to view the visual impact. Photos of Fen Farm flooding was also requested. The Committee requested to see the Lower Dunton Farm site that had similar proposals but officers highlighted that the applications were separate and had to be assessed on its own merits. As the site was large, officers explained that it would take some time to organise the site visit and the Committee suggested that a minibus be hired to take them around the site and the routes into the site.

The Chair proposed to defer the application for a site visit and was seconded by the Vice-Chair.

FOR: (8) Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Gary Byrne, Terry Piccolo, Georgette Polley, Lee Watson, Abbie Akinbohun and Susan Little.

AGAINST: (0)

ABSTAINED: (0)

23. 21/00729/LBC - JD Wetherspoons PLC Old State Cinema George Street Grays Essex RM17 6LZ

The report was presented by Jonathan Keen.

Councillor Little sought clarification on the use of blackout blinds inside the property. The Chair said that he understood the need to preserve the building as highlighted by Heritage England but felt that the building would be a pub and lighting would be needed. Jonathan Keen explained that the building had limited building and by installing windows in the south western side of the building, it would change the original feel of the building. With the blackout blinds, it would potentially hold events that would use the blinds to bring back a 'cinema feel'. There were conditions in relation to the blackout blinds that would look to maintain the original design of the building as much as possible.

The Committee said that they were supportive of the application as the original building design would be maintained. The Committee commented that the proposal was much needed for Grays and hoped it would help to bring in other businesses and investments into Grays.

The Vice-Chair proposed the officer's recommendation to grant planning permission and was seconded by Councillor Polley.

FOR: (8) Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Gary Byrne, Terry Piccolo, Georgette Polley, Lee Watson, Abbie Akinbohun and Susan Little.

AGAINST: (0)

ABSTAINED: (0)

24. 21/00728/FUL - JD Wetherspoons PLC, Old State Cinema, George Street, Grays, Essex, RM17 6LZ

The report was presented by Jonathan Keen.

The Chair proposed the officer's recommendation to grant planning permission and was seconded by the Vice-Chair.

FOR: (8) Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Gary Byrne, Terry Piccolo, Georgette Polley, Lee Watson, Abbie Akinbohun and Susan Little.

AGAINST: (0)

ABSTAINED: (0)

The Chair stated that the public meeting would now close at 10.30pm and go into exempt session for the remaining item as it involved the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972

25. Planning Appeal for Arisdale Avenue Planning Application 20/00827/FUL

This part of the meeting was held in exempt session as it involved the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972.

The meeting finished at 11.07 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

19 August 2021		ITEM: 6
Planning Committee		
Planning Appeals		
Wards and communities affected: All		Key Decision: Not Applicable
Report of: Louise Reid, Strategic Lead - Development Services		
Accountable Assistant Director: Leigh Nicholson, Interim Assistant Director – Planning, Transportation and Public Protection.		
Accountable Director: Andy Millard, 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:** 20/01503/HHA

Location: 15 Mary Rose Close, Chafford Hundred, Grays

Proposal: Loft conversion consisting of two skylights to front and two dormers to rear

3.2 Application No: 20/00454/OUT

Location: The Red House, Brentwood Road, Orsett

Proposal: Application for outline planning permission with all matters reserved: Residential development of up to 41 self-contained units (Use Class C3) with a maximum of 52 bedrooms for the over 55s with underground car park and dentists surgery (Use Class D1) of up to 70 sq.m. floorspace.

3.3 Application No: 21/00123/FUL

Location: 78 Scott Road, Chadwell St Mary

Proposal: 2 bedroom annexe in the rear of the garden

3.4 Application No: 20/01077/ADV

Location: Rosina Café, London Road, Aveley

Proposal: Upgrade of existing 48 sheet advert to support digital poster

3.5 Application No: 20/01756/FUL

Location: 61 Cedar Road, Chadwell St Mary

Proposal: Erection of a 3-bedroom dwelling house, with integral garage, secure area for bicycle parking, bin storage, boundary treatment, vehicle access and associated landscaping

3.6 Enforcement No: 21/00115/BUNUSE

Location: Claylands, 186 Branksome Avenue, Stanford Le Hope

Proposal: Refusal of planning application 20/01680/FUL dual use as a C3/ E(f) day nursery

3.7 Enforcement No: 20/00010/AUNUSE

Location: Land Adjacent Collingwood Farm, Brentwood Road, Orsett

Proposal: 50 containers are being rented out without planning permission, sheds, caravans and scrap vehicles are on the land

4.0 Appeals Decisions:

The following appeal decisions have been received:

4.1 Application No: 20/00444/HHA

Location: Oak Cottage, Oxford Road, Horndon On The Hill

Proposal: Two storey rear extension

Appeal Decision: Appeal Allowed

4.1.1 The Inspector considered that the main issues were whether the proposal would be inappropriate development in the Green Belt and the effect on the character and appearance of Oak Cottage and the surrounding area.

4.1.2 The Inspector recognised that the Council had calculated that the floorspace of the resultant dwelling would exceed the original dwelling and the policy allowance of two reasonably sized rooms by 9 square metres. However, it was identified that there was not a clear methodology for calculating the size of a reasonably sized room and, as such, the 9 square metre was taken as a guide rather than a determinative figure. It was found that the dwelling was not being enlarged to an excessive degree and did not agree with the Council that the resultant dwelling would be unduly spacious in comparison to the existing building. It was found that the extensions would meet the test of being equivalent to two reasonably sized rooms and that, if the 'excess' was removed, this would not materially change the scale and bulk of the additions.

4.1.3 As the extension was considered to be proportionate to the original building, it was deemed that the development was not inappropriate in the Green Belt and was deemed to be in accordance with Core Strategy Policy PMD6 and the NPPF.

4.1.4 The effect on the character and appearance of the existing dwelling and the surrounding area was also found to be acceptable on the grounds that the extensions would not appear incongruous and would feature matching materials. It was also concluded that the scale and bulk of the extensions would be acceptable for the same reasons as set out above. The proposal was therefore considered to accord with Core Strategy Policies PMD2 and CSTP22, the RAE and the NPPF.

4.1.5 The full appeal decision can be found online.

4.2 Application No: 20/01344/HHA

Location: 1 Fanns Rise, Purfleet-on-Thames

Proposal: Single-storey rear extension (retrospective)

Appeal Decision: Appeal Dismissed

4.2.1 The Inspector considered that the main issues were the effect on the character and appearance of the area and the effect on the living conditions of the occupiers of 3 Fanns Rise with regard to visual impact and light.

4.2.2 The Inspector noticed that the neighbouring property at 3 Fanns Rise, and the others within the terrace, are particularly narrow and substantially narrower than the end-of-terrace dwellings but that this was not reflected on the submitted plans. Whilst it was noted that the Council found no conflict with the 45 and 60 degree rules, the Inspector did not find that he could share this view given the perceived inaccuracy of the submitted plans.

4.2.3 Based on his own assessment, the Inspector found that the scale and bulk of the flank wall at the boundary with 3 Fanns Rise would appear excessively large and have an undue overbearing presence. Although it had not been demonstrated that the effect on daylight would be unacceptable, it was found that limited outlook from the neighbouring property and its narrow width would cause the overbearing visual presence to be harmful to the living conditions within the neighbouring dwelling.

4.2.4 The opportunity for the applicant to build an alternative extension under the terms of permitted development rights was not found to be reason to allow the proposed development.

4.2.5 The effect of the development on the character of the appearance of the area was considered to be acceptable and in accordance with Core Strategy

Policies PMD2 and CSTP22. However, the impact on the living conditions of the occupiers of the neighbouring dwelling was found to be contrary to Core Strategy Policy PMD1 and the NPPF.

4.2.6 The full appeal decision can be found online.

4.3 Application No: 20/01472/HHA

Location: Fairlawn, Lower Dunton Road, Horndon On The Hill

Proposal: Single storey detached garage to front of existing house to replace existing storage unit

Appeal Decision: Appeal Dismissed

4.3.1 The Inspector considered that the main issues were whether the proposal would be inappropriate development in the Green Belt, the effect on the openness of the Green Belt, the effect on the character and appearance of the area and whether any harm identified was clearly outweighed by other considerations so as to amount to the very special circumstances needed to justify the development.

4.3.2 The Inspector agreed with the Council's assertion that the garage development was an inappropriate form of development in the Green Belt as it met none of the exceptions listed within the NPPF and Core Strategy Policy PMD6. This had not been challenged by the appellant and the Inspector gave the harm caused by this conflict with policy substantial weight.

4.3.3 It was noted that the garage would occupy space that is currently free from development and is open. As such, it was found that the proposal would have an impact on openness that would add to the harm identified above.

4.3.4 The Inspector highlighted that the dwellings of the area are set back from the road and that there are several examples of garages being within the space between the dwellings and the road, some of which are of 'reasonably significant proportions'. A similar garage exists at the neighbouring property and therefore, in that context, it was found that the garage would not appear as an alien structure and it was deemed that the extension would be residential in scale and complimentary to the host dwelling through the use of sensitive materials. It was also found that alterations to the hardstanding at the frontage of the site was acceptable. Therefore, in this respect the proposal was found to be acceptable and in accordance with Core Strategy Policies PMD2 and CSTP22 and the applicable elements of the NPPF.

4.3.5 A nearby development of 80 homes and the removal of a shipping container was not found to be reason to allow the development and, even in addition to the proposal being acceptable in some respects, this did not represent the very special circumstances needed to justify the development.

4.3.6 The full appeal decision can be found online.

4.4 Application No: 20/01428/HHA

Location: 16 Birch Close, South Ockendon

Proposal: Loft conversion with rear dormer and front roof lights

Appeal Decision: Appeal Allowed

4.4.1 The Inspector considered that the main issue was the effect on the character and appearance of 16 Birch Close and the surrounding area.

4.4.2 The proposal would involve the provision of a box-like rear dormer. The Inspector disagreed with the Council's view that the rear roof slope should be deemed a 'visible but less prominent roof slope' as it cannot be seen from the public realm. Therefore, in the context of the RAE, it was concluded that the roofscape should be deemed to be not visible from a public space.

4.4.3 The Inspector found that the height of the dormer would not exceed three fifths of the eaves to ridge distance and, as such, would accord with the guidance contained with the RAE in respect of dormers of such limited visibility. It was found that the dormer would be suitably framed by the tiles of the existing roof, sufficiently inconspicuous and of acceptable scale and form that would respect the character of the area.

4.4.4 For these reasons, the Inspector concluded that the proposal would accord with Core Strategy Policies PMD 2 and CSTP22.

4.4.5 The full appeal decision can be found online.

4.5 Application No: 21/00037/HHA

Location: 16 Birch Close, South Ockendon

Proposal: Two storey side extension and front porch

Appeal Decision: Appeal Allowed

- 4.5.1 The Inspector considered that the main issues were whether the proposal would be inappropriate development in the Green Belt and the effect on the character and appearance of 16 Birch Close and the surrounding area.
- 4.5.2 The Inspector recognised that the Council had calculated that the proposal would result in an increase of floorspace by 34.6 square metres and that the Council had calculated that the policy allowance of two reasonably sized rooms would be 24 square metres. However, it was identified that there was not a clear methodology for calculating the size of a reasonably sized room and, as such, the 9 square metre was taken as a guide rather than a determinative figure. It was found that the extension would be subordinate to the original dwelling in terms of height, depth and width and would be appropriately residential in scale. It was found that the extensions would not be disproportionate to the existing dwelling and, therefore the development would not be inappropriate in the Green Belt. Consequently, the development was deemed to be in accordance with Core Strategy Policy PMD6 and the NPPF.
- 4.5.3 The 'wedge-shaped' extension was found to be unusual but reflected the alignment of the boundary of the site and would be unnoticed when viewed head on. It was noted that angled views of the extension would be limited and obscured. As such, the Inspector concluded that the extension was acceptable and would not appear incongruous or awkward as had been suggested by the Council. The effect on the character and appearance of the existing dwelling and the surrounding area was therefore found to be acceptable and the proposal was considered to accord with Core Strategy Policies PMD2 and CSTP22, the RAE and the NPPF.
- 4.5.4 The full appeal decision can be found online.

4.6 Application No: 20/01461/HHA

Location: 47 Solway, East Tilbury

Proposal: Single storey front extension and alteration to rear window

Appeal Decision: Appeal Allowed

- 4.6.1 The Inspector considered that the main issue was the effect on the character and appearance of the street scene.

- 4.6.2 The Inspector noted that the host dwellings sits within a short terrace of once identical dwellings that feature forward projecting, flat-roofed, integral garages at one side of the front elevation and a recessed porch at the other side. However, it was also noted that little uniformity remained and that the garages at 47 and 48 had been converted into living accommodation and 48 has been remodelled with smooth render and coloured window frames. It was highlighted that a pitched roof had been provided over the garage at the appeal site and, at first floor, all of the properties within the terrace differ.
- 4.6.3 The proposal would result in the front projection extending to match the full width of the property, albeit not extending any further forward, and the roof of the resultant projection would be hipped. The Inspector found that, given the existing mix, the proposal would sufficiently complement the character of the street and be compliant with the RAE insofar as it relates to front extensions and porches. In this regard it was found that the extension would be finished with materials and fenestration to match the existing and, although there would be change to the appearance of the dwelling and the terrace as a whole, the proposal would merely add to an existing mix in a manner that would appear neither dominant nor incongruous within the street scene.
- 4.6.4 The effect on the character and appearance of the streetscene was therefore found to be acceptable and the proposal was considered to accord with Core Strategy Policies PMD2 and CSTP22 and the NPPF.
- 4.6.5 The full appeal decision can be found online.

4.7 Application No: 20/01298/HHA

Location: 23 Ridgeway, Grays

Proposal: (Retrospective) Retention of single storey rear summerhouse used as personal gymnasium

Appeal Decision: Appeal Dismissed

- 4.7.1 The Inspector considered that the main issues were the effect on the character and appearance of the area and the effect on the living conditions of the occupiers of 21 and 25 Ridgeway with regard to visual impact and privacy.
- 4.7.2 The Inspector concluded that the eaves height of the building would be unusually tall for a single storey building and, therefore, the front elevation

would be overly large, bulky and dominant with the rear garden setting. A lack of articulation and detail was considered to cause the building to be atypical of most traditional residential outbuildings and it was found that the building would appear intrusive and out of keeping with its setting. For these reasons it was found that the building would be harmful to the character and appearance of the area and harmful to the outlook from neighbouring properties.

4.7.3 The Inspector found that the openings in the elevation closest to 25 Ridgeway would allow sight back towards the rear elevation of that dwelling at fairly close quarters, thereby having a potential impact on the privacy within the first floor of that property which would exceed what would normally be expected.

4.7.4 Overall, it was found that the proposal would fail to show a positive relationship with its rear garden setting or respect for the amenity of neighbouring occupiers, contrary to the RAE. The harm would also be in conflict with Core Strategy Policies PMD1, PMD2 and CTP22. As it was not disputed that the building exceeds permitted development right allowances, it was not found that they were relevant to the assessment of the merits of this development.

4.7.5 The full appeal decision can be found online.

5.0 APPEAL PERFORMANCE:

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	1	4	0	7									12
No Allowed	0	1	0	4									5
% Allowed	0%	25%	0%	57.14%									41.67%

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

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

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Reference: 20/00592/OUT	Site: The Springhouse Springhouse Road Corringham Essex SS17 7QT
Ward: Stanford East And Corringham	Proposal: Outline application for the construction of 4no. blocks of residential dwellings (95 units) with associated access roads and parking, one block to include a gym (D2) at ground floor level. Erection of new sports and social club (D2) with associated facilities including bowls pavilion, bowling green and petanque terrain and associated facilities including parking. Formation of two vehicular access points following the removal of existing vehicular access points. Demolition of existing sports club, all associated buildings and removal of hardstanding. To include determination of the matter of access, layout and scale (matters relating to appearance and landscaping reserved).

Plan Number(s):		
Reference	Name	Received
338.E	Proposed Street Scene Locations Plan	13th July 2021
339.B	Proposed Street Scenes A and E	22nd May 2020
340.B	Proposed Street Scenes B and F	22nd May 2020
341.C	Proposed Street Scenes C and G	11th December 2020
342.B	Proposed Street Scene D	22nd May 2020
000.H	Location Plan	13th July 2021
001.C	Existing Site Plan	15th December 2020
002.J	Proposed Block Plan	13th July 2021
004.J	Proposed Site Plan including Ground Floor Plans	13th July 2021
007.E	Proposed Site Plan Public Space and Connectivity	21st July 2021
101.B	Existing Floor Plans	22nd May 2020
102.B	Existing Front and Side Elevations	22nd May 2020
103.B	Existing Side and Rear Elevations	22nd May 2020
104.B	Existing Elevations	22nd May 2020
302.B	Proposed Sports Club First Floor Plans	22nd May 2020
303.B	Proposed Sports Club Roof Plans	22nd May 2020

304.C	Proposed Front and Side Elevations	11th December 2020
306.B	Proposed Section and Side Elevations	22nd May 2020
307.B	Proposed Ground Floor Plan Block A	22nd May 2020
308.B	Proposed First Floor Plan Block A	22nd May 2020
309.B	Proposed Second Floor Plan Block A	22nd May 2020
310.B	Proposed Third Floor Plan Block A	22nd May 2020
311.B	Proposed Fourth Floor Plan Block A	22nd May 2020
312.B	Proposed Rear and Side Elevations	22nd May 2020
313.B	Proposed Front and Side Elevations	22nd May 2020
315.D	Proposed Ground Floor Plan Block B	11th December 2020
316.B	Proposed First Floor Plan Block B	22nd May 2020
317.B	Proposed Second Floor Plan Block B	22nd May 2020
318.B	Proposed Roof Plan Block B	22nd May 2020
319.C	Proposed Basement Floor Plan Block B	15th December 2020
320.B	Proposed Rear and Side Elevations	22nd May 2020
321.B	Proposed Front and Side Elevations	22nd May 2020
323.B	Proposed Ground Floor Plan Block C	22nd May 2020
324.B	Proposed First Floor Plan Block C	22nd May 2020
325.B	Proposed Second Floor Plan Block C	22nd May 2020
326.B	Proposed Third Floor Plan Block C	22nd May 2020
327.B	Proposed Roof Plan Block C	22nd May 2020
328.B	Proposed Rear and Side Elevations Block C	22nd May 2020
329.B	Proposed Front and Side Elevations Block C	22nd May 2020
331.E	Proposed Ground Floor Plan Block D	11th December 2020
332.B	Proposed First Floor Plan Block D	22nd May 2020
333.B	Proposed Second Floor Plan Block D	11th December 2020
334.B	Proposed Roof Plan Block D	22nd May 2020
335.B	Proposed Front and Side Elevations Block D	22nd May 2020
336.B	Proposed Rear and Side Elevations Block D	22nd May 2020
305.C	Proposed Sports Club Rear and Side Elevations	28th July 2020
301.E	Proposed Sports Club Ground Floor Plans	11th December 2020
191970-001 Rev E	Proposed Access Plans	20th August 2020
005	Pitch Diagram	15th December 2020
006	Existing Changing Rooms	15th December 2020
105	Existing Sports Club Elevations	15th December 2020

The application is also accompanied by:

- Arboricultural Impact Assessment
- Flood Risk Assessment Ref 191970-03 Rev A
- Preliminary Ecological Appraisal
- Supporting Design Document
- Affordable Housing Statement
- Framework Travel Plan Ref 191970-05
- Health Impact Statement
- Non-adoptable lighting
- Transport Assessment Ref 191970-02
- FA Pitch and Goalpost Dimensions (Metric)
- Response to Sports England Consultation
- Transport Technical Note Ref 191970-06
- Designer's Response – Stage 1 Road Safety Audit Ref 191970-07
- Road Safety Audit Stage 1

Applicant:

Mr Rugg and Lowe

Validated:

11 June 2020

Date of expiry:

31 August 2021

Recommendation: Approve subject to conditions and a s106 agreement

1.0 BACKGROUND

- 1.1 At the meeting of the Planning Committee held on 10 June 2021 Members considered a report on the above proposal. After a debate, the application was deferred for the following reason:

1. To allow the applicant to address the issue of the lack of parking spaces in the proposal without encroaching into the green field and keeping the green spaces.

- 1.2 A copy of the report presented to the June Committee meeting is attached as Appendix 1.

2.0 UPDATED INFORMATION

- 2.1 Since the June meeting the applicant has provided revised plans and additional information in response to the Committee's reason for deferral. This detail is assessed in the updated assessment below.

3.0 UPDATED CONSULTATION AND REPRESENTATIONS

3.1 Detailed below is a summary of the consultation responses received following a recent consultation exercise after the submission of the revised plans. 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

3.2 PUBLICITY:

The revised plans and information submitted by the applicant has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby. The points below are in addition to the representations stated in the June report in Appendix 1. The additional representations have been received consisting of 5 objections. The responses can be summarised as follows:

Objections

- Access and safety issues from increased traffic in the area;
- Additional traffic;
- Loss of amenity;
- Out of character;
- Overlooking property from 4 storey flats;
- Possible excessive noise;
- Concern over the impact upon disabled parking bay outside a neighbour's house;
- Concerns over the impact of parking in the area;
- Noise from the clubhouse;
- Impact of local services from increased local population and upon doctors and schools.

3.3 HIGHWAYS:

The additional parking spaces complies with parking standards and therefore no objection is raised subject to conditions and planning obligations as previously stated.

4.0 UPDATED ASSESSMENT

4.1 The applicant has provided revised plans which show the proposed level of parking would be increased and the table below compares the previous onsite parking numbers compared with the revised and increased onsite parking numbers:

	Proposed Parking at June Committee	Revised Parking Provision	Change
Apartments	98	120	+22 spaces

Sports Club	70	70	no change
Total	168	190	

- 4.2 The revised plans has increased parking provision for the residential part of the development providing an extra 22 parking spaces within the development, which can be used for residents parking, visitor parking and disabled parking. The increased parking includes eight (8) additional double stacker podium parking spaces. The revised parking provision complies with the Council's draft parking standards.
- 4.3 The increased parking spaces have been carefully arranged to ensure that areas of green space between the apartment blocks would be retained as communal amenity and landscaping provision.
- 4.4 Overall, there are no objections raised to proposed changes, which would improve the onsite parking arrangements for the residential part of this development. Therefore the recommendation is for approval.
- 4.5 Since the June committee a revised NPPF was published on 20th July 2021 and is a material consideration with the application but doesn't change anything regarding the assessment in the June committee report (Appendix 1).

5.0 RECOMMENDATION

- 5.1 Approve as set out in the recommendation section of the report attached as Appendix 1 but with the following updated planning condition regarding the revised plans submitted since the June planning committee:

Approved Plans

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

Plan Number(s):		
Reference	Name	Received
338.E	Proposed Street Scene Locations Plan	13th July 2021
339.B	Proposed Street Scenes A and E	22nd May 2020
340.B	Proposed Street Scenes B and F	22nd May 2020
341.C	Proposed Street Scenes C and G	11th December 2020
342.B	Proposed Street Scene D	22nd May 2020
000.H	Location Plan	13th July 2021
001.C	Existing Site Plan	15th December 2020

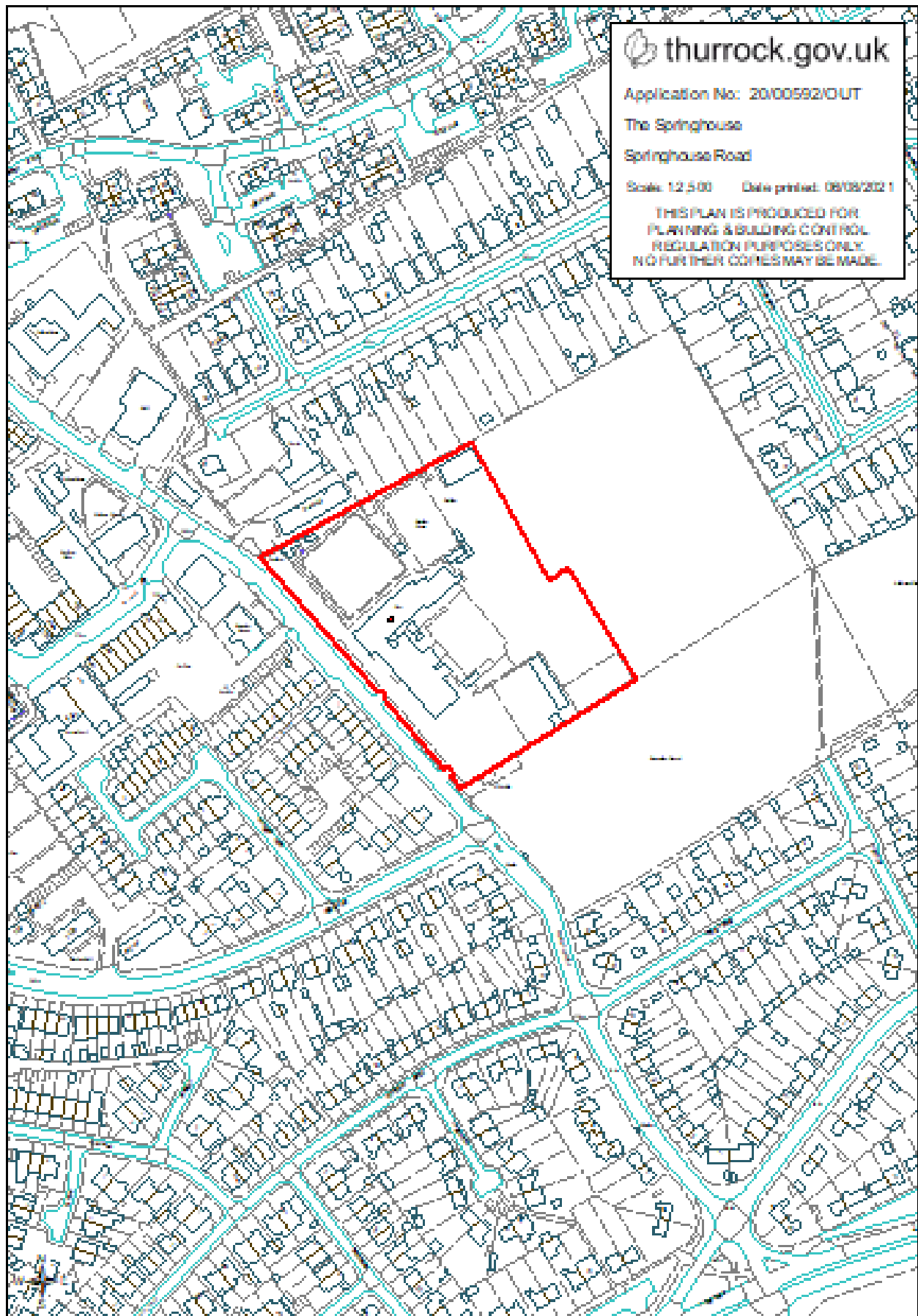
002.J	Proposed Block Plan	13th July 2021
004.J	Proposed Site Plan including Ground Floor Plans	13th July 2021
007.E	Proposed Site Plan Public Space and Connectivity	21st July 2021
101.B	Existing Floor Plans	22nd May 2020
102.B	Existing Front and Side Elevations	22nd May 2020
103.B	Existing Side and Rear Elevations	22nd May 2020
104.B	Existing Elevations	22nd May 2020
302.B	Proposed Sports Club First Floor Plans	22nd May 2020
303.B	Proposed Sports Club Roof Plans	22nd May 2020
304.C	Proposed Front and Side Elevations	11th December 2020
306.B	Proposed Section and Side Elevations	22nd May 2020
307.B	Proposed Ground Floor Plan Block A	22nd May 2020
308.B	Proposed First Floor Plan Block A	22nd May 2020
309.B	Proposed Second Floor Plan Block A	22nd May 2020
310.B	Proposed Third Floor Plan Block A	22nd May 2020
311.B	Proposed Fourth Floor Plan Block A	22nd May 2020
312.B	Proposed Rear and Side Elevations	22nd May 2020
313.B	Proposed Front and Side Elevations	22nd May 2020
315.D	Proposed Ground Floor Plan Block B	11th December 2020
316.B	Proposed First Floor Plan Block B	22nd May 2020
317.B	Proposed Second Floor Plan Block B	22nd May 2020
318.B	Proposed Roof Plan Block B	22nd May 2020
319.C	Proposed Basement Floor Plan Block B	15th December 2020
320.B	Proposed Rear and Side Elevations	22nd May 2020
321.B	Proposed Front and Side Elevations	22nd May 2020
323.B	Proposed Ground Floor Plan Block C	22nd May 2020
324.B	Proposed First Floor Plan Block C	22nd May 2020
325.B	Proposed Second Floor Plan Block C	22nd May 2020
326.B	Proposed Third Floor Plan Block C	22nd May 2020
327.B	Proposed Roof Plan Block C	22nd May 2020
328.B	Proposed Rear and Side Elevations Block C	22nd May 2020
329.B	Proposed Front and Side Elevations Block C	22nd May 2020
331.E	Proposed Ground Floor Plan Block D	11th December 2020
332.B	Proposed First Floor Plan Block D	22nd May 2020
333.B	Proposed Second Floor Plan Block D	11th December 2020

334.B	Proposed Roof Plan Block D	22nd May 2020
335.B	Proposed Front and Side Elevations Block D	22nd May 2020
336.B	Proposed Rear and Side Elevations Block D	22nd May 2020
305.C	Proposed Sports Club Rear and Side Elevations	28th July 2020
301.E	Proposed Sports Club Ground Floor Plans	11th December 2020
191970-001 Rev E	Proposed Access Plans	20th August 2020
005	Pitch Diagram	15th December 2020
006	Existing Changing Rooms	15th December 2020
105	Existing Sports Club Elevations	15th December 2020

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved with regards to 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: <http://regs.thurrock.gov.uk/online-applications>



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Reference: 20/00592/OUT	Site: The Springhouse Springhouse Road Corringham Essex SS17 7QT
Ward: Stanford East And Corringham	Proposal: Outline application for the construction of 4no. blocks of residential dwellings (95 units) with associated access roads and parking, one block to include a gym (D2) at ground floor level. Erection of new sports and social club (D2) with associated facilities including bowls pavilion, bowling green and petanque terrain and associated facilities including parking. Formation of two vehicular access points following the removal of existing vehicular access points. Demolition of existing sports club, all associated buildings and removal of hardstanding. To include determination of the matter of access, layout and scale (matters relating to appearance and landscaping reserved).

Plan Number(s):		
Reference	Name	Received
338.D	Proposed Street Scene Locations Plan	11th December 2020
339.B	Proposed Street Scenes A and E	22nd May 2020
340.B	Proposed Street Scenes B and F	22nd May 2020
341.C	Proposed Street Scenes C and G	11th December 2020
342.B	Proposed Street Scene D	22nd May 2020
000.G	Location Plan	11th December 2020
001.C	Existing Site Plan	15th December 2020
002.H	Proposed Block Plan	15th December 2020
004.I	Proposed Site Plan including Ground Floor Plans	11th December 2020
007.D	Proposed Site Plan Public Space and Connectivity	11th December 2020
101.B	Existing Floor Plans	22nd May 2020
102.B	Existing Front and Side Elevations	22nd May 2020
103.B	Existing Side and Rear Elevations	22nd May 2020
104.B	Existing Elevations	22nd May 2020
302.B	Proposed Sports Club First Floor Plans	22nd May 2020
303.B	Proposed Sports Club Roof Plans	22nd May 2020

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304.C	Proposed Front and Side Elevations	11th December 2020
306.B	Proposed Section and Side Elevations	22nd May 2020
307.B	Proposed Ground Floor Plan Block A	22nd May 2020
308.B	Proposed First Floor Plan Block A	22nd May 2020
309.B	Proposed Second Floor Plan Block A	22nd May 2020
310.B	Proposed Third Floor Plan Block A	22nd May 2020
311.B	Proposed Fourth Floor Plan Block A	22nd May 2020
312.B	Proposed Rear and Side Elevations	22nd May 2020
313.B	Proposed Front and Side Elevations	22nd May 2020
315.D	Proposed Ground Floor Plan Block B	11th December 2020
316.B	Proposed First Floor Plan Block B	22nd May 2020
317.B	Proposed Second Floor Plan Block B	22nd May 2020
318.B	Proposed Roof Plan Block B	22nd May 2020
319.C	Proposed Basement Floor Plan Block B	15th December 2020
320.B	Proposed Rear and Side Elevations	22nd May 2020
321.B	Proposed Front and Side Elevations	22nd May 2020
323.B	Proposed Ground Floor Plan Block C	22nd May 2020
324.B	Proposed First Floor Plan Block C	22nd May 2020
325.B	Proposed Second Floor Plan Block C	22nd May 2020
326.B	Proposed Third Floor Plan Block C	22nd May 2020
327.B	Proposed Roof Plan Block C	22nd May 2020
328.B	Proposed Rear and Side Elevations Block C	22nd May 2020
329.B	Proposed Front and Side Elevations Block C	22nd May 2020
331.E	Proposed Ground Floor Plan Block D	11th December 2020
332.B	Proposed First Floor Plan Block D	22nd May 2020
333.B	Proposed Second Floor Plan Block D	11th December 2020
334.B	Proposed Roof Plan Block D	22nd May 2020
335.B	Proposed Front and Side Elevations Block D	22nd May 2020
336.B	Proposed Rear and Side Elevations Block D	22nd May 2020
305.C	Proposed Sports Club Rear and Side Elevations	28th July 2020
301.E	Proposed Sports Club Ground Floor Plans	11th December 2020
191970-001 Rev E	Proposed Access Plans	20th August 2020
005	Pitch Diagram	15th December 2020
006	Existing Changing Rooms	15th December 2020
105	Existing Sports Club Elevations	15th December 2020

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The application is also accompanied by:

- Arboricultural Impact Assessment
- Flood Risk Assessment Ref 191970-03 Rev A
- Preliminary Ecological Appraisal
- Supporting Design Document
- Affordable Housing Statement
- Framework Travel Plan Ref 191970-05
- Health Impact Statement
- Non-adoptable lighting
- Transport Assessment Ref 191970-02
- FA Pitch and Goalpost Dimensions (Metric)
- Response to Sports England Consultation
- Transport Technical Note Ref 191970-06
- Designer's Response – Stage 1 Road Safety Audit Ref 191970-07
- Road Safety Audit Stage 1

Applicant:

Mr Rugg and Lowe

Validated:

11 June 2020

Date of expiry:

30 June 2021 (Extension of Time agreed with agent)

Recommendation: Approve subject to conditions and a s106 agreement

This application has been called in to be determined by the Planning Committee by Cllr Worral, Cllr Rice, Cllr Holloway, Cllr Fletcher and Cllr Shinnick in accordance with the Constitution Chapter 5, Part 3 (b), 2.1 (d) (i) to examine Green Belt issues and to consider buildings on green fields.

This application was not determined at the 7 January 2021 Planning Committee Meeting in order to allow for Members of the Planning Committee to undertake a site visit and have opportunity to look into the details of the site and view the access and junction onto Springhouse Road. The committee site visit will be arranged prior to the Committee Meeting.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This is an application for outline planning permission to determine access, layout and scale with matters relating to appearance and landscaping forming the reserved matters.

- 1.2 The description of development explains that the proposal is for the construction of 4no. blocks of residential dwellings totally 95 units with associated access roads and parking. One of these blocks (Block D) would include gym (D2) at ground floor level. The proposal would also include the erection of new sports and social club (D2) with associated facilities including bowls pavilion, bowling green and petanque terrain and associated facilities including parking. There would be two new vehicular access points to serve the development following the removal of existing vehicular access points. The existing sports club and all associated buildings would be demolished and the existing hardstanding removed. This application includes the determination of the matters of access, layout and scale with matters relating to appearance and landscaping reserved.
- 1.3 The table below summarises some of the main points of detail contained within the development proposal:

Site Area (Gross)	1.7ha						
Height (max)	Block A 13.2m Block B 11.6m Block C 13.2m Block D 11.6m Sports Club 9.5m						
Units (All)	Type (ALL)	1-bed	2-bed	3-bed	4-bed	5-bed	TOTAL
	Apartments	55	40	0	0	0	95
	TOTAL	55	40	0	0	0	95
Affordable Units							
	Type (ALL)	1-bed	2-bed	3-bed	TOTAL		
	Apartments	22	12	0	34		
	TOTAL	22	12	0	34		
Sport Club Floorspace	Club Area 1,032m ² Club Restaurant and Kitchen Area 480m ² Gym Area 236m ² Studio Area 150m ² Bowls Club Pavilion and Indoor Bowling Area 312m ²						
Car parking	Apartments: 98 Sports Club: 70 Total: 168						
Density	55.9 units per ha for the whole site						

The Sports Club

- 1.4 The existing sports club and all associated buildings would be demolished and the existing hardstandings removed.
- 1.5 The proposed replacement sports club would be sited towards the south east boundary of the site with a parking area to the front of the site and a bowling green to the rear. The ground floor of the building would comprise of a badminton court, a main bar, a family bar, reception, office, toilets, changing rooms, a cellar and bin store. The first floor would comprise of a function room, a restaurant, a kitchen, a snooker room and toilets.
- 1.6 The indicative appearance of the building shows a modern designed building with large areas of glazing. The roof of the building is shown to have a green sedum roof for the majority of the roof structure with photovoltaic panels above the badminton court part of the building.
- 1.7 To the east of the building the plans show there would be a large area of outdoor space and a green bowls pitch. Adjacent to the bowls pitch would be 6 petanque courts.
- 1.8 The gym would be sited to the west of the parking area with residential units above Block D but would form part of the sport centre.
- 1.9 There would be a bowls pavilion within the basement and ground floor of Block B and this would be short mat bowls facility, kitchen, store and two changing rooms.

Residential

- 1.10 The description of development explains that the proposal is for the construction of 4no. blocks of residential apartments totally 95 units with associated access roads and parking. The layout of the residential apartments within blocks would be as follows:

Apartments		1-bed	2-bed	TOTAL
Block A	Ground Floor	5	3	8
	First Floor	5	5	10
	Second Floor	5	5	10
	Third Floor	4	2	6
Total				34
Block B	Ground Floor	2	1	3
	First Floor	2	3	5

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	Second Floor	2	3	5
Total				13
Block C (Affordable Housing block)	Ground Floor	6	2	8
	First Floor	6	4	10
	Second Floor	6	4	10
	Third Floor	4	2	6
Total				34
Block D	Ground Floor			0
	First Floor	4	3	7
	Second Floor	4	3	7
Total				14
Overall Total		55	40	95

- 1.11 Each block would include integral refuse stores, cycle stores, lifts and stairwells. Within the ground floor of Block D, in addition to the gym stated above, there would also include a site manager's officer.

Other development

- 1.12 Access - There would be two access points into the site, one located centrally which would serve the car park for the residential area with one further towards the south east corner which would serve the club house parking area. The existing accesses would be stopped up.
- 1.13 Parking - The proposal would involve 70 parking spaces for the sports centre and 98 parking spaces for the flats which would be arranged to the rear and in between the blocks of flats. The residential parking layout would include 32 parking spaces in a podium parking arrangement with double stack parking.
- 1.14 Energy and Sustainability – The proposal would include renewable energy sources in the form of photovoltaic panels, low energy lighting systems, air source heat pumps (Blocks B and D), electric vehicle charging points and rainwater harvesting measures.

Indicative Information

- 1.15 Appearance - The indicative appearance of the buildings shows a modern designed building with large areas of glazing. The roof of the buildings would all have a green sedum roof and some would also have photovoltaic panels.

- 1.16 Landscaping – The illustrative plans and supporting information show the inclusion of grass verges and areas of tree planting throughout the site.

2.0 SITE DESCRIPTION

- 2.1 The application site relates to the Springhouse Sports Club in Corringham. The site is approximately 1.7 hectares in size and is located on the north east side of Springhouse Road.
- 2.2 The Sports Club is broadly divided into two parts with the majority of the built form and hardstanding located towards Springhouse Road with sports fields to the rear. The application site itself relates to approximately half of the total area of the Sports Club and is focussed upon the existing structures and hardstanding which are predominantly located towards Springhouse Road. The buildings on site are single or two storey and the main sports club building is located centrally within the frontage. The area surrounding these buildings consists of hardstanding to provide parking along with various grassed areas which include bowling greens and part of the sports field. The areas beyond the main sports club building are allocated as existing open space.
- 2.3 To the north is a development called Dove Court and residential properties in Central Avenue, to the east is the sports field and properties in Monfort Avenue backing onto the eastern boundary of the sports field, to the south is an area of public open space, and directly to the west of Springhouse Road are residential properties. The site is in close proximity to Corringham town centre and various local shops and facilities. Springhouse Road includes bus routes.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The following table provides the planning history:

Application Reference	Description of Proposal	Decision
20/00642/SCR	EIA Screening Opinion for the construction of 4no. blocks of residential dwellings with associated access roads and parking, one block to include doctors surgery and police office (D1), and gym (D2) at ground floor level. Erection of new sports club with associated facilities including bowls pavilion, bowling green and petanque terrain and associated facilities including parking. Formation of two vehicular	EIA Not Required

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	access points following the removal of existing vehicular access points. Demolition of existing sports club, all associated buildings and removal of hardstanding.	
14/00288/FUL	Conservatory to rear to extend the existing family room (9mtrs x 5mtrs)	Approved
80/01338/FUL	New building for sodium hypochlorite storage tanks.	Approved
78/00665/FUL	Alterations to Beer Store.	Approved
76/00029/ADV	Two Illuminated Box Signs	Approved
75/00839/FUL	New Male Lavatory Block. (Revised Plans received 24.9.75.)	Approved
70/00861/FUL	Additional space for club activities.	Approved
70/00861A/FUL	Extension to "Shell" Club (Revised plans)	Approved
70/00861B/FUL	Details of external materials. (As per letter from applicants' Architect dated 20.1.71)	Approved
63/00177/FUL	Gymnasium & Sports Training Facilities	Approved
55/00480/FUL	Bowls Pavilion	Approved
53/00116/FUL	Extension to existing sports ground	Approved
55/00227/FUL	Extension to Club Premises	Approved
55/00072/FUL	Construction of Swimming Pool	Approved
52/00199/FUL	Addition	Approved
48/00024/FUL	Pavilion and provision of Bowling Green and Tennis Courts	Approved

4.0 CONSULTATION AND REPRESENTATIONS

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

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. Representations have been received consisting of 20 letters of objection, 1 comment and 40 letters of support. The responses can be summarised as follows:

Objections

- Overdevelopment
- Loss of green space
- Contrary to policy

- Out of character
- Additional Traffic
- Parking
- Loss of privacy and overlooking
- Overshadowing and loss of light
- Overbearing impact
- Noise and disturbance
- Prevent houses opposite investing in solar panels
- Construction traffic/disturbance
- Impact upon local infrastructure
- Sale of alcohol
- Occupation of affordable units
- Access to site
- Previous statement regarding the residential development of the site
- Flats at bottom of the garden
- Pandemic shown the importance of retaining open space

Comment

- Whether the access is acceptable
- Whether there is enough parking

Support

- Housing and affordable housing
- Employment
- Economic benefit
- Improved sports facilities
- Improved social facilities
- Current clubhouse in poor state of repair
- Provision of new infrastructure
- If not built club may have to close

4.3 ANGLIAN WATER:

No objection subject to condition requiring a surface water drainage strategy to be agreed.

4.4 EDUCATION:

No objection subject to a financial contribution of £148,574.06 towards nursery, primary and secondary education provision.

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4.5 ENVIRONMENTAL HEALTH:

No objection regarding air quality and contaminated land subject to condition requiring a Construction Environmental Management Plan.

4.6 ESSEX COUNTY COUNCIL ARCHAEOLOGY:

No objection.

4.7 ESSEX POLICE:

Recommends the developer achieves the Secured by Design accreditation.

4.8 FLOOD RISK ADVISOR:

No objection subject to conditions regarding further details of the surface water drainage strategy with future maintenance and management details.

4.9 HIGHWAYS:

No objection subject to conditions and a planning obligation of £100,000 towards improvements to the junction of Giffords Cross Road and Springhouse Road and £10,000 towards provision of Controlled Parking Zones.

4.10 HOUSING:

No objection subject to 35% of the development to be secured for affordable housing requirements.

4.11 LANDSCAPE AND ECOLOGY ADVISOR:

No objection subject to conditions and legal agreement in relation to RAMS contribution.

4.12 NHS ENGLAND:

No response.

4.13 PUBLIC RIGHTS OF WAY OFFICER:

No objection subject to public footpath 163 remaining open between Pembroke Avenue and Park Road.

4.14 SPORTS AND LEISURE POLICE AND DEVELOPMENT MANAGER:

No objection subject to condition sports facilities being replaced in advance of demolition and ensuring the Bowling Green meets Sport England's guidance.

4.15 SPORT ENGLAND:

No objection subject to conditions/obligations for phasing and delivery of sports and social club facilities and the bowling green construction and design to follow Sport England requirements.

4.16 STRATEGIC TRANSPORT MANAGER:

No objection subject to submission of travel plans and a monitoring fee of £525 per annum for at least five years, and a financial contribution of £35,000 towards a car club and £40,000 towards bus infrastructure improvements on Springhouse Road and Gordon Road

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework

The revised NPPF was published on 19th February 2019. The NPPF sets out the Government's planning policies. Paragraph 2 of the NPPF confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

- 5. Delivering a sufficient supply of homes;
- 6. Building a strong, competitive economy;
- 8. Promoting healthy and safe communities;
- 9. Promoting sustainable communities;
- 11. Making effective use of land;
- 12. Achieving well-designed places;
- 15. Conserving and enhancing the natural environment;

5.2 Planning Policy Guidance

In March 2014 the former Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was

accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. NPPG contains a range of subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of this planning application include:

- Design
- Determining a planning application
- Effective use of land
- Healthy and safe communities
- Housing and economic land availability assessment
- Housing needs of different groups
- Housing needs of different groups
- Light pollution
- Natural environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning obligations
- Transport evidence bases in plan making and decision taking
- Travel Plans, Transport Assessments and Statements
- Use of planning conditions

5.3 Local Planning Policy Thurrock Local Development Framework

The “Core Strategy and Policies for Management of Development” was adopted by Council on the 28th February 2015. The following policies apply to the proposals:

OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

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

SPATIAL POLICIES

- CSSP1 (Sustainable Housing and Locations)
- CSSP5 (Sustainable Greengrid)

THEMATIC POLICIES

- CSTP1 (Strategic Housing Provision)
- CSTP2 (The Provision Of Affordable Housing)
- CSTP9 (Well-being: Leisure and Sports)

- CSTP10 (Community Facilities)
- CSTP11 (Health Provision)
- CSTP14 (Transport in the Thurrock Urban Area)
- CSTP15 (Transport in Greater Thurrock)
- CSTP18 (Green Infrastructure)
- CSTP19 (Biodiversity)
- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD3 (Tall Buildings)
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD8 (Parking Standards)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)
- PMD12 (Sustainable Buildings)
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation)
- PMD15 (Flood Risk Assessment)
- PMD16 (Developer Contributions)

5.4 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. In December 2018 the Council began consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

5.5 Thurrock Design Strategy

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new

development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

6.0 ASSESSMENT

6.1 The material considerations for this application are as follows:

- I. Principle of the Development
- II. Impact upon Sports Uses, Community Uses and Open Space
- III. Housing Land Supply, Need, Mix and Affordable Housing
- IV. Design and Layout and Impact upon the Area
- V. Landscaping and Amenity Space
- VI. Access, Traffic Impact and Parking
- VII. Flood Risk and Surface Water Drainage
- VIII. Biodiversity and Ecology
- IX. Effect on Neighbouring Properties
- X. Energy and Sustainable Buildings
- XI. Viability and Planning Obligations
- XII. Sustainability
- XIII. Other Matters

I. PRINCIPLE OF THE DEVELOPMENT

6.2 The site is located within the urban area of Corringham and is partly allocated in the Core Strategy Plan Proposals Map as existing open space, outdoor sports and recreational facilities where policies CSSP5, CSTP10 and PMD5 apply. A large part of the site is not allocated for any particular land use. There are no objections to the principle of development in this urban location subject to consideration of the impact upon existing sports facilities, open space and recreational facilities in regard to policies CSTP10 and PMD5, and with regard to all other material considerations.

II. IMPACT UPON SPORTS USES, COMMUNITY USES AND OPEN SPACE

6.3 The existing sports facilities including the club facilities, bowls facilities and sports hall which would be redeveloped through this proposal partly through four blocks of residential dwellings and partly through replacement sports and social club facilities. The new sports and social club building would include a replacement sports hall, social club facilities, bowls green as well as a new gym, petanque court and a dedicated bowls pavilion. Approximately 0.3 hectares of the playing field would be lost for the redevelopment scheme but the majority of the club's playing field would be retained. It should be noted that the residential development associated with this proposal is enabling development to fund the new/replacement sports and social club facilities.

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- 6.4 The key issues relate to the impact upon the sports and community uses on the site and the impact upon open space and sports pitches.
- 6.5 With regards to the Core Strategy, policy CSTP10 states that the loss of community facilities will only be allowed where *‘appropriate facilities of equal or better quality will be provided as part of the development’*. Policy PMD5 states that *‘Development proposals that would result in their complete or partial loss or cause or worsen a deficiency in the area served by the space or facility will not be permitted’*, unless alternative facilities of an equivalent or improved facilities can be provided and that proposals would not negatively affect the character of the area.
- 6.6 In terms of the NPPF, paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless the following criteria are fulfilled:
- a) *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - b) *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - c) *The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*
- 6.7 In terms of the above policies the community use would provide improved facilities than existing and would comply with the requirements of policy CSTP10. With regards to policy PMD5 the proposal would continue to provide a bowling green in replacement of the small area of playing field lost through the development but sufficient playing fields would remain for sporting uses to accord with this policy.
- 6.8 In addition to the planning policies, Sport England’s policy on the loss of playing fields is in a similar vein to the planning policies and is a material consideration. Within the Sport England’s Playing Fields Policy and Guidance 2018 it sets out that Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of all or any part of a playing field or land which has been used as a playing field and remains undeveloped unless, in the judgement of Sport England, the development as a whole meets with specific exceptions. For this proposal there are exceptions to the Sport England policy and therefore consideration must be given to whether exceptional circumstances exist that would justify the loss of part of the playing field.
- 6.9 In terms of exceptional circumstances Sport England considers that the proposal would lead to improved and new facilities that would be superior to the existing situation with modern fit for purpose facilities. While the development would result in

the loss of around 0.3 ha of playing fields and reduce the space available the playing field would still be accommodated on the remaining playing field with room for sports pitch markings. The sports & social club building would provide changing facilities that support the sports hall which have been designed so that direct external access could be provided to the playing fields if required. In these circumstances Sport England raise no objection to the application subject to the imposition of appropriate conditions. The Council's Sports and Leisure Police and Development Manager supports the Sport England's view to this application.

- 6.10 For the reasons stated above the proposal would be acceptable having regard to policies CSTP10, PMD5, paragraph 97 of the NPPF and in light of Sport England's consultation response.

III. HOUSING LAND SUPPLY, NEED, MIX AND AFFORDABLE HOUSING

- 6.11 There is a housing need within the Borough as the Council cannot, at present, demonstrate an up to date five year housing land supply to comply with the requirements of paragraph 73 of the NPPF.
- 6.12 The residential development would constitute enabling works in order to allow for the redevelopment of the sports club and provide additional housing within the urban area. Policy CSSP1 seeks to direct residential to Previously Developed Land in the Thurrock Urban Area in order to protect the Green Belt and surrounding countryside. This also has the benefit of ensuring residential development is more sustainable due to the proximity to existing services, infrastructure and public transport. In order to ensure efficient use of the land a density range of between 30 to 75 dwellings would be appropriate due to the medium level of accessibility of the site. In this instance a density of 55.9 units per hectare is proposed which would ensure the efficient use of the land.
- 6.13 Policy CSTP1 also requires the dwelling mix for new residential developments to be provided in accordance with the latest (May 2016) Strategic Housing Marketing Assessment (SHMA) and the update Addendum (May 2017). The SHMA sets out the housing need and mix requirements for the Borough but also the wider context of South Essex. The SHMA identifies the need for 3 bedroom semi-detached and terraced houses, and the need for 1 and 2 bedroom apartments. The proposal would provide 95 dwellings in the form of apartments (1 and 2 bedroom units). This would reflect the Borough's housing needs in regard to the latest SHMA and policy CSTP1. There are no objections raised by the Council's Housing Officer as the proposed units would meet the demand as set out in the SHMA.
- 6.14 With regard to affordable housing, policy CSTP2 requires 35% of the development to be allocated for affordable housing. The applicant is offered a policy compliant

level of affordable housing comprising totalling 34 affordable dwellings in the form of 22 x 1 bedroom units and 12 x 2 bedroom units. The Council's Housing Officer supports the provision being offered subject to the affordable housing being secured through a planning obligation.

IV. DESIGN AND LAYOUT AND IMPACT UPON THE AREA

- 6.15 Policy CSTP22 requires proposals to have a *'positive response to the local context'*, and policy CSTP23 seeks to *'protect, manage and enhance the character of Thurrock to ensure improved quality and strengthened sense of place'*. Policy PMD2 states *'Development must contribute positively to the character of the area in which it is proposed, and to surrounding areas that may be affected by it. It should seek to contribute positively to local views'*. Paragraph 124 of the NPPF requires the creation of high quality buildings and places and PPG Design: Process and Tools identifies 10 characteristics, which are context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan.
- 6.16 The Thurrock Design Strategy was adopted as a supplementary planning document in addition to the above policies and endorsed as a material consideration in the determination of planning applications in March 2017. Section 3 of the Guide ('Designing in Context') requires applicants to appraise a development site by taking the following considerations into account:
- understanding the place;
 - working with site features;
 - making connections; and
 - building in sustainability.

Understanding the Place

- 6.17 The immediate area consists of buildings of varied scale and design. Springhouse Road and Princes Avenue, to the south west and south of the site respectively, generally consist predominantly of two storey detached or terraced dwellings of traditional design. The site is separated from Princes Avenue by an area of public open space. To the north and east of the site are single storey bungalows along Central Avenue and Montfort Avenue. There is a change in character moving north west along Springhouse Road towards Corringham Town centre where there are a number of 3 storey buildings including a number of flat roofed design. There is also a more mixed character with a number of industrial and commercial buildings within this area.

Layout

- 6.18 The proposed layout of the development shows that two new vehicle accesses would be provided onto Springhouse Road, one for residential access and one for club access. The club access would lead into a car park at the front of the site with the proposed sports centre and outdoor sports areas position behind the car park. The layout for the residential part of the site would feature two apartment blocks fronting onto Springhouse Road and two further apartment blocks set back behind the two front apartment blocks. The access road would pass between the apartment blocks providing access to car parking areas between and to the rear of the apartment blocks. Within the site it is acknowledged that there would be parking areas for the residential use towards the centre and rear of the site with limited views from the public domain. The sport centre parking would be located at the front of the site. Overall, there are no objections raised to the layout of the development.
- 6.19 The proposed internal layout dimensions for the apartments would comply with the relevant minimum space standards. In addition the outlook and natural light to habitable rooms would be acceptable.

Scale and Appearance

- 6.20 The development would consist of five buildings ranging from the two storey sports club to the three and four storey residential blocks. There would be a suitable level of separation between the residential buildings to ensure there would be some relief in built form. The set back from the road would afford an opportunity for landscaping which would further break up the scale of the buildings. Whilst these buildings would be taller than existing buildings at the site there are larger residential or mixed use buildings found towards Corringham town centre. The fourth floor would represent an additional storey height above the tallest buildings in the general character of the area, however, these elements would be restricted to a small area of the roofs of Blocks A and C, which helps lessen its impact and provides more articulation to the appearance of the building at the lower levels. The scale of the residential development and the indicative/illustrative appearance of these buildings raise no objections.
- 6.21 The sports club would be predominantly two storey with a taller element to accommodate the necessary internal ceiling height for the badminton court within sports club, and this would be positioned towards the rear of the building so its impact upon the front elevation is lessened by this set back. The sports club would be set well back from the road with a suitable separation from the nearest residential block to provide a transition between the differing scales of these buildings. It is considered that the scale of the sports centre would be acceptable in the context of the location and general character of the area. The indicative/illustrative appearance of the sports hall building raises no objections.

The existing site is dominated by hardstandings when viewed from Springhouse Road and the current proposal would reduce the amount of hardstanding allowing space for landscaping to the front of the site which would represent a visual improvement. Therefore it is considered that the reduction in the level of hardstanding would represent an improvement.

Impact upon the Area

- 6.22 The proposal would retain the sports pitch and open field to the rear of the site, would be set in from the side boundaries and given the varied character and appearance of development in the area the proposed development would be acceptable in design terms having regard to the Thurrock Design Strategy SPD, policies CSTP22, CSTP23 and PMD2, alongside the requirements of the NPPF and PPG.

V. LANDSCAPING AND AMENITY SPACE

Landscaping and Trees

- 6.23 Given the extent of existing built form and hardstanding's at the site there is currently only limited of landscaping. The proposal would be likely to result in improvements in landscaping at the site but a full detailed landscaping scheme would need to be provided through the subsequent reserved matters to satisfy the requirements of policy PMD2.
- 6.24 In addition to the above, the landscaping of the site would need to be managed and therefore details of the future management and maintenance arrangements for the site would also need to be secured through a planning condition or obligation (if payment is necessary).
- 6.25 There are no trees within the site that are subject of Tree Preservation Orders (TPO's). The applicant's Arboricultural Impact Assessment identifies that 11 trees would need to be removed and three of these trees would be category B trees (trees of moderate quality) and the rest category C trees (trees of low quality). Trees remaining on site would need to be subject to tree and root protection measures during the construction period. The Council's Landscape and Ecology Advisor raises no objections and the landscaping scheme through the reserved matters could introduce replacement trees to allow for landscape improvement in line with policy PMD2.

Private Amenity Space

- 6.26 Each apartment would have either a balcony or patio area ranging between 6.5m² to 9.5m². Communal amenity space would also be required within the designated areas main areas between the front and rear apartment blocks. Directly to the south is the recreation ground and Corringham Town Park is also a short within walking distance of the site. It is considered that the level of amenity space would be suitable for future occupiers with regard policy PMD2.

VI. TRAFFIC IMPACT, ACCESS AND CAR PARKING

Access and Accessibility

- 6.27 The proposal would reduce the number of access points from 3 to 2, one would serve the redeveloped sports facility and the other would provide access to the residential element of the scheme, so this would be an improvement through less vehicle access points onto Springhouse Road. The Highway Officer advised that a 'controlled parking zone' to manage on street parking in this location could be facilitated but such a requirement is outside of the scope of this planning application. The Highway Officer has raised no objection to the internal road layout and it is considered appropriate for refuse vehicles. No objections are raised in regard to policy PMD9 and paragraph 108 of the NPPF.
- 6.28 In terms of accessibility the site is within close proximity to Corringham town centre for essential shops, services, amenities and multi modal sustainable transport options including a number of bus routes. The Council's Strategic Transport Manager has identified the need for bus infrastructure improvements including the replacement of the bus shelter on Springhouse Road eastbound and enhancements of the westbound bus stop on Gordon Road with a new shelter and a real time passenger information screen.

Traffic Impact

- 6.29 The applicant's Transport Assessment (TA) identifies that there would be 55 two way vehicle movements in the weekday AM peak hour and 56 two way vehicle movements in the weekday PM. The TA states that the impact of predicted trip generation would be acceptable within the highway network. The Council's Highway Officer has no objection regarding these vehicle movements but has raised concerns regarding the impact upon the junction of Giffords Cross Road and Springhouse Road as a main route into Corringham. The Council's Highways Officer has advised that a contribution of £100,000 towards improvement measures at the junction of Giffords Cross Road and Springhouse Road would be needed to mitigate the impact of the development. Therefore subject to this mitigation the overall principal of the impact upon the surrounding road network is considered to be acceptable having regard to policies PMD9 and PMD10, and paragraphs 108 and 110 of the NPPF.

Parking and Travel Plan

- 6.30 The proposal would provide a total of 98 parking spaces for residential occupiers and for the sports club 70 parking spaces are proposed to the front of the sport centre building. It is considered that the level of parking provision for would be acceptable. In order to ensure that the car park for the sport centre is isn't used by residents a car park management plan would be necessary detailing how parking would be controlled through car parking enforcement, ANPR cameras and similar mechanisms. This can be secured through a planning condition along with a further condition requiring provision of electric vehicle parking and charging facilities. Given the accessibility to local bus services along with local shops and amenities in the nearby town centre and it is considered that the level of parking provision would be acceptable for the residential development in regard to policy PMD8 and paragraph 110 of the NPPF.
- 6.31 With regards to cycle storage the proposal would provide 150 spaces located across three of the residential blocks. There would also be space within the storage area of Block D for mobility scooters and cycles. To encourage cycling to the sports centre it is necessary for cycle parking to be provided within close proximity of the sports centre and this would need to be secured through a planning condition.
- 6.32 Given the accessibility to local bus services along with local shops and amenities in the nearby town centre and it is considered that the level of parking provision would be acceptable for the residential development in regard to policy PMD8 and paragraph 110 of the NPPF.
- 6.33 The proposed development would give rise to the need for a Travel Plan to promote sustainable modes of transport to accord with policy PMD10 and paragraph 111 of the NPPF. The applicant's Framework Travel Plan includes targets of decreasing single occupancy car usage, increase walking and cycling to the development, increase bus and train usage, and increase car sharing and car club uses. The Travel Plan would include welcome parks for new home owners but there is also a need for a travel plan for the sports centre use. The Council's Strategic Transport Manager raises no objection subject to the need for the travel plans to be secured through planning conditions and an associated monitoring fee of £525 per annum for a minimum of five years secured through a planning obligation. The Council's Strategic Transport Manager also requires a financial contribution of £35,000 towards a car club facility and supporting measures for a five year period and this can be secured through a planning obligation.

VII. FLOOD RISK AND DRAINAGE

- 6.34 The application site is located within the low risk flood zone (Flood Zone 1) and the PPG advises that there is no requirement for application of the Sequential Test or Exception Test as the development is 'appropriate' within this low risk flood zone. As the site area exceeds 1 hectare, the application is accompanied by a Flood Risk Assessment (FRA) which confirms that the site is not at risk from flooding.
- 6.35 The FRA includes surface water details explaining that devices such as permeable paving construction for the parking bays would be used in addition to green roofs, shallow swale, and below-ground geocellular attenuation crates. From these features the surface water would discharge would drain into the existing drainage system at the rear of the site at a controlled discharge rate (where necessary a hydro brake would be used). The Flood Risk Manager raises no objection subject to the use of planning conditions requiring a detailed surface water drainage scheme and details of the future management and maintenance arrangements, which will ensure the drainage requirements to accord with the NPPF and PPG, and policy PMD15.

VIII. BIODIVERSITY AND ECOLOGY

- 6.36 The Council's Landscape and Ecology Advisor has stated that the site falls within the 'Zone of Influence' of one or more of the European designated sites scoped into the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS), which requires a planning obligation. The nearest European designation is the Thames Estuary and Marshes SPA (Special Protection Area) and Ramsar Site.

Habitats Regulations Assessment

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

Before deciding to give any permission for a plan which:

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

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

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

Stage	LPA response
Stage 1 is the Screening Assessment	<p>The eastern half of Thurrock is within the zone of influence (Zol) for the Essex Coast RAMS. The following developments within the Zol qualify:</p> <ul style="list-style-type: none"> • New dwellings of 1+ units (excludes replacement dwellings and extensions) • Houses of Multiple Occupancy (HMOs) • Residential care homes and residential institutions (excluding nursing homes) • Residential caravan sites (excludes holiday caravans and campsites) • Gypsies, travellers and travelling show people plots <p>It is anticipated that such development is likely to have a significant effect upon the interest features of the Thames Estuary and Marshes Special Protection Area and Ramsar through increased recreational pressure, when considered either alone or in-combination with other plans and projects. Therefore, an appropriate assessment is needed to assess recreational disturbance impacts. The qualifying features of these sites are set out at the end of this report.</p>
Stage 2 is the Appropriate Assessment	<p>If the proposal is within or directly adjacent to the above European designated site a proportionate financial contribution should be secured in line with the Essex Coast RAMS requirements. Record evidence that this mitigation measure has been secured in the 'summary' section below. Consideration of further bespoke recreational mitigation measures may also be required in this case.</p> <p>If the proposal is not within or directly adjacent to the above European designated site then a proportionate financial contribution should be secure in line with the Essex Coast RAMS requirements.</p> <p>A contribution in line with the Essex Coast RAMS should be secured to address likely significant effects in-combination.</p> <p>For development's under 100 dwelling Natural England need</p>

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	not be consulted on the appropriate assessment and proposed mitigation measures.
Summary of the Appropriate Assessment	<p>The application would result in a net increase of 95 units and is within the Essex Coast RAMS Zol. It therefore meets the criteria set out in Test 1 showing that the scheme is would have likely significant effects to the Thames Estuary and Marshes SPA and therefore requires an Appropriate Assessment</p> <p>Summary of recreational disturbance mitigation package:</p> <p>The application is for a net increase of 95 dwellings. The site is not within or adjacent to the SPA. It is therefore considered that a proportionate financial contribution in line with Essex Coast RAMS should be made to contribute towards the funding of mitigation measures detailed in the Essex Coast RAMS Strategy.</p> <p>The current tariff is £125.58 per unit. Therefore the financial contribution should be £11,930.10 and this can be secured through a planning obligation.</p>

- 6.39 Having considered the proposed avoidance and mitigation measures above, it is concluded that with mitigation the project will not have an Adverse Effect on the Integrity of the European sites included within the Essex Coast RAMS.
- 6.40 Having made this appropriate assessment of the implications of the plan or project for the site in view of that site's conservation objectives the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017.
- 6.41 If the application were to be approved the proposed development would require the mitigation identified through a financial contribution of £11,930.10 towards the funding of mitigation measures detailed in the Essex Coast RAMS Strategy.
- 6.42 It is therefore recommended that the local planning authority formally determine that, on the basis of the information available and the mitigation identified, the proposed development would not have a likely significant impact on a European site either alone or in combination with other plans or projects, and this forms 'Recommendation A'.

On Site Ecological Assessment

- 6.43 The applicant's Ecological Report identifies that the site has limited potential for supporting protected species and contains no habitats of any significance. It is recognised that the proposed green roofs would have the potential to support biodiversity net gain along with planting through a landscaping scheme. The Council's Landscape and Ecology Advisor raises no objection subject to the inclusion of ecological enhancement measures being implemented which can be secured through a planning condition to meet the requirements of policy PMD7 and paragraph 170 (g) of the NPPF.

IX. EFFECT ON NEIGHBOURING PROPERTIES

- 6.44 The nearest neighbouring residential property is to the north in a building known as Dove Court which is approximately 5m from the site's northern boundary. This building has gardens bordering the boundary and windows in the south elevation which face towards the site and overlook the existing bowling green. The view from the properties in Dove Court would partly change as the side elevation of Block C would be located approximately 16.7m away (building to building distance), however, the side elevation would not occupy the length of the common boundary. Given the retained separation distance it is considered that there would not be a significant loss of light or overbearing impact upon the residents of Dove Court, which is supported by the applicant's Daylight and Sunlight Assessment. In terms of privacy there would be no windows in the north side elevations of Block C and details of the balcony screening for the apartments can be secured through condition/reserved matters. Given the separation distance it is considered that these would not result in a significant loss of privacy. Overall the proposal would not adversely affect the residential amenities of the occupiers of this building.
- 6.45 The side elevation of Block A would be visible from the properties and gardens in Central Avenue, directly to the north. However, there is already a two storey building located within the site at the end of the gardens to some of these properties. This building would be demolished resulting in an improvement. The distance between Block A and the rear wall of properties in Central Avenue would be approximately 48m. Block A would step down to three stories in height towards the common boundary which would be 5.9m from the side wall of Block A. Given the limited nature of these views and the retained separation distance this would not result in a significant loss of privacy, loss of light or overshadowing, which is supported by the applicant's Daylight and Sunlight Assessment. In terms of privacy there would be no windows in the north side elevations of Block A and details of the balcony screening for the apartments can be secured through condition/reserved matters. Given the separation distance it is considered that these would not result in a significant loss of

privacy. Therefore the occupiers of these properties and their gardens would not be adversely affected by the development.

- 6.46 The proposed buildings are considered to be suitably separated from neighbours on the opposite side of Springhouse Road to ensure there would not be a significant impact in terms of loss of light, overbearing impact or loss of privacy.
- 6.47 The proposal would result in an increase in the intensity of the use of the site due to the creation of a new sports club and the additional residential use. The sports club would be sited towards the south east boundary of the site and set back from the road and away from residential properties. It is noted that the sports club includes significant social elements including a bar and function room which could result in noise and disturbance in the evenings. However it is recognised that the existing complex already provides a bar and function rooms. In order to ensure that there would not be a significant impact during unsociable hours it is considered necessary to include a condition in relation to the intended hours of operation of the sports club along with an appropriate noise management plan. This would also be particularly relevant in terms of the occupiers of the proposed residential units which would be in closer proximity to this operation.
- 6.48 Subject to the mitigation measures required through planning condition the proposal would not raise any demonstrable harm to neighbouring amenity in terms policy PMD1 and paragraph 180 of the NPPF.

X. ENERGY AND SUSTAINABLE BUILDINGS

- 6.49 In terms of meeting the requirements of policy PMD13 it is stated in the applicant's Design and Access Statement that a range of measures including photovoltaic panels, green walls and roofs, rainwater harvesting, air source heat pumps, heat recovery units, energy efficient fabrics and low water usage fittings would be used throughout the development. It is stated that 20% of the sites total energy generated would be via renewable sources which would comply with policies CSTP25 and PMD13, however, further details of the proposals would need to be agreed through a planning condition.
- 6.50 The BREEAM Feasibility Study demonstrates that an 'Outstanding' rating could be achieved to accord with policy PMD12 and this can be secured through a planning condition.

XI. VIABILITY AND PLANNING OBLIGATIONS

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- 6.51 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.52 Following changes in legislation (Community Infrastructure Levy Regulations), in April 2015 the Council produced its Infrastructure Requirement List (IRL) which changed the way in which planning obligations through section 106 agreements can be sought. In September 2019 the pooling restrictions were removed through the updated Community Infrastructure Levy Regulations but the Council continues to maintain the Infrastructure Requirement List (IRL) to provide an up to date list of physical, social and green infrastructure to support new development in Thurrock. This list is bi-annually reviewed to ensure it is up to date. The IRL applies a number of different development scenarios.
- 6.53 Through the consultation process and assessment of this application the proposed development requires the following planning obligations:
- Housing - For 35% of the development to be for affordable housing provision as required by policy CSTP2.
 - Education – A financial contribution of £148,574 towards nursery, primary and secondary education provision to mitigate the impact of the development.
 - Highways - A financial contribution of £100,000 towards improvements to the junction of Giffords Cross Road and Springhouse Road as a main route into Corringham
 - Highways – A financial contribution of £7,500 towards a residents parking scheme
 - Strategic Transport – A financial contribution of £35,000 towards a car club facility and associated works for a minimum five year period.
 - Strategic Transport – A financial contribution of £40,000 towards bus infrastructure improvements on Springhouse Road and Gordon Road.
 - Travel Plan Monitoring – A financial contribution of £525 per annum for a minimum of five years for each Travel Plan for monitoring purposes to mitigate the impact of the development.
 - Ecology – A financial contribution of £11,930.10 towards the Essex Coast RAMS strategy to mitigate the impact of the development upon the Thames Estuary and Marshes SPA.
- 6.54 The applicant has agreed to meet these required planning obligations to mitigate the development.

XII. SUSTAINABILITY

- 6.55 Paragraph 7 of the NPPF explains that the purpose of the planning system is to achieve sustainable development and as part of the planning balance consideration has to be given to the Environmental, Social and Economic objectives as outlined in paragraph 8 of the NPPF with all three needing to be satisfied to achieve sustainable development.
- 6.56 For the economic objective the proposal would create employment opportunities for the construction phase and for the operational use of sport centre development. When the development is occupied new residents and users of the sport centre would contribute to the local economy. The dwellings would provide an opportunity for local people to live, work and use the leisure facilities at the site and in wider area.
- 6.57 For the social objective the development would help create a new community at this site. For both the social and economic objective the development would provide dwellings for the area and contribute towards the Council's five year housing land supply. The sports centre would have provide sports and social benefits for the users of the site.
- 6.58 For the environmental objective the proposed development would re-use existing previously developed land instead of a greenfield site, it would deliver energy efficient measures, create a high quality designed development, improve visual appearance of the site, increase landscaping, improve connectivity and linkages with Corringham town centre. The surface water management measures would prevent any off site flooding. As identified above the site is accessible by a range of transport modes.
- 6.59 For these reasons stated above the proposed development can satisfy all three objectives of paragraph 8 of the NPPF and where the 'presumption in favour of sustainable development' applies to accord with paragraph 11 of the NPPF.

XIII. OTHER MATTERS

- 6.60 The Council's Environmental Health Officer advises that there would be no issues for air quality or contaminated land considerations. It is recommended that Construction Environmental Management Plan is secured through condition.
- 6.61 Concerns were raised regarding the possible impact upon the ability for the houses on the opposite side of Springhouse Road to invest in solar panels. Given the orientation and separation distances from these houses it is considered that the proposal would not preclude these dwellings from installing solar panels in the future.

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- 6.62 The sale of alcohol would not be unusual in such an establishment and would be controlled by separate licensing legislation. There would also be restrictions on hours of use of the sports club to ensure that the proposal would not unacceptably impact upon neighbouring amenity.

7.0 CONCLUSIONS AND REASONS FOR APPROVAL

- 7.1 The proposal would allow for the replacement of the existing and ageing sports facilities would a purpose built new sports centre and would allow for significant improvements when compared to the existing facilities. The proposal would make better use of the space at the site and would also allow for residential development on part of the site which is necessary as enabling development to fund the new sports centre and its uses. The proposal would be acceptable having regard to policies CSTP10, PMD5, paragraph 97 of the NPPF. The proposal is also supported by Sport England.
- 7.2 The 95 apartments provided through the re-development of the site would contribute to the Council's housing land supply and identified housing needs with the provision of 35% of the apartments as affordable housing units. The site benefits from a sustainable location and is within in easy access of Corringham town centre. The proposal would lead to visual improvements to the site and the immediate surrounding area.
- 7.3 The proposal is acceptable in regard to all other material planning considerations and the proposal would provide number of planning obligations in terms of affordable housing and financial contributions towards education, healthcare, highway improvements, travel plan monitoring and the Essex RAMS payment.
- 7.4 Therefore the recommendation for approval of planning permission is subject to completion of a section 106 agreement and subject to the planning conditions, this is 'Recommendation B' as before consideration of the planning permission is made a decision is needed to determine that the development would not have a likely significant effect on a European site either alone or in combination with other plans or projects, which is 'Recommendation A'.

8.0 RECOMMENDATION

Recommendation A:

- 8.1 That the local planning authority formally determine pursuant to regulation 61 of the Conservation of Habitats and Species Regulations 2017 (as amended), and on the

basis of the information available, that the development proposed will not have a likely significant effect on a European site either alone or in combination with other plans or projects.

Recommendation B:

8.2 Approve the application for the reasons given in this report and delegate authority to the Assistant Director – Planning, Transport and Public Protection to grant planning permission subject to all of the following:

- i) the completion and signing of an obligation under s.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:
 - Housing - For 35% of the development to be for affordable housing provision as required by policy CSTP2.
 - Education – A financial contribution of £148,574 towards nursery, primary and secondary education provision to mitigate the impact of the development.
 - Highways - A financial contribution of £100,000 towards improvements to the junction of Giffords Cross Road and Springhouse Road as a main route into Corringham.
 - Highways – A financial contribution of £7,500 towards a residents parking scheme
 - Strategic Transport – A financial contribution of £35,000 towards a car club facility and associated works for a minimum five year period.
 - Strategic Transport – A financial contribution of £40,000 towards bus infrastructure improvements on Springhouse Road and Gordon Road.
 - Travel Plan Monitoring – A financial contribution of £525 per annum for a minimum of five years for each Travel Plan for monitoring purposes to mitigate the impact of the development.
 - Ecology – A financial contribution of £11,930.10 towards the Essex Coast RAMS strategy to mitigate the impact of the development upon the Thames Estuary and Marshes SPA.
- ii) the following planning conditions:

Submission of Outstanding Reserved Matters

1. The development shall be carried out in accordance with plans and particulars relating to the appearance and the landscaping of the site (hereinafter called "the reserved matters"), for which approval shall be obtained from the local planning authority in writing before any development is begun. The development shall be carried out fully in accordance with the details as approved.

Reason: The application as submitted does not give particulars sufficient for consideration of the reserved matters.

Time limit for the submission of the Outstanding Reserved Matters

- 2 Application for the approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 92(2) of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Time limit for the commencement of Outline Planning Permission

- 3 The development hereby permitted shall be begun within two years from the date of the final approval of the reserved matters. The development shall be carried out as approved.

Reason: To comply with the requirements of Section 92(2) of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans List

- 4 The development shall be carried out in accordance with the plans in regard to the access, layout and scale of the development hereby approved and any plans showing appearance and landscape shall only be used for indicative and illustrative purposes until the appearance and landscape reserved matters have been subsequently approved. The plans approved for this outline permission are listed as follows:

Plan Number(s):		
Reference	Name	Received
338.D	Proposed Street Scene Locations Plan	11th December 2020
339.B	Proposed Street Scenes A and E	22nd May 2020
340.B	Proposed Street Scenes B and F	22nd May 2020
341.C	Proposed Street Scenes C and G	11th December 2020
342.B	Proposed Street Scene D	22nd May 2020
000.G	Location Plan	11th December 2020
001.C	Existing Site Plan	15th December 2020
002.H	Proposed Block Plan	15th December 2020

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004.I	Proposed Site Plan including Ground Floor Plans	11th December 2020
007.D	Proposed Site Plan Public Space and Connectivity	11th December 2020
101.B	Existing Floor Plans	22nd May 2020
102.B	Existing Front and Side Elevations	22nd May 2020
103.B	Existing Side and Rear Elevations	22nd May 2020
104.B	Existing Elevations	22nd May 2020
302.B	Proposed Sports Club First Floor Plans	22nd May 2020
303.B	Proposed Sports Club Roof Plans	22nd May 2020
304.C	Proposed Front and Side Elevations	11th December 2020
306.B	Proposed Section and Side Elevations	22nd May 2020
307.B	Proposed Ground Floor Plan Block A	22nd May 2020
308.B	Proposed First Floor Plan Block A	22nd May 2020
309.B	Proposed Second Floor Plan Block A	22nd May 2020
310.B	Proposed Third Floor Plan Block A	22nd May 2020
311.B	Proposed Fourth Floor Plan Block A	22nd May 2020
312.B	Proposed Rear and Side Elevations	22nd May 2020
313.B	Proposed Front and Side Elevations	22nd May 2020
315.D	Proposed Ground Floor Plan Block B	11th December 2020
316.B	Proposed First Floor Plan Block B	22nd May 2020
317.B	Proposed Second Floor Plan Block B	22nd May 2020
318.B	Proposed Roof Plan Block B	22nd May 2020
319.C	Proposed Basement Floor Plan Block B	15th December 2020
320.B	Proposed Rear and Side Elevations	22nd May 2020
321.B	Proposed Front and Side Elevations	22nd May 2020
323.B	Proposed Ground Floor Plan Block C	22nd May 2020
324.B	Proposed First Floor Plan Block C	22nd May 2020
325.B	Proposed Second Floor Plan Block C	22nd May 2020
326.B	Proposed Third Floor Plan Block C	22nd May 2020
327.B	Proposed Roof Plan Block C	22nd May 2020
328.B	Proposed Rear and Side Elevations Block C	22nd May 2020
329.B	Proposed Front and Side Elevations Block C	22nd May 2020
331.E	Proposed Ground Floor Plan Block D	11th December 2020
332.B	Proposed First Floor Plan Block D	22nd May 2020
333.B	Proposed Second Floor Plan Block D	11th December 2020

Planning Committee: 10 June 2021	Application Reference: 20/00592/OUT
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334.B	Proposed Roof Plan Block D	22nd May 2020
335.B	Proposed Front and Side Elevations Block D	22nd May 2020
336.B	Proposed Rear and Side Elevations Block D	22nd May 2020
305.C	Proposed Sports Club Rear and Side Elevations	28th July 2020
301.E	Proposed Sports Club Ground Floor Plans	11th December 2020
191970-001 Rev E	Proposed Access Plans	20th August 2020
005	Pitch Diagram	15th December 2020
006	Existing Changing Rooms	15th December 2020
105	Existing Sports Club Elevations	15th December 2020

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

Phasing & Delivery of Sports Centre/Uses

- The development shall not be begun until a detailed programme of phasing of the development has been submitted to and approved in writing by the local planning authority (herein referred to as 'the Phasing Strategy'). The Phasing Strategy shall require the replacement sports centre and sporting facilities to be completed and be made available for use prior to the occupation of 34 apartments or within a timeframe to be agreed in writing with the local planning authority prior the commencement of development. The development shall be implemented in accordance with the approved Phasing Strategy.

Reason: To ensure the sports centre and associated uses are implemented on the site prior to completion of all residential uses in order preserve the use of the site for sporting purposes in accordance with policies CSTP10 and PMD5 of adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015) and paragraph 97 of the NPPF.

Bowling Green Details

- No development of the bowling green hereby permitted shall commence until the following documents have been submitted to and approved in writing by the Local

Planning Authority after consultation with Sport England:

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the bowling green which identifies constraints which could affect bowling green quality; and
- (ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the bowling green will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation, maintenance and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in accordance with the details as approved prior to occupation of the sports centre.

Reason: To ensure that the bowling green is prepared to an adequate standard, is fit for purpose, provides a satisfactory quality of compensatory provision and to accord with policy PMD5 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015) and paragraph 96 of the NPPF.

Definition of Use

- 7 The sports centre shall only be used for such purposes and for no other purpose including any purpose as defined within Class D2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: In the interests of amenity and to ensure that the development remains integrated with it's immediate as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Details of Materials/Samples to be submitted

- 8 The application for approval of reserved matters shall include details of all materials to be used in the construction of the external surfaces.

Notwithstanding the information on the approved plans, no development shall commence above ground level until written details or samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.

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

Site Levels

- 9 No development shall commence until details of the existing and finished site levels and finished external surface levels, and the finished floor levels of the buildings hereby permitted have been submitted to and approved by the local planning authority. The development shall be implemented in accordance with the agreed details.

Reason: In order to 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).

Details of Boundary Screening

10. The application for approval of reserved matters shall include details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers to be used.

Prior to the occupation of the development details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers shall be submitted to and approved in writing by the local planning authority. The screening as approved shall be completed prior to the occupation of the development and shall be retained and maintained as such thereafter.

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

Submission of Landscaping Details for Reserved Matters

- 11 The landscaping details pursuant to the reserved matters referred to in Condition 1 shall provide full details and specifications of both hard and soft landscape works which shall be submitted to and approved in writing by the local planning authority. These details shall include:

Soft landscaping works:

- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
- 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support
- 3) Details of the aftercare and maintenance programme

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

Hard landscape works:

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

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

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

Landscape Management Plan

- 12 No development shall commence until a landscape management plan, including management responsibilities and maintenance schedules for upkeep of all landscaped areas, other than domestic gardens has been submitted to and approved in writing by the local planning authority. The landscape management plan shall be implemented in accordance with the details as approved and retained thereafter, unless otherwise agreed in writing with the local planning authority.

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

Retention of Identified Trees / Hedges

- 13 The trees and hedges identified for retention on the approved plan within the Arboricultural Impact Assessment which forms part of this permission shall be protected during the course of the development. The trees and/or hedges shall be protected by chestnut paling fencing for the duration of the demolition and construction period at a distance equivalent to not less than the spread from the trunk. The protective fencing and ground protection shall be erected before the commencement of any clearing, demolition and building operations and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced protection zone(s) no materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence, nor shall any change in ground level be made within the fenced area unless otherwise first agreed in writing by the local planning authority. If within five years from the completion of the development a tree or hedge shown to be retained is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement shall be planted within the site of such species and size, and shall be planted at such time, as specified in writing by the local planning authority.

Reason: To secure the retention of the trees/hedges 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 LDF Core Strategy and Policies for the Management of Development (2015).

Vehicular Accesses

- 14 No development shall commence until details of the two accesses onto the highway have been submitted to and approved in writing by the local planning authority. The details shall include layout, dimensions, sight splays, visibility splays and construction specification of the accesses. The apartments and/or sports centre shall not be occupied until the junctions has been laid out, constructed and surface finished in accordance with the details as approved.

Reason: To ensure that the access is constructed to the appropriate standard in the interests of highway safety in accordance with policies PMD2 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Electric Gate Details

- 15 The application for approval of reserved matters shall include details of the proposed electric gate shown on the approved plans to access to the apartments. The electric gate shall only be installed as approved prior to the occupation of the apartments and shall be retained and maintained as such thereafter.

Reason: In the interests of highway safety in accordance with policies PMD2 and PMD9 of the Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Closure of Existing Accesses

- 16 Immediately upon the two new accesses hereby permitted being brought into use the existing access shall be permanently closed in accordance with details which shall have been previously submitted to and approved in writing by the local planning authority.

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

Parking Provision

- 17 Prior to the occupation of the development the vehicle parking areas shown on the approved plans, including any parking spaces for the mobility impaired, shall be hard surfaced, sealed and marked out as shown on the approved plans. The vehicle parking area(s) shall be maintained and retained in this form at all times thereafter. The vehicle parking area(s) shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development.

Reason: In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Podium Parking

- 18 Prior to the occupation of the development details of the final design of the proposed podium parking system as shown on the approved plans shall be submitted to and agreed in writing with the local planning authority. The details shall include how the podium parking system operates, identification of how the spaces would be allocated

to each apartment and who will be responsible for the maintenance and management of the installed podium parking system. The podium parking system as approved shall be maintained and retained at all times thereafter. The podium parking system shall not be used for any purpose other than the parking of vehicles.

Reason: In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Car Parking Management Scheme

- 19 Prior to the occupation of the development details of a Car 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 to prevent residents parking within the sports centre car park and prevent users of the sports centre parking in the residential car park, which shall be submitted to and approved by the local planning authority. The approved Car Parking Management Strategy shall be implemented and thereafter retained for the duration of the use of the site unless otherwise agreed in by local planning authority.

Reason: In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Electric Charging Points

- 20 Prior to the occupation of the development details of electric charging points for parking spaces shall be submitted to and approved by the local planning authority. The electric charging points shall be installed as approved and shall be maintained and retained in this form at all times thereafter.

Reason: In the interests of sustainability and to ensure that adequate car parking provision is available for electric vehicles in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Cycle Parking for Sports Centre/Use

- 21 Notwithstanding the detailed on the approved plans, prior to the occupation of the sports centre development hereby approved details of the number, size, location, design and materials of secure and weather protected cycle parking/powered two wheelers facilities to be located in close proximity of the sports centres shall be submitted to and agreed in writing with the local planning authority. The agreed

facilities shall be installed on site prior to the occupation of the sports centre and shall thereafter be permanently retained for sole use as cycle parking/powered two wheelers facilities for the users and visitors of the development.

Reason: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with Policies PMD2 and PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Travel Plan – Residential

- 22 Prior to the occupation of the apartments hereby permitted, a Travel Plan shall be submitted to and agreed in writing with the local planning authority. The Travel Plan shall include detailed and specific measures to reduce the number of journeys made by car to the site and shall include specific details of the operation and management of the proposed measures. The commitments explicitly stated in the Travel Plan shall be binding on the applicants or their successors in title. The measures shall be implemented upon the first residential occupation of the apartments hereby permitted and shall be permanently kept in place unless otherwise agreed in writing with the local planning authority. Upon written request, the applicant or their successors in title shall provide the local planning authority with written details of how the measures contained in the Travel Plan are being undertaken at any given time.

Reason: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with Policy PMD10 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Travel Plan – Sports Centre

- 23 Prior to the occupation of the sports centre building hereby permitted, a Travel Plan shall be submitted to and agreed in writing with the local planning authority. The Travel Plan shall include detailed and specific measures to reduce the number of journeys made by car to the sports centre building hereby permitted and shall include specific details of the operation and management of the proposed measures. The commitments explicitly stated in the Travel Plan shall be binding on the applicants or their successors in title. The measures shall be implemented upon the first occupation of the sports centre building hereby permitted and shall be permanently kept in place unless otherwise agreed in writing with the local planning authority. Upon written request, the applicant or their successors in title shall provide the local planning authority with written details of how the agreed measures contained in the Travel Plan are being undertaken at any given time.

Reason: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with Policy PMD10 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

No additional windows

- 24 For the reserved matters for 'appearance' there shall be no windows installed in the northern side elevation of Block A and C of the residential apartments.

Reason: In the interests of protecting the residential amenities of the properties to the north of the site from overlooking and loss of privacy in accordance with Policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Balcony Screening

- 25 The application for approval of reserved matters shall include details of 1.8m high balcony screening to be located at the sides of each balcony for the apartments located on the northern side elevation of Block's A and C. The balcony screening as approved shall be installed prior to the occupation of the apartments in Block's A and C and shall be retained and maintained as such thereafter.

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

Soundproofing/Noise Insulation

- 26 Prior to the commencement of development a scheme for noise insulation of the proposed dwellings to protect residential amenity from sports associated uses in Blocks B and D of the development hereby permitted shall be submitted to and agreed in writing with the local planning authority. The scheme shall assess the predicted noise impact 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. The noise insulation measures and specification shall be implemented within the apartments prior to occupation of the development and shall be permanently retained as approved thereafter.

Reason: To protect the amenities of future residential occupiers and to ensure that the development can be integrated within its immediate surroundings in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Removal of PD Rights - Communal TV/Satellite

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

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

Refuse and Recycling Storage

- 28 The refuse and recycling storage facilities as shown on the approved plans shall be constructed and completed prior to the occupation of the development and retained for such purposes at all times thereafter.

Reason: To ensure that refuse and recycling provision is provided 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).

Surface Water Drainage Scheme

- 29 No development, with the exception of demolition, shall commence until the detailed surface water drainage scheme within the Flood Risk Assessment for the site has been submitted to and approved in writing by the local planning authority. The scheme shall include:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- Limiting discharge rates to 15l/s for all storm events up to an including the 1 in 100 year rate plus 40% allowance for climate. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation of the development.

Reason:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

All in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2015).

Surface Water Maintenance Plan

- 30 Prior to the occupation of the development a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies has been submitted to and agreed in writing by the local planning authority. Should any part be maintainable by a maintenance company details of long term funding arrangements shall be provided and be implemented for all times thereafter.

Reason: To ensure appropriate maintenance arrangements are put in place to enable

the surface water drainage system to function as intended to ensure mitigation against flood risk. In accordance with policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Surface Water Yearly Logs

- 31 The applicant or any successor in title must maintain yearly logs of maintenance which shall be carried out in accordance with any Maintenance Plan. These shall be made available for inspection upon the written request of the Local Planning Authority.

Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. All in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2015).

Hours of Operation – to be agreed

- 32 Prior to the occupation of the sports centre and associated uses hereby permitted details of the proposed hours of use and the hours for deliveries and collections shall be submitted to and approved by the local planning authority. The sports centre and uses shall only be used in accordance with the approved hours of use and hours for deliveries and collections at all times thereafter.

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

Noise Management Plan

- 33 Prior to the occupation of the development a noise management plan shall be submitted to and approved by the local planning authority. The details shall include information about any noise generating activities and any use of amplified sound with details of the predicted sound levels to be included in the noise management plan and mitigation measures to prevent sound impact upon the amenities of nearby neighbouring properties. The noise management plan shall be subject to monitoring purposes and shall be made available for inspection by the local planning authority should any complaints be received. The noise management plan and the identified mitigation measures within shall be implemented as approved and all mitigation measures shall be maintained and retained thereafter.

Reason: In the interests of the amenity and to mitigate the impact of development in

accordance with by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Ventilation and Extraction - Food Premises to be agreed

- 34 Prior to the occupation of the sports centre and associated uses full details of equipment to be installed for the extraction and control of fumes and odours, including details of noise and vibration attenuation together with a maintenance schedule for the future operation of that equipment have been submitted to and approved in writing by the local planning authority. The use hereby permitted shall not take place other than in accordance with these approved details.

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

External Lighting – Commercial

- 35 Prior to the occupation of the sport centre and associated uses on site details of the means of external lighting shall be submitted to and agreed in writing with the local planning authority. The details shall include the siting and design of lighting together with details of the spread and intensity of the light sources and the level of luminance. The lighting shall be installed in accordance with the agreed details prior to occupation of the development and retained and maintained thereafter in the agreed form, unless otherwise agreed in writing by the local planning authority.

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

External Lighting – Residential

- 36 Prior to the occupation of the development details of any external lighting, with the exception of lighting within the apartments and balconies, shall be submitted to and agreed in writing by the local planning authority. The details shall include details of the spread and intensity of light together with the size, scale and design of any light fittings and supports. The approved external lighting shall only be implemented and operated in accordance with the agreed details.

Reason: In the interests of amenity and to ensure that the proposed development is integrated within its surroundings as required by policy PMD1 of the adopted Thurrock

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

Ecological Enhancements

- 37 Prior to the occupation of the development details of ecological enhancement measures to be implemented shall be submitted to and agreed in writing by the local planning authority. The details shall only be implemented in accordance with the agreed details and shall be maintained at all times thereafter.

Reason: In the interests of amenity and to ensure that the proposed development is integrated within its surroundings as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2015).

BREEAM

- 38 Prior to the commencement of the development a certificate issued by an accredited Building Research Establishment consultant shall be submitted to the Local Planning Authority to demonstrate that the design of the extensions and building(s) can achieve a BREEAM 'Outstanding' Rating. This shall be supplemented by details of any measures that would need to be secured by the development fit out and a mechanism by which these will be secured. The development shall be built in accordance with the agreed measures and shall achieve a BREEAM 'Outstanding' Rating. A BREEAM post construction review shall be undertaken confirming the BREEAM rating achieved for the extensions and buildings hereby permitted. This shall be submitted to the Local Planning Authority within 6 months of the completion of the development and in any event within 6 months of receipt by the applicant of a written request made by the Local Planning Authority in the event that not all phases are undertaken or completed.

Reason: To ensure that the development meets the objectives of energy efficiency in new building design and construction set out in Policy PMD12 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015).

Renewable Energy

- 39 Prior to the commencement of development details of measures to demonstrate that the development will achieve the generation of at least 20% of its energy needs through the use of decentralised, renewable or low carbon technologies shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented and operational upon the occupation of the buildings hereby permitted and shall thereafter be retained in the agreed form unless otherwise agreed in writing by the local planning authority.

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

Superfast Broadband

- 40 The apartments and sports centre use within the development shall be provided with the means of connecting to superfast broadband. Upon occupation either a landline or ducting to facilitate the provision of a broadband service from a site-wide network, shall be in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the local planning authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure.

Reason: In order to ensure that suitable infrastructure is provided at the site for the benefit of occupiers, in accordance with paragraph 112 of the NPPF.

Construction Environmental Management Plan (CEMP)

- 41 No demolition or development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority in writing. The CEMP should contain or address the following matters:
- (a) Hours of use for the construction of the development;
 - (b) Hours and duration of any piling operations;
 - (c) Vehicle haul routing in connection with construction, remediation and engineering operations;
 - (d) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site;
 - (e) Details of construction any access or temporary access, and details of temporary parking requirements; Road condition surveys before demolition and after construction is completed; with assurances that any degradation of existing surfaces will be remediated as part of the development proposals. Extents of road condition surveys to be agreed as part of this CEMP;
 - (f) Location and size of on-site compounds (including the design layout of any proposed temporary artificial lighting systems);
 - (g) Details of any temporary hardstandings;
 - (h) Details of temporary hoarding;
 - (i) Method for the control of noise with reference to BS5228 together with a monitoring regime;

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

Demolition and development on site shall only take place in accordance with the approved CEMP.

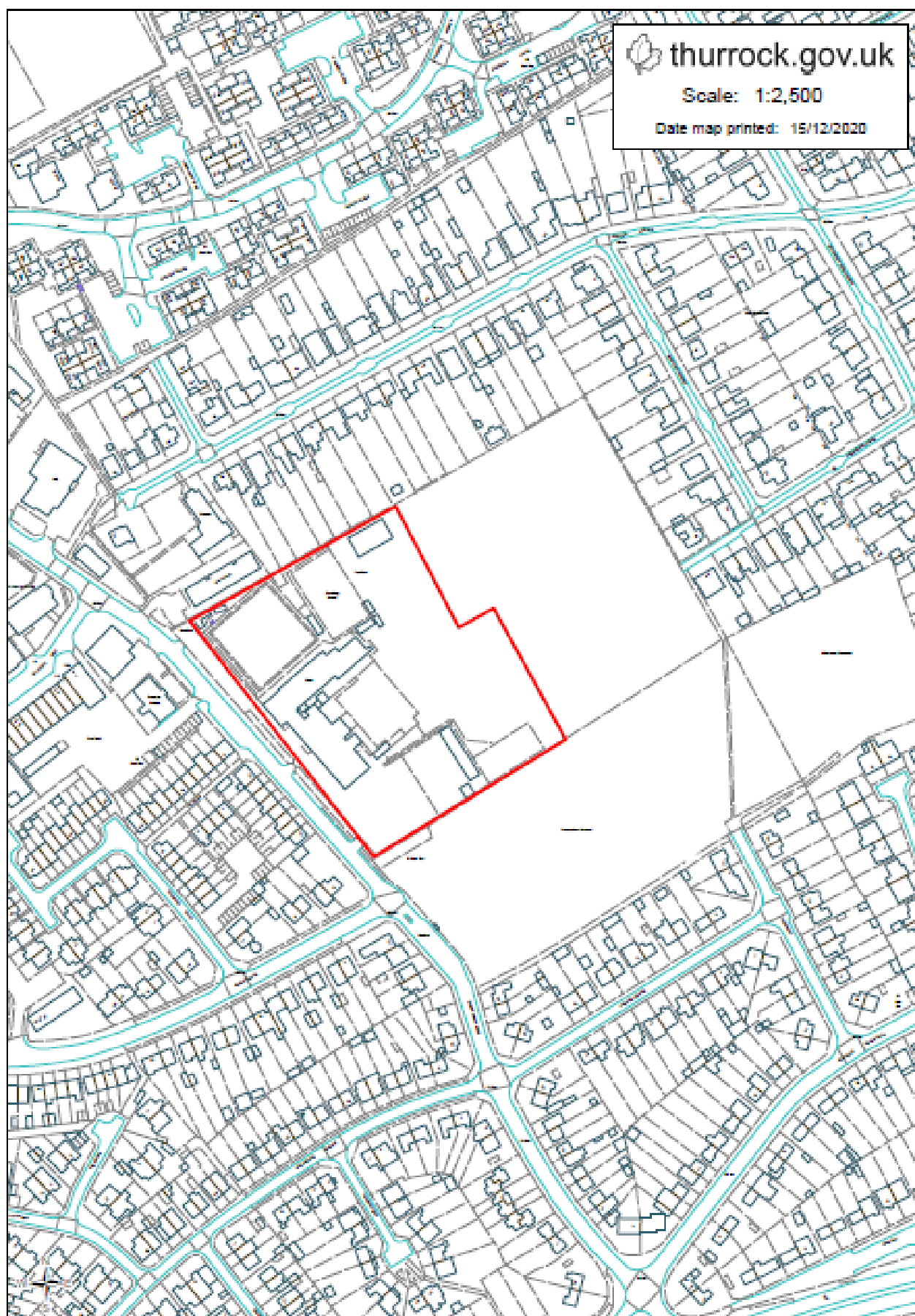
Reason: In order to minimise any adverse impacts arising from the construction of the development and to ensure the construction phase does not materially affect the free-flow and safe movement of traffic on the highway; in the interest of highway efficiency, safety and amenity, in accordance with Policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2015).

Positive and Proactive Statement

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

Documents:

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



thurrock.gov.uk

Scale: 1:2,500

Date map printed: 15/12/2020

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Reference: 21/00931/FUL	Site: Thurrock Football Club Ship Lane Aveley Essex RM19 1YN
Ward: West Thurrock and South Stifford	Proposal: Retention of the former Thurrock Football Club Stadium for ongoing football use. Development of a vehicle Pre-Delivery Inspection (PDI) centre to comprise 1,224 parking spaces, PDI Building (1,199.6 sq.m GEA), new access to include HGV turnaround and bus lane, 2.4m boundary fence, landscaping, change of use of existing flat (Use Class C3) to part of clubhouse and associated works.

Plan Number(s):		
Reference	Name	Received
AJ0029-SDA-00-00-DR-A-10001 Rev. P2	Location Plan	31.05.21
A1J0029-SDA-00-00-DR-A-10100 Rev. P1	Existing Site Plan	31.05.21
AJ0029-SDA-00-XX-DR-A-PL001 Rev. P15	Proposed Site Plan	31.05.21
AJ0029-SDA-01-00-DR-A-PL100 Rev. P5	Proposed Floor Plans	31.05.21
AJ0029-SDA-01-ZZ-DR-A-PL200 Rev. P03	Proposed Elevations	31.05.21
19037-13-T-E	Existing & Proposed Stadium Overview Plan	31.05.21
19037-13-B-G1	Existing & Proposed Floor Plan (Grandstand)	31.05.21
19037-13-B-G2	Existing & Proposed Floor Plan (Main Changing Rooms)	31.05.21
19037-13-B-G3	Existing & Proposed Floor Plan (North Stand)	31.05.21
19037-13-B-G4	Existing & Proposed Floor Plan (Junior Changing Rooms)	31.05.21
19037-13-B-G5	Existing & Proposed Floor Plan (West Stand)	31.05.21
19037-13-B-G6	Existing & Proposed Floor Plan (South Stand – Ship Lane)	31.05.21

19037-13-E-1	Existing & Proposed Elevations & Sections Changing Room (Main)	31.05.21
19037-13-E-2	Existing & Proposed Elevations (Ship Lane Stand)	31.05.21
19037-13-E-3	Existing & Proposed Elevations (Main Grandstand)	31.05.21
19037-13-E-4	Existing & Proposed Elevations & Sections (North Stand)	31.05.21
19037-13-E-5	Existing & Proposed Elevations (West Stand)	31.05.21
581-EX03	Sketch Scheme Club House Floor Plans As Existing	31.05.21
581-EX04	Planning Application Club House Elevations As Existing	31.05.21

The application is also accompanied by:

- Arboricultural Report
- Archaeological Desk Based Assessment
- Design & Access Statement
- Flood Risk Assessment & Surface Water Drainage Strategy
- Flooding Sequential Test Assessment
- Geo-Environmental Desk Study Report
- Noise Impact Assessment
- Planning Statement
- Preliminary Ecological Appraisal
- Reptile Survey Report
- Statement of Community Involvement
- Transport Statement
- Viability Assessment

Applicant:
Group 1 Automotive

Validated:
4 June 2021
Date of expiry:
3 September 2021

Recommendation: Refuse planning permission

This application is scheduled for determination by the Council's Planning Committee because the application is considered to have significant policy or strategic implications and constitutes a departure from the Development Plan (in accordance with Part 3 (b), Section 2 2.1 (a) of the Council's constitution). Furthermore, this application is similar to an application determined by the Planning Committee in February 2021.

1.0 BRIEF SUMMARY

1.1 This application involves two elements comprising:

- i. Retention of the existing football stadium and associated facilities, which would be gifted to a community partner. Change of use of an existing first floor flat above the club house to Use Class D2 (assembly and leisure);
- ii. Development of a pre-delivery inspection (PDI) facility for vehicles on the site of the existing football training pitches located to the north of the football stadium. The PDI to comprise a building of c.1,200 sq.m floorspace, parking spaces for 1,224 vehicles and revised access arrangements.

1.2 This application follows the decision by the Planning Committee at its meeting on 25th February 2021 to refuse planning application reference 19/01418/FUL which proposed:

"Retention of the former Thurrock Football Club stadium for ongoing football use. Development of a vehicle Pre-Delivery Inspection (PDI) centre on the site of training / practice pitches to the north of the stadium to comprise 1,224 parking spaces, PDI Building (1,199.6 sq.m GEA), new access to include HGV turnaround, 2.4m high boundary fence, landscaping, change of use of existing flat (Use Class C3) to Use Class D2 and associated works".

1.3 The reasons for refusal referred firstly to harm to the Green Belt (GB) and the lack of factors which would clearly outweigh the harm such that the very special circumstances (VSC) to justify inappropriate development existed and secondly to inadequate information to enable the local planning authority to undertake a sequential test for flood risk.

1.4 The current application is similar in nature to this earlier application and has been submitted by the applicant as an attempt to address the previous refusal.

2.0 DESCRIPTION OF PROPOSAL

- 2.1 The table below summarises some of the main points of detail contained within the development proposal:

Site Area	Total c.7 Ha
Area of Proposed PDI facility (including associated access & landscaping)	c.3.7 Ha
Area of retained football stadium & associated parking and ancillary areas	c.2.2 Ha (including a parking area of c.0.25 Ha)
Currently unused land to NE of stadium	c.1.1 Ha
Floorspace	c.1,200 sq.m comprising vehicle preparation areas with ancillary offices and welfare accommodation
Building Height	Maximum c. 7.1m
Jobs created	Up to 30
Parking	1,224 parking spaces for vehicle stock 30 spaces for employees 15 electric vehicle charging spaces 5 customer spaces Existing parking area for football stadium re-used

2.2 Proposed PDI Facility:

The northern part of the site, most recently used for training pitches / football practice would be developed as a PDI facility comprising stock parking for 1,224 vehicles, separate staff and customer parking, a PDI Centre building and revised access arrangements onto Ship Lane including a bus lane. The applicant (Group 1 Automotive) is a vehicle retailer group operating at over 70 locations in the south east of England comprising authorised dealerships for a number of vehicle manufacturers, including Audi, BMW and Ford. The group handles both new and used vehicles. In summary, the facility would receive, store, prepare and test vehicles prior to exportation to individual dealerships. A part two-storey PDI Centre building would be used to inspect, modify and generally prepare vehicles prior to export. No retailing of vehicles would be undertaken from the site.

- 2.3 The applicant's Transport Statement (TS) confirms that cars would be transferred to the site from four UK ports comprising Sheerness (Kent), Halewood (Merseyside), Grimsby (Humberside) and Portbury (Bristol). The TS assumes that September will be the busiest month for the site as a result in new vehicle registrations. During this month the site would generate 187 daily vehicle movements (one-way), including 43 (one-way) transporter movements (3 and 10-car transporters. Trip movements

would reduce during other months to 115 (one-way) movements. After storage, inspection and testing at the site vehicles would be exported to c.22 dealerships located in Essex, Kent and south London. The TS suggests that import and export of vehicles would be via the strategic road network, i.e. junctions 30 and 31 of the M25. Individual vehicles would be road tested before export, consisting of a short round trip to a petrol filling station. On a typical day there would be 53 vehicle trips (one-way) associated with road testing and fuelling, although this total would increase during September to 88 daily trips (one-way).

- 2.4 Detailed inspection, valeting etc. of vehicles would take place within a part two-storey building to be located close to the southern boundary of the PDI facility. This building would include a number of vehicle bays along with ancillary office and welfare accommodation. A new access to serve the PDI facility would be formed from 'Southway', the existing spur road from Ship Lane which served the former football club site and the Thurrock Hotel. The new access arrangements include a proposed HGV turnaround provided to discourage HGVs from continuing northbound on Ship Lane and travelling through Aveley village and works within the public highway comprising a section of bus lane with camera enforcement and associated width restriction.
- 2.5 The PDI facility would be secured via a proposed 2.4m high metal palisade fence. No external floodlighting of the vehicle area is proposed. The use would create up to 30 new jobs and would operate between 0730-1800 hours.
- 2.6 Proposed ongoing football use:

The previous refused planning application (ref. 19/01418/FUL) proposed that the retained former Thurrock FC stadium would be 'gifted' to Grays Athletic FC. However, the applicant now proposes that the stadium would be:

"gifted to the local community who will undertake their own competitive process to allocate the stadium to a football club / body which meets the requirements of Sport England and any planning permission".

In addition to the 'gifting' of the football stadium, the applicant is offering a financial contribution of £500,000 to the Council towards mitigating the loss of the training pitches, to be secured through a s106 agreement.

- 2.7 It should be noted that although the description of development provided by the applicant refers to *"Retention of the former Thurrock Football Club Stadium for ongoing football use"* this element of the proposals would not require any form of planning permission, as no operational development or change of use is involved. In

this case, it is only the proposed PDI centre and change of use (detailed below) which requires planning permission.

- 2.8 The proposals also include the change of use of an existing residential flat located above the clubhouse to Use Class D2 (assembly and leisure). Although not mentioned in the current Planning Statement, the applicant's Planning Statement accompanying 19/01418/FUL advised that discussions with Essex FA had confirmed their wish to use the first floor flat for teaching purposes, meetings and conferences.

3.0 SITE DESCRIPTION

- 3.1 This proposal involves the site of the former Thurrock Football Club, located to the north of jct. 31 of the M25 motorway and in between Ship Lane (to the west) and the northbound slip road from jct. 31 to jct. 30 (to the east). The site comprises the following three main elements:

- (i) football stadium: located on the south and south-western part of the site and focused on a full-size and floodlit football pitch. An unmarked car parking area adjoins the pitch to the west. At the southern edge of this parking area is a club house building with bar, office, kitchen and toilets located at ground floor level with a residential flat above. At the western-end of the pitch and behind one of the goals is a covered spectator terrace with entrance turnstiles. This covered terrace extends the northern side of the pitch. To the south of the pitch is a covered and seated grandstand. At the south-eastern corner of the pitch is a single storey changing room building containing home, away and official's rooms. A covered terrace occupies the central space behind the eastern goal with junior changing rooms, toilets and ground maintenance equipment accommodated at the eastern end of pitch. The stadium has capacity for 3,500 spectators, including 524 seats.
- (ii) to the north of, and separated by a belt of trees from, the stadium is a level and open grassed area formerly used as a football practice / training area. Aerial photographs suggest that this area included two, full-size playing pitches.
- (iii) located to the east of the stadium and south of the practice pitches is an open and unused area of rough grassland with tree planting.

- 3.2 All of the site is located within the Metropolitan Green Belt (GB), as defined in the Core Strategy, which also defines the site of the training pitches as a Local Nature Reserve. The site of the practice pitches is within the high risk flood zone (Zone 3), although the football stadium and associated car park is at low risk of flooding (Zone 1). The northern boundary of the site immediately adjoins the Mardyke, defined by the Environment Agency as a 'main river'. Overhead electricity transmission lines

forming part of the National Grid pass east to west through the site, principally across the practice pitches. Two pylons associated with the overhead lines are positioned within the site, located adjacent to the M25 / A282 and Ship Lane frontages.

- 3.3 The site immediately adjoins an Air Quality Management Area (no. 9) which covers the site of the Thurrock Hotel and is designated due to its position adjacent to junction 31 of the M25. The site of the practice pitches and land to the east of the stadium is underlain by landfill deposited in the 1980s.

4.0 RELEVANT PLANNING HISTORY

- 4.1 The site of the former Thurrock FC stadium originally formed part of the grounds of the Aveley County Secondary School which was built in the 1930's. The school building was later used as an annex to Thurrock Technical College and was converted to its current use as a hotel in the late 1980's. Thurrock FC (originally named Purfleet FC) played at the site from the mid-1980's until the resignation of the club from competition at the end of the 2017/18 football season. The recent relevant planning history of the former football club site, including the practice pitches, is set out in the table below:

Application Ref	Description of Proposal	Decision
75/00179/FUL	Infilling to suitable depth to provide workable top soil for vegetable production - Average additional depth approx. 8 ft. School Marsh bounded on West by Ship Lane	Approved
85/00867/FUL	Changing rooms	Approved
87/00461/FUL	Grandstand and floodlights	Approved
97/00843/FUL	Football club house	Approved
98/00466/FUL	Proposed roof cover to existing terracing, new stand, fencing, hardstanding, snack bar and overflow car park	Withdrawn
98/00685/FUL	Erection of covered seating	Refused
03/00872/FUL	Disabled access ramp	Approved
03/00948/FUL	Operational works to re-surface training ground for 5 junior football practice pitches	Approved
19/01586/SCR	Environmental Impact Assessment Screening Opinion pursuant to Part 3 (8) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017: Refurbishment of the former Thurrock Football Club stadium, to include replacement of existing stadium pitch with new all-weather 3G pitch for community football use. Development	EIA not required

	of a vehicle Pre-Delivery Inspection (PDI) centre on the site of training / practice pitches to the north of the stadium to comprise 1,224 parking spaces, PDI Building (1,199.6 sq.m GEA), new access to include HGV turnaround, 2.4m high boundary fence, landscaping, change of use of existing flat (Use Class C3) to Use Class D2 and associated works.	
19/01418/FUL	Retention of the former Thurrock Football Club stadium for ongoing football use. Development of a vehicle Pre-Delivery Inspection (PDI) centre on the site of training / practice pitches to the north of the stadium to comprise 1,224 parking spaces, PDI Building (1,199.6 sq.m GEA), new access to include HGV turnaround, 2.4m high boundary fence, landscaping, change of use of existing flat (Use Class C3) to Use Class D2 and associated works.	Refused

- 4.2 From the table above it can be noted that a similar planning application to the current proposal was refused planning permission at the Planning Committee meeting on 25th February 2021. This application (ref. 19/01418/FUL) proposed the PDI centre and retention of the football stadium and facilities for use by Grays Athletic FC. The application was refused planning permission for the reasons of (i) harm to the GB and (ii) inadequate information for the LPA to undertake a Sequential Test for flood risk.

5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters sent to c.150 surrounding occupiers, press advert and site notice. The application has been advertised as a departure from the Development Plan and a major development. 16 letters of objection have been received raising the following matters of concern:

- unsafe / inadequate access;
- increased traffic congestion;
- pollution and impact on air quality;

- harm to amenity;
- increased noise;
- loss of Green Belt; and
- flooding issues.

One letter of support has been received from a Ward Councillor of an adjoining Ward (Aveley & Uplands).

5.2 CONSULTATION RESPONSES:

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

5.3 AVELEY AND KENNINGTONS COMMUNITY FORUM:

No response received.

5.4 ANGLIAN WATER:

Planning condition(s) are required to address foul water drainage.

5.5 ENVIRONMENT AGENCY:

No objection, providing that the LPA take into account flood risk considerations.

5.6 ESSEX COUNTY COUNCIL (ARCHAEOLOGY):

No objection, subject to conditions relating to site investigation / assessment.

5.7 ESSEX POLICE:

Provide advice referring to Secured by Design.

5.8 HIGHWAYS ENGLAND:

Recommend that conditions, relating to minimising impact on the strategic road network, should be attached to any planning permission that may be granted

5.9 NATIONAL GRID:

No response received.

5.10 SPORT ENGLAND:

No objection, subject to the proposed financial contribution to mitigate the impact of the development on the playing fields and the freehold transfer of the former Thurrock FC stadium being secured through a section 106 agreement and a planning condition being imposed relating to a community use agreement for the use of the stadium.

5.11 ENVIRONMENTAL HEALTH OFFICER:

No response received.

5.12 FLOOD RISK MANAGER

Agrees with the general principle of the surface water drainage strategy, however raises detailed queries.

5.13 HIGHWAYS

Further information required.

5.14 LANDSCAPE & ECOLOGY ADVISOR:

No response received.

5.15 RECREATION & LEISURE SERVICES:

Raises queries regarding ground grading, community use and investment.

6.0 POLICY CONTEXT

6.1 National Planning Policy Framework (NPPF)

The revised NPPF was published on 24 July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. This paragraph goes on to state that for decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date¹, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed²; or
- ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

¹ This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

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

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:

- 6. Building a strong, competitive economy;
- 8. Promoting healthy and safe communities;
- 9. Promoting sustainable transport;
- 12. Achieving well-designed places;
- 13. Protecting GB land;
- 14. Meeting the challenge of climate change, flooding and coastal change; and
- 15. Conserving and enhancing the natural environment.

6.2 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:

- Air quality;
- Climate change;
- Design: process and tools;
- Determining a planning application;
- Flood risk and coastal change;
- Green Belt;
- Land affected by contamination;
- Natural environment;
- Open space, sports and recreation facilities, public rights of way and local green space;
- Transport evidence bases in plan making and decision taking;
- Travel Plans, Transport Assessments and Statements; and
- Use of planning conditions.

6.3 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:

- CSSP2: Sustainable Employment Growth;
- CSSP4: Sustainable GB; and
- CSSP5: Sustainable Greengrid.

Thematic Policies:

- CSTP6: Strategic Employment Provision;
- CSTP9: Well-being: Leisure and Sports;
- CSTP14: Transport in the Thurrock Urban Area: Purfleet to Tilbury;
- CSTP16: National and Regional Transport Networks;
- CSTP18: Green Infrastructure;
- CSTP19: Biodiversity;
- CSTP22: Thurrock Design;
- CSTP25: Addressing Climate Change;
- CSTP26: Renewable or Low-Carbon Energy Generation; 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;
- PMD6: Development in the GB;
- PMD7: Biodiversity, Geological Conservation and Development;
- PMD8: Parking Standards;
- PMD9: Road Network Hierarchy;
- PMD10: Transport Assessments and Travel Plans;
- PMD12: Sustainable Buildings;
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation;
- PMD15: Flood Risk Assessment; and
- PMD16: Developer Contributions.

6.4 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.

6.5 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.

7.0 **ASSESSMENT**

7.1 Procedure:

With reference to procedure, this application has been advertised (inter-alia) as being a departure from the Development Plan. Should the Planning Committee resolve to grant planning permission (contrary to recommendation), the application will first need to be referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009. The reason for the referral as a departure relates to the provision of a building where the floorspace to be created

exceeds 1,000 sq.m and the scale and nature of the development would have a significant impact on the openness of the GB. Therefore, the application will need to be referred under paragraph 4 of the Direction (i.e. GB development). The Direction allows the Secretary of State a period of 21 days within which to 'call-in' the application for determination via a public inquiry. In reaching a decision as to whether to call-in an application, the Secretary of State will be guided by the published policy for calling-in planning applications and relevant planning policies.

7.2 The assessment below covers the following areas:

- I. Green Belt considerations;
- II. Traffic impact, access and car parking;
- III. Design and layout;
- IV. Impact on ecology and biodiversity;
- V. Flood risk and drainage;
- VI. Effect on neighbouring properties;
- VII. Land contamination and ground conditions;
- VIII. Energy and sustainable buildings; and
- IX. Other Matters.

7.3 GREEN BELT CONSIDERATIONS:

As noted above, there are two key limbs to the proposals; firstly the re-use of the former football stadium and secondly the construction of the PDI Centre building, open vehicle storage and associated development connected with the proposed PDI facility. It is emphasised that although the applicant's description of the proposal refers to "*Retention of the former Thurrock Football Club Stadium for ongoing football use*", planning permission is not required for the retention of the stadium and its re-use as no operational development or change of use is involved.

7.4 Nevertheless, as all of the site is located within the GB, adopted Core Strategy policies CSSP4 and PMD6 apply to the proposals alongside part 13 of the NPPF (Protecting GB land). Under the heading of GB considerations it is necessary to refer to the following key questions:

- i. whether the proposals constitute inappropriate development in the GB;
- ii. the effect of the proposals on the open nature of the GB and the purposes of including land within it; and
- iii. whether the harm to the GB is clearly outweighed by other considerations so as to amount to the very special circumstances (VSC) necessary to justify inappropriate development.

7.5 i. whether the proposals constitute inappropriate development in the GB: Football Stadium

With regard to the proposed re-use of the football stadium, no new buildings are proposed and no operational development would occur. As noted above, the re-use of the vacant football stadium and associated facilities via the gifting to the local community does not involve 'development' (as defined in the Planning Act) and planning permission is not required for the retention of the stadium and its re-use. Consequently, the impact of the proposed re-use on the Green Belt is considered to be nil. An essential characteristic of the Green Belt, as defined by paragraph 133 of the NPPF, is openness and the proposed re-use would have no demonstrable impact on this characteristic.

7.6 Core Strategy Spatial Policy CSSP4 (Sustainable Green Belts) reflects the objective of national policy to maintain the "*purpose, function and open character of the Green Belt in Thurrock*". As noted above, the re-use of the football facilities would have no discernible effect on the open character of the Green Belt and consequently there is no conflict with Policy CSSP4. Core Strategy Policy PMD6 (Development in the Green Belt) states, inter-alia, that the Council "*will plan positively to enhance the beneficial use of the Green Belt by looking for opportunities to provide access to the countryside, provide opportunities for outdoor sport and recreation ...*". It is considered that the proposals could offer opportunities for outdoor sport in accordance with this element of PMD6. However, given the use of the stadium for football activities since the 1980s, this would not necessarily be a new or additional benefit.

7.7 The proposals would retain and re-use the existing football stadium buildings, comprising the club house, changing rooms, spectator terraces / seating etc. Paragraph 150 (d) of the NPPF confirms that the re-use of buildings, provided that the buildings are of permanent and substantial construction, is not inappropriate in the GB, provided the re-use preserves openness and does not conflict with the purposes of including land in the GB. A site visit in October 2019 confirmed that the stadium is in good condition and there is reason to suggest that the buildings have fallen into disrepair. As the various stadium buildings and structures already exist, their proposed re-use raises no conflict in principle with GB policy as expressed in the NPPF.

7.8 The final element of the football-related proposals is the proposed change of use of the existing first floor flat, located above the club house, to Class D2 (assembly and leisure) use. The applicant previously referred to discussions with Essex FA and the wish of the Association to use the existing flat as function rooms for teaching, meetings and conferences. In terms of the impact of this proposed change of use on the GB, paragraph 150 (d) applies. As the clubhouse building is of permanent and

substantial construction, the re-use as proposed raises no conflict in principle with the NPPF or Core Strategy policies in this respect.

7.9 Whether the proposals constitute inappropriate development in the GB: PDI Facility

Paragraph 137 of the NPPF confirms that the Government attaches great importance to GBs and states 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”.

With regard to proposals affecting the GB, paragraph 147 states that:

“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in VSC”.

Paragraph 148 goes on to state that local planning authorities should ensure that “substantial weight” is given to any harm to the GB and that ‘VSC’ will not exist unless the potential harm to the GB by way of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.10 With reference to proposed new buildings in the GB, paragraph 149 confirms that a local planning authority should regard their construction as inappropriate, with the following exceptions:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the GB and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the GB than the existing development; or

- not cause substantial harm to the openness of the GB, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

7.11 The proposals for the PDI facility include a part two-storey PDI centre building to be used for commercial purposes. Clearly this element of the proposed development does not fall within any of the exceptions listed at (a) to (f) above. It is accepted that the former stadium would fall within the definition of previously developed land (as set out in the glossary to the NPPF). However, the proposals would have a greater impact on the openness of the GB than the existing stadium development and consequently this exception would not apply. The proposed PDI facility building is therefore inappropriate development.

7.12 The remaining element of the PDI facility is the proposed formation of a hardsurfaced storage area to accommodate 1,224 parking spaces, separate staff and customer parking, a turning area for car transporters and the HGV turning area. This area, apart from the HGV turning area would be enclosed by a 2.4m high palisade fence. The laying down of a hardstanding is normally defined as an 'engineering operation' and not a 'building operation'. Paragraph 150 of the NPPF states that certain other forms of development (apart from the building operations defined at paragraph 149 (a) to (g) are:

“not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it”.

In this case, it is considered that the formation of such a large area of hardstanding, extending to c. 3Ha in area, and the associated 2.4m high palisade fence would materially reduce the openness of the GB at this location. Consequently, it is considered that the vehicle storage area, parking areas, turning areas and perimeter fencing, in addition to the proposed PDI Centre building, are also inappropriate development.

7.13 Development plan policy, as expressed in the Core Strategy and Policies for the Management of Development (as amended 2015) is consistent with national policy on Green Belt matters. Core Strategy policy CSSP4 sets out the objective of maintaining the purpose, function and open character of the Green Belt. In order to implement this policy, the Council will:

- maintain the permanence of the boundaries of the Green Belt;
- resist development where there would be any danger of coalescence; and

- maximise opportunities for increased public access, leisure and biodiversity.

7.14 In addition, Core Strategy policy PMD6 states that, inter-alia, planning permission will only be granted for new development in the Green Belt provided it meets, as appropriate, the requirements of the NPPF. Consequently, it is a straightforward matter to conclude that the proposals for the PDI facility, comprising the building, associated hardstandings and perimeter fence constitute inappropriate development in the Green Belt.

7.15 ii. The effect of the proposals on the open nature of the GB and the purposes of including land within it

The analysis in the paragraphs above concludes that the re-use of the existing football stadium for football use raises no conflict in principle with national or local planning policies for the GB. However, it has been established that the proposed PDI facility is inappropriate development which is, by definition, harmful to the GB (NPPF para. 147). However, it is also necessary to consider whether there is any other harm (NPPF para. 148).

7.16 As noted above paragraph 137 of the NPPF states that the fundamental aim of GB policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of GBs being described as their openness and their permanence. With regard to the proposed PDI facility, it is clear from the submitted drawings that built development and accompanying hardstandings would occupy a considerable part of the site. The PDI proposals would therefore comprise a substantial amount of new built development and engineering operations in an area which is currently open. Advice published in NPPG (July 2019) addresses the role of the GB in the planning system and, with reference to openness, cites the following matters to be taken into account when assessing impact:

- openness is capable of having both spatial and visual aspects;
- the duration of the development, and its remediability; and
- the degree of activity likely to be generated, such as traffic generation.

7.17 It is considered that the proposed PDI facility would have a detrimental impact on both the spatial and visual aspects of openness, i.e. an impact as a result of the footprint of development and building volume. The applicant has not sought a temporary planning permission and it must be assumed that the design-life of the development would be a number of decades. The intended permanency of the development would therefore impact upon openness. Finally, the development would generate traffic movements associated with the import and export of vehicles,

road testing and staff movements. This activity would also impact negatively on the openness of the GB.

7.18 Therefore, it is considered that the amount and scale of development proposed would significantly reduce the openness of the site. As a consequence the loss of openness, which is contrary to the NPPF, should be accorded substantial weight in the consideration of this application.

7.19 Paragraph 134 of the NPPF sets out the five purposes which the GB 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.

In response to each of these five purposes:

7.20 *a) to check the unrestricted sprawl of large built-up areas*

The NPPF does not provide a definition of the term “*large built-up areas*”. In this part of the Borough the southern edge of the GB is formed by the A1306 with land at Purfleet, West Thurrock, Chafford Hundred and Grays forming a continuous built-up area south of the A1306. To the north of the A1306 land within the Mardyke, A13 and M25 corridors is also within the defined GB with the boundary drawn tightly around the edges of the built-up areas of Aveley and South Ockendon. It is considered that the urban area stretching between Purfleet and Grays south of the A1306 can reasonably be described as a ‘large built-up area’. The location of the proposed PDI facility is however detached from the A1306 and consequently the development would not result in any material harm to the purpose of the GB in checking the unrestricted sprawl of large built-up areas.

7.21 *b) to prevent neighbouring towns from merging into one another*

As described above, the site of the proposed PDI Centre facility would be located to the north of the A1306 and the built-up area extending from Purfleet in the west to Grays in the east. The settlements of Aveley and South Ockendon to the north are separated from this built-up area by the GB. If the settlements of Aveley / South Ockendon and Purfleet / West Thurrock are described as ‘towns’ then the development of the PDI Centre facility would result in a small degree of merging

between these settlements. Although it is accepted that this conclusion relies on some interpretation of whether the settlements and built-up areas are 'towns'.

7.22 *c) to assist in safeguarding the countryside from encroachment*

With regard to the third GB purpose, the proposal would involve built development on what is currently open land. The term "countryside" can conceivably include different landscape characteristics (e.g. farmland, woodland, marshland, grassland etc.) and there can be little dispute that the site comprises "countryside" for the purposes of applying the NPPF policy test. It is considered that the proposals would constitute an encroachment of built development into the countryside at this location, causing some harm to the third purpose for including land in the GB.

7.23 *d) to preserve the setting and special character of historic towns*

As there are no historic towns in the immediate vicinity of the site, the proposals do not conflict with this defined purpose of the GB.

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

In general terms, the development of the proposed PDI Centre could occur in the urban area and, in principle, there is no spatial imperative why GB land is required to accommodate this element of the proposals. Members will be aware that a new Local Plan for the Borough is being prepared and the release of some GB land is anticipated in order to meet future growth. Indeed, the existing adopted Core Strategy (policy CSSP4) recognises the scenario of some GB release. Although the new Local Plan may identify locations for the release of further GB land, the document and its accompanying evidence base is at an early stage and cannot be afforded weight in the decision-making process. Therefore, on first impression, the development of this GB site as proposed might discourage, rather than encourage urban renewal. Apart from a Sequential Test for flood risk the applicant has not provided any analysis demonstrating whether sites within the urban area are available for the commercial use proposed.

7.25 In conclusion under the headings (i) and (ii) it is considered that the proposed PDI facility would lead to harm to the GB by way of inappropriate development (i.e. definitional harm), would be harmful by way of loss of openness and would be harmful as a result of conflict to varying degrees with GB purposes b), c) and e). In accordance with paragraph 148 of the NPPF substantial weight should be afforded to this harm.

7.26 iii. Whether the harm to the GB is clearly outweighed by other considerations so as to amount to the VSC necessary to justify inappropriate development

Paragraph 148 of the NPPF states that, when considering any planning application, local planning authorities

“should ensure that substantial weight is given to any harm to the GB. VSC will not exist unless the potential harm to the GB by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.

7.27 Neither the NPPF nor the Adopted Core Strategy provide guidance as to what can comprise VSC, either singly or in combination. However, some interpretation of 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 VSC (i.e. ‘very special’ is not necessarily to be interpreted as the converse of ‘commonplace’). However, the demonstration of VSC is a ‘high’ test and the circumstances which are relied upon must be genuinely ‘very special’. In considering whether VSC exist, factors put forward by an applicant which are generic or capable of being easily replicated on other sites, could be used on different cases leading to a decrease in the openness of the GB. The provisions of VSC 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 VSC. Ultimately, whether any particular combination of factors amounts to VSC will be a matter of planning judgment for the decision-taker.

7.28 The Planning Statement (as updated) submitted by the applicant to accompany the application sets out the applicant’s case for considerations which could amount to VSC under the following main headings:

- a) the gifting of Thurrock stadium to a community partner for community football use;
- b) a financial contribution of £500,000 made to Thurrock Council towards mitigating the loss of the training pitches, to be secured through a Section 106 Agreement;
- c) the provision of a HGV turnaround facility, bus lane and enforcement camera to assist with HGV management on Ship Lane and to avoid the use of HGVs travelling through Aveley village centre;
- d) the introduction of an international automotive retailer to Thurrock with associated job creation, and
- e) the provision of a viable ‘fall back’ position.

- 7.29 In addition to the main points a) to e) above, the applicant also refers to various court cases, the Council's recent Strategic GB Assessment and their own assessment of the site against the purposes of the GB as described at paragraph 138 of the NPPF
- 7.30 The detail of the applicant's case under these headings and a consideration of the matters raised are provided in the paragraphs below.
- 7.31 *a) the gifting of Thurrock stadium to a community partner for community football use*

Applicant's case:

The applicant cites adopted Core Strategy policies CSTP9 (Well Being: Leisure and Sports) which, inter-alia, supports the delivery of high quality sports facilities and CSTP10 (Community Facilities). It is noted that the stadium has been unused since the end of the 2017/18 football season and that, up to now, no occupier has come forward with the intention of using the stadium for sports purposes. The applicant is willing to 'gift' the stadium to a community partner (comprising residents, Council Officer and Members) who will undertake a community competition to select a footballing partner to operate the site.

7.32 Assessment

For clarity, it is considered that the applicant's reference to Core Strategy policy CSTP10 is not particularly relevant and that CSTP9 is more pertinent as it specifically refers to leisure and sports. With reference to new and existing sports and leisure facilities, Policy CSTP9 states (inter-alia) that the Council will safeguard existing and future provision of leisure, sports and open space facilities and will only allow the loss of a particular facility where appropriate alternative provision can be made elsewhere. In this case although the football stadium is not identified by the proposals map as an 'open space', the proposals would nevertheless involve the continuing use of an existing sports facility which is not in active use. This fact does not weigh against the proposals, but it should not necessarily be concluded that positive planning weight should be placed on the re-use of the stadium. Although the description of the proposals includes reference to the "retention of the former Thurrock Football Club stadium for ongoing football use" no development is associated with this element of the scheme and the re-use of the stadium by a selected footballing partner does not generate the need for planning permission.

- 7.33 Understandably the applicant promotes the re-use of the stadium as a benefit associated with the PDI proposals and there is the possibility that without the PDI coming forward for development the stadium would remain unused. This factor needs to be weighed in the planning balance. Nevertheless, the currently vacant stadium could be re-occupied by a footballing partner (such as a club) without any

planning 'event' such as an application for planning permission. Put simply, in the absence of any change of use or operational development, the stadium could be re-used immediately without any reference to the local planning authority.

- 7.34 The consultation response from Sport England requires a Community Use Agreement (CUA) for the stadium. Members of the Committee will be aware of the principle of CUAs which are routinely offered or sought in relation to new sports or community facilities. A CUA would be a new benefit in this case, as it is unlikely that the former Thurrock FC had community use secured through a planning mechanism. However, the benefit of potential wider community use should be balanced against the facilities 'on offer'. The football stadium comprises a single, adult-sized natural grass pitch, spectator stands, changing room and clubhouse. Being a natural grass surface, as opposed to an artificial 3G surface, the pitch has a more limited carrying capacity and during winter months (in the middle of the football season) and will deteriorate with over-use. It is considered unlikely that the pitch could tolerate more intensive community use throughout the year. Therefore, compared to a 3G pitch, community use of the existing playing pitch would offer limited benefit. Nevertheless, as the stadium is currently unused, the potential for use by the community is a benefit.
- 7.35 Clearly the spectator stands, seating and players / officials changing rooms are intimately associated with the use of the football pitch and therefore offer little opportunity for other types of community use. Nevertheless, the clubhouse, which can be accessed without the need to enter the football stadium, provides accommodation which could be used by the wider community for meetings, events etc. However, Members of the Committee will be aware that the purpose-built Aveley Community Hub has recently opened and is centrally located in Aveley. Any community use of the football stadium is welcomed, but perhaps of limited benefit compared to the new Hub.
- 7.36 In conclusion under this heading, the 'development' which attracts the requirement for planning permission in this case is the proposed PDI facility and change of use of the first floor of the clubhouse. The gifting of the football stadium to a community partner is not an activity requiring planning permission. Nevertheless, the stadium has been unused for three seasons and its re-use is broadly speaking desirable. Furthermore, the potential for wider community use of the pitch is a new benefit which, the applicant contends, can only be achieved through the current proposal. However, in terms of planning policies which clearly set out protection for the GB, the proposed re-use and re-occupation of a currently vacant stadium does not carry significant or compelling weight in favour of the development. Members are reminded that it is the PDI proposals which are the principal and indeed only 'development' in this case. For the reasons given above, it is considered that any benefits arising from a CUA for the re-use of the stadium would be limited. Therefore although positive weight can be afforded to this factor, it is a limited benefit.

- 7.37 *b) a financial contribution of £500,000 made to Thurrock Council towards mitigating the loss of the training pitches, to be secured through a Section 106 Agreement*

Applicant's case:

Mitigation for the loss of the two training pitches located to the north of the stadium would be provided in the form of a financial contribution of £500,000 to the Council to be used for the provision of replacement facilities. The applicant refers to discussions with Sport England and the contribution which the applicant's mitigation could make to the Council's Outdoor Sports Strategy. This is cited as a wider community benefit. The applicant refers to compliance with development plan policy and paragraph no. 97 of the NPPF (now paragraph no. 99).

7.38 Assessment:

The consultation response received from Sport England (who are a statutory consultee in this case) raises no objection to the application, subject to:

- a financial contribution of £500,000 paid to Thurrock Council that would be used towards the delivery of new or enhanced football pitches at Thurrock Council's Belhus Park playing fields in nearby Aveley;
- the gifting of the former Thurrock FC stadium to a community sports partner (the applicant has currently selected Grays Athletic Football Club) through transferring the freehold of the stadium;
- the completion of a community use agreement for securing the wider community use of the stadium facilities beyond use by the community sports partner.

Sport England also refer to extensive discussions between the applicant, Sport England, the Football Foundation (who represent the FA and the Essex County FA) and Thurrock Council as part of the previous application (ref. 19/01418/FUL). Within their consultation response Sport England refer to paragraph no. 97 (now paragraph 99) of the NPPF which states that:

"Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless (inter-alia):

- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location"*

7.39 Core Strategy policy CSTP9 (Well-Being: Leisure and Sports) identifies Belhus Park as a key site for leisure and sports facilities. Therefore, in terms of location, Belhus Park is considered appropriate for replacement facilities which would be lost as a result of the PDI development. However, both the applicant and Sport England refer to the proposed financial contribution as “mitigation” for the loss of the two full-sized training pitches. As noted earlier in the report (paragraph 7.27) the mitigation of impact is unlikely to qualify as consideration, or indeed a benefit, which should be afforded positive weight in the balance of GB. In simple terms, the financial contribution could be used to provide replacement pitches at Belhus Park such that there is no overall loss in provision. In this context any like-for-like replacement cannot be seen as a benefit attracting significant positive weight. Although some weight should be attached to the wider community benefit of ‘public’ pitched which would replace what were essentially private sports pitches.

7.40 Members will be aware that Core Strategy policy PMD16 addresses developer contributions which will be sought:

“... in accordance with the NPPF ...to mitigate or compensate for the loss of any significant amenity or resource ...”

Paragraph 56 of the NPPF states that planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

7.41 In order to justify planning obligations to meet these tests the Council has an Infrastructure Requirement List (IRL) which identifies a range of infrastructure projects which would engage dependent on the nature of a development proposal. In this case, at the time of writing, the IRL identifies project references 0446, 0454 and 0456 respectively for a full-size 3G football pitch, youth football pitch and mini football pitch all located at Belhus Park. However, these projects are included in the IRL to meet the likely increase in demand for leisure and recreation created by population growth from new residential development (such as Purfleet Centre). As such, the Council could only reasonably request financial contributions for these projects where new residential development is proposed. This is not the case here as commercial development is involved.

7.42 Despite the fact that the proposed financial contribution cannot be justified through the IRL, both the NPPF (paragraph 99) and Core Strategy policy (CSTP9 and PMD5) require the like-for-like replacement of sports pitches lost to development. Accordingly, there is a policy justification for replacement provision and a financial

contribution is the most appropriate mechanism for securing delivery in this case. However, it is emphasised that the contribution is to secure replacement playing pitches to mitigate the proposed loss of existing pitches on the site. The financial contribution cannot be considered as a benefit which would attract positive weight in the planning balance: rather it is a policy requirement.

- 7.43 *c) the provision of a HGV turnaround facility, bus lane and enforcement camera to assist with HGV management on Ship Lane and to avoid the use of HGVs travelling through Aveley village centre*

Applicant's case:

The applicant refers to the local community's aspiration to remove HGV's from Ship Lane and that this aspiration has not yet been achieved. The proposals include an 'HGV loop' within the site which would enable lorries travelling northbound on Ship Lane (from jct.31) to re-route back to jct.31 rather than continuing through Aveley village. In addition, a width restriction and bus-lane with camera are included in drawings accompanying the application. The applicant considers that amenity benefits would follow if HGV movements were removed from the village. The applicant refers to discussions with the local community and the Council's relevant portfolio holder. Reference is also made to the previous options consultation undertaken by the Highways Authority and it is suggested that there is no funding allocated for any highways improvements to address the issue. Therefore the applicant suggests that the only realistic method of addressing the issue is via this application.

7.44 Assessment:

For information, there is an issue arising from HGV's travelling from jct.31 northbound along Ship Lane and then negotiating the Ship Lane / High Street mini-roundabout and High Street before joining the B1335 (Aveley bypass). The preferred HGV route is via the A13 and B1335 (Sandy Lane / Aveley bypass). However, Ship Lane will appear as a shorter route on satellite navigation systems.

- 7.45 The issue is recognised on the Council's IRL which identifies "Measures to control HGV's in Aveley" as a project (ref. no. IRL0004), although the 'need classification' is described as 'necessary' and not 'critical' (the highest category). Highways officers undertook a public consultation (Ship Lane, Aveley HGV Movements Consultation) with local residents in January and February 2019. This consultation was comprehensive with over 4,000 properties consulted and 362 responses received. Five options to address the HGV issue, with estimated costs, were presented as part of the consultation comprising:

- i. new roundabout at the Thurrock Hotel entrance (i.e. adjacent to the current application site);
- ii. two-way width restriction on Ship Lane;
- iii. partial one-way routing;
- iv. partial road closure; and
- v. northbound bus lane.

Consultation comments received expressed a clear preference for the new roundabout junction. Progression of the 'preferred option' will be dependent on available funding, so at this time a potential delivery date for a new roundabout is not known.

- 7.46 Although the applicant is promoting a potential solution to the Ship Lane HGV issue, it is clear that the Council has already identified this as a matter to be addressed. Furthermore, options have been formulated and a public consultation exercise completed. If the Council (as local highways authority) progresses with a scheme to deliver one of the consultation options then it can be assumed that the issue will be dealt with, in which case the applicant's HGV turn around, bus lane etc. becomes largely superfluous. The consultation response from the Highways Officer confirms that

"the formation of a turning loop and bus lane is agreed in principle. The bus lane was an option previously proposed in the consultation. It must be made clear however that a roundabout remains the preference due to its conventional use, a detailed design of the turning loop will need to be agreed to ensure it is sufficient".

- 7.47 A roundabout junction therefore remains the preference. In conclusion under this heading, the weight which can be afforded to this 'benefit' is a matter of judgement. The issue of HGVs routing through Aveley has been identified as an matter for action, but has not been flagged as 'critical' on the IRL and the applicant's proposal is not the optimum solution. In addition any enforcement of the bus lane via cameras would place a responsibility on the Council. Nevertheless the timescales for delivery of the Council's scheme is unknown and in this sense the applicant's proposal could be a positive benefit. But given the uncertainties only moderate positive weight can be attached to this factor.
- 7.48 *d) the introduction of an international automotive retailer to Thurrock with associated job creation*

Applicant's case:

The applicant (Group 1 Automotive) is an international automotive retailer and will create up to 30 full-time equivalent (FTE) jobs during operation. Construction phase

jobs will also be created. The applicant is prepared to accept a s106 obligation to promote local employment.

7.49 Assessment:

New jobs, both during the construction and operation of the development would contribute to the economic objective of sustainable development, referred to by paragraph 8 of the NPPF. However, development of a GB site is in conflict with the environmental objective of sustainable development and job creation on its own would not clearly outweigh GB harm to justify a departure from planning policies.

7.50 The applicant's Planning Statement suggests that up to 30 jobs would be created on-site during the operational phase of the development. It is difficult to make an assessment of whether the proposals represent an intensive employment density of the site, partly because the proposed PDI and associated parking area is not a standard employment use. The widely accepted guide to employment densities is the 'Employment Density Guide' (3rd Edition, 2015) produced by the Homes & Communities Agency (HCA). This Guide provides details of FTE jobs which could be expected by new floorspace for a range of employment uses. The proposed PDI does not fall comfortably into any of the Use Classes as there will be elements of light industrial, general industrial and storage use proposed. Based on the proposed floorspace of c.1,200 sq.m, the maximum employment figure of 30 suggested by the applicant is broadly consistent with the employment guide (25 jobs for light industrial use / 33 jobs for general industrial use).

7.51 However, a large part of the application site would be occupied for vehicle parking and in terms of employment generation, this is considered to be an inefficient use of the land. As an example, if the 3.7Ha site of the proposed PDI centre were to be redeveloped for Class B2 (industrial) purposes, a building with a plot ratio of c.50% could be expected. That is, a building occupying c.50% of the plot is a reasonable assumption, based on (for example) plot ratios achieved at London Gateway. This plot ratio would result in a building with c.18,500 sq.m floorspace. If the HCA Guide is applied for a warehouse building with this floorspace (such as a national distribution centre) then c.194 jobs could be expected. Accordingly, although the proposed up to 30 jobs are welcome, the proposals are not an efficient use of the land and more conventional employment uses would be expected to generate greater employment benefits. Put another way, if the site were to be part of a planned release of GB for employment uses, a higher employment generation figure would be expected for the amount of land involved.

7.52 In these circumstances only limited positive weight is applied to this factor.

7.53 *e) the provision of a viable 'fall back' position*

Applicant's case:

The applicant cites the Officer's report to Planning Committee for the recent Tilbury FC proposals (ref. 20/00242/FUL) where the football stadium was considered to comprise previously developed land (PDL). The applicant considers that the Thurrock FC site is PDL and that a PDI facility could be designed on the stadium site so as to be NPPF compliant (paragraph no. 149(g)). That is, a different proposal for a PDI facility on the stadium site could be designed to have no "*greater impact on the openness of the GB than the existing development*". This is considered to be a 'fall back' position. However, this fall back would not deliver the benefit of the HGV turn-around.

7.54 Assessment:

The Courts have held that a 'fallback' position may be a material planning consideration for an alternative development scheme. Fallback is usually referred to in the context of permitted development rights. In the case of *Mansell v Tonbridge And Malling Borough Council* [2017] EWCA Civ 1314 the legal considerations in determining the materiality of a fallback position as a planning judgement were:

- the basic principle is that for a prospect to be a "real prospect", it does not have to be probable or likely: a possibility will suffice;
- there is no rule of law that, in every case, the "real prospect" will depend, for example, on the site having been allocated for the alternative development in the development plan or planning permission having been granted for that development, or on there being a firm design for the alternative scheme, or on the landowner or developer having said precisely how he would make use of any permitted development rights available to him under the GPDO. In some cases that degree of clarity and commitment may be necessary; in others, not. This will always be a matter for the decision-maker's planning judgment in the particular circumstances of the case in hand.

7.55 In this case permitted development rights are not applicable. In addition, there is no alternative scheme, either in the form of a planning permission or pre-application submission. Therefore, a fallback position is not material in this case.

7.56 Green Belt Conclusions

The proposed PDI centre comprises inappropriate in the GB. Consequently, the development would be harmful by definition with reference to paragraph 147 of the NPPF. The proposals would reduce the openness of the GB and, with reference to

the purposes of the Green Belt defined by NPPF para. 138, would result in a degree of coalescence and encroachment contrary to purposes (b) and (c). In accordance with NPPF paragraph 144 “substantial” weight should be given to this harm.

- 7.57 With reference to the applicant’s case for other considerations, an assessment of the factors promoted is provided in the analysis above. However, for convenience, the weight which can be attached to the factors promoted by the applicant and the GB harm can be briefly summarised as:

Summary of GB Harm and Considerations Promoted by the Applicant			
Harm	Weight	Factors Promoted as clearly outweighing GB and other harm	Weight
Inappropriate development	Substantial	the gifting of Thurrock stadium to a community partner for community football use	Limited positive weight
Reduction in the openness of the Green Belt		a financial contribution of £500,000 made to Thurrock Council towards mitigating the loss of the training pitches, to be secured through a Section 106 Agreement	No weight
Conflict (to varying degrees) with a number of the purposes of including land in the Green Belt – purposes c and e.		the provision of a HGV turnaround facility, bus lane and enforcement camera to assist with HGV management on Ship Lane and to avoid the use of HGVs travelling through Aveley village centre	Moderate positive weight
		the introduction of an international automotive retailer to Thurrock with associated job creation	Limited positive weight
		the provision of a viable ‘fall back’ position	No weight

- 7.58 As ever in reaching a conclusion on GB issues, a judgement as to the balance between harm and whether the harm is clearly outweighed by other considerations, including the benefits of the development, must be reached. In this case there is

harm to the GB with reference to inappropriate development, loss of openness and some conflict with the purposes of the GB. Several factors have been promoted by the applicant as comprising benefits which could clearly outweigh the harm to the GB (and any other harm) so as to comprise the VSC necessary to approve inappropriate development. It is for the Committee to judge:

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

7.59 Members of the Planning Committee are reminded of the content of NPPF paragraph 148 which states:

"Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly (emphasis added) outweighed by other considerations."

7.60 Therefore, and although every case falls to be determined on its own merits, the benefits of the proposals must clearly outweigh the harm for VSC to exist. If the balancing exercise is finely balanced, then VSC will not exist. In this case it is considered that the limited or moderate benefits of the proposals do not clearly outweigh the substantial harm to the GB and as a consequence VSC do not exist.

II. TRAFFIC IMPACT, ACCESS & CAR PARKING

7.61 The planning application is accompanied by a Transport Statement (TS). As the application site is located a short distance to the north of the M25 jct.31 Highways England has been consulted due to the linkages between jct. 31 (which is a local highways authority asset) and jct. 30 (which is a Highways England asset).

7.62 With regard to the impact of the proposals on traffic generation, as mentioned earlier in this report the re-use of the football stadium is not development requiring planning permission. In any case the existing stadium is served by a hardsurfaced although un-marked car parking area. Bus service no. 372 also routes along Ship Lane and there are bus stops close to the entrance to the football stadium. The no. 372 service provides either 2 or 3 buses per hour (Monday to Saturday). In light of the existing car parking facilities and access to bus services it is concluded that re-use of the football stadium would have no implications for trip generation.

7.63 With reference to the proposed PDI Centre, vehicles to be processed at the facility would be imported into the UK via four ports located at Sheerness (Kent), Halewood (Merseyside), Grimsby (Humberside) and Portbury (Bristol). After the vehicles are tested and prepared at the site, they would be exported to 22 dealerships located in

Essex, Kent and south London. The applicant's TS provides a break-down of anticipated HGV movements associated with the import and export of vehicles. The TS also considers the fluctuation in HGV movement associated with new vehicle registrations. The TS also refers to movements associated with the road-testing of vehicles prior to export, including an associated route.

7.64 The Council's Highways Officer has considered applicant's TS and concluded that its content is generally acceptable. Subject to mitigation measures to be secured via planning conditions, the impact of the proposals on the local highways network and junction capacity is accepted. Accordingly, planning conditions, were permission to be granted, are suggested to address:

- maximum number of daily HGV movements;
- records of HGV movements;
- times of HGV movements;
- maximum number of roads tests;
- hours of road tests;
- submission of details of the proposed HGV turning loop; and
- a vehicle booking system.

A number of 'standard' highways planning conditions are also recommended.

7.65 The formal consultation response from Highways England recommends that planning conditions are attached to any grant of planning permission to address the following matters:

- submission of a vehicle imports strategy;
- submission of a delivery and servicing management plan; and
- submission of a Travel Plan.

Therefore the conclusions of both the local and strategic highways authorities are that, subject to mitigations to be secured by planning conditions, there are no planning objections to the application.

III. DESIGN & LAYOUT

- 7.66 The proposed PDI centre would involve the formation of a large area of hardstanding for vehicle parking extending to c.3.7 Ha in area and providing 1,224 parking spaces. This area would have a functional appearance and, due to the value of the cars on-site, would be secured with a 2.4m high security fence. Although the applicant has not referred to security lighting as part of the submission, the need for such lighting should not be discounted given the extent of the site and health and safety requirements.
- 7.67 A part two-storey building is proposed comprising 1,200sq.m to a height of 7.1m. The appearance of this building would be somewhat utilitarian with a shallow roof pitch and silver-grey coloured cladding. Although it is appreciated that this is a functional building, the design and appearance is not of the highest architectural interest.
- 7.68 To the north of the site on the northern side of the Mardyke is a recreational footpath through the Mardyke river valley. Although a landscape buffer is proposed along the northern boundary of the site which would potentially filter views towards the site when established, the proposed security fencing and building would appear as prominent to views from the footpath. The visual impact of the proposals does not weigh in favour of the proposals. Members of the Committee will be aware that the NPPF and the Council's own planning policies emphasise the importance of good design. It is considered that the proposed building would be visually prominent and would not be visually attractive. For information, paragraph no. 126 of the revised NPPF now states that:

“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”

The appearance of the development is not a positive factor in overall planning balance.

IV. IMPACT ON ECOLOGY & BIODIVERSITY

- 7.69 The application is accompanied by a Preliminary Ecological Appraisal (PEA) and Reptile Survey Report. The conclusions of the PEA recommend a series of mitigation measures to address potential impacts on protected / importance species and habitats on-site. The majority of land required for the development of the PDI centre currently comprises open, short-mown grass which is considered to be of little ecological value. As mentioned above, new landscaping is proposed along the northern site boundary. An area of unused land east of the stadium would not be affected by the proposals. Consequently, it is concluded that, subject to mitigation to be secured by planning conditions, there are no objections to the proposals on ecological grounds.

V. FLOOD RISK & DRAINAGE

- 7.70 The site is located within the high risk flood zone (3a) and is located adjacent to a main river. The consultation response from the Environment Agency does not object to the proposal, but reminds the local planning authority of its responsibilities in applying the Sequential Test. Paragraph no. 162 of the NPPF states:

“The aim of the sequential test is to steer new development to areas of lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding ...”

- 7.71 A Strategic Flood Risk Assessment (SFRA) (2010) was undertaken on behalf of the Council in 2010 with the purpose of informing the Core Strategy and this document applied the sequential test to the identified ‘broad areas for regeneration’ in the Borough. Consequently, for development proposals within these broad areas the sequential test is passed via application of the SFRA. Guidance within NPPG states that:

“For individual planning applications ... where the use of the site being proposed is not in accordance with the development plan, the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed ... When applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken”

Under the heading of ‘Who is responsible for deciding whether an application passes the Sequential Test?’ NPPG advises:

“It is for local planning authorities, taking advice from the Environment Agency as appropriate, to consider the extent to which Sequential Test considerations have been satisfied, taking into account the particular circumstances in any given case. The developer should justify with evidence to the local planning authority what area of search has been used when making the application.”

Further advice on the process of undertaking the Sequential Test is available from the Environment Agency who advise that developers should provide information about:

- alternative sites;
- estimates of alternative site capacity; and

- information about the Development Plan allocation, constraints etc. of alternative sites.

7.72 The previous application for the site (19/01418/OUT) included a Flood Risk Assessment and Surface Water Drainage Strategy, however these documents did not provide the information referred to above to enable the local planning authority to undertake the Sequential Test. The current application is accompanied by a Flooding Sequential Test Assessment which now includes the required information. Consequently, it is considered that Sequential Test is passed and the previous reason for refusal based on inadequate information has been addressed.

VI. EFFECT ON NEIGHBOURING PROPERTIES

7.73 The closest sensitive receptors to the site are potential guests at the Thurrock Hotel located to the south of the site on the southern side of the stadium. Activities at the proposed PDI centre would principally involve car and HGV movements associated with the delivery, export and testing of vehicles. Any potentially noisy activities associated with the preparation of vehicles would occur inside the PDI building. Consequently it is considered that the PDI centre would not result in any significant harm to the amenity of hotel guests.

VII. LAND CONTAMINATION & GROUND CONDITIONS

7.74 The site of the proposed PDI centre comprises made ground (landfill) dating from the 1980's and the submission is therefore accompanied by a ground conditions report (preliminary assessment). The Council's Environmental Health Officer considers that a ground condition survey should be undertaken to determine the extent of any potential contamination and establish the load bearing strength of the strata. A planning condition could be used to address this matter were the application recommended for approval.

VIII. ENERGY & SUSTAINABLE BUILDINGS

7.75 As the proposed PDI centre building exceeds 1,000 sq.m in floorspace, policies PMD12 and PMD13 of the adopted Core Strategy require compliance with specified BREEAM standards and generation of on-site electricity from renewable or other sustainable sources. Although the application is not accompanied by any energy or sustainability statement confirming intended standards, planning conditions could be used to address this matter were the application recommended for approval.

8.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION

8.1 The principal issue for consideration in this case is the assessment of the proposals

against planning policies for the GB and whether there are consideration which clearly outweigh harm such that the VSC to justify a departure from normal policy exist. The proposals are 'inappropriate development' in the GB, would lead to the loss of openness and would cause some harm to the purposes of the Green Belt. Substantial weight should be attached to this harm in the balance of considerations. Although positive weight can be given to some of the benefits of the proposals, the identified harm must be clearly outweighed for VSC to exist. NPPF para. 147 sets the stringent policy test that harm must be clearly outweighed by other considerations for VSC to exist. In this case it is concluded that the identified harm is not clearly outweighed by other considerations and therefore a case for VSC does not exist.

- 8.2 The design of the proposed PDI building, although improved since the previous application, is disappointing and would be visible and particularly prominent to users of the nearby Mardyke Valley footpath. Subject to potential planning conditions there are no objections to the proposals with regard to highways issues, impact on ecology or other planning considerations. However, the GB issues remain the primary matter which is of paramount importance in the consideration of this case. Consequently, it is recommended that planning permission is refused.

9.0 RECOMMENDATION

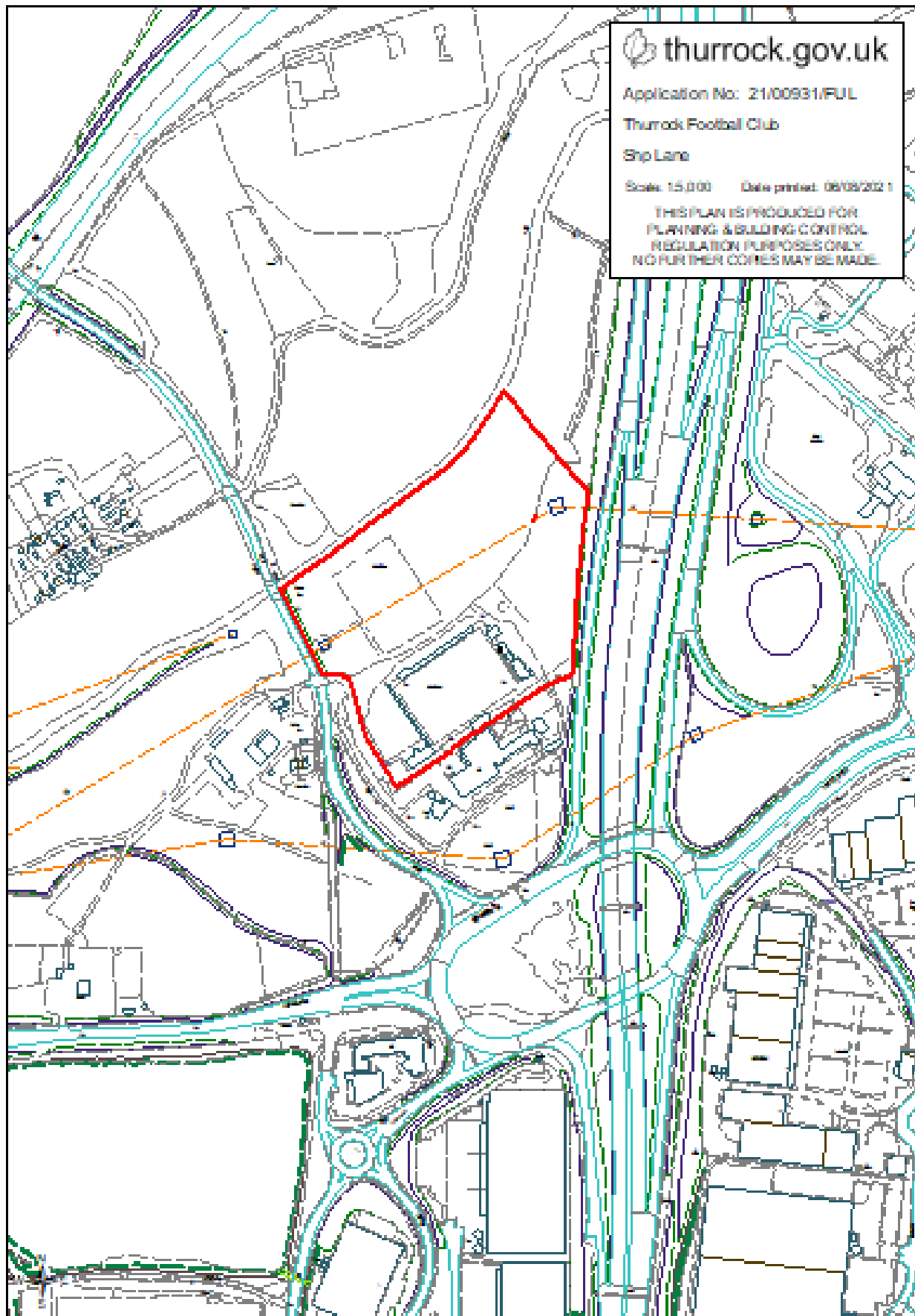
- 9.1 The Committee is recommended to refuse planning permission for the following reason:

1. The application site is located within the Green Belt, as identified on the Policies Map accompanying the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015). National and local planning policies for the Green Belt set out within the NPPF and Thurrock Local Development Framework set out a presumption against inappropriate development in the Green Belt. The proposals are considered to constitute inappropriate development with reference to policy and would by definition be harmful to the Green Belt. It is also considered that the proposals would harm the openness of the Green Belt and would be contrary to purposes b), c) and e of the Green Belt, as set out by paragraph 138 of the NPPF. In particular, the appearance of the proposed PDI centre building and perimeter fencing would appear as visually intrusive feature to users of the Mardyke Valley footpath. It is considered that 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 proposals are therefore contrary to Part 13 of the NPPF and Policies CSSP4 and PMD6 of the adopted Thurrock Local Development Framework 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: 20/01761/FUL	Site: Windy Ridge 251 Branksome Avenue Stanford Le Hope Essex SS17 8DF
Ward: The Homesteads	Proposal: Demolition of existing bungalow and outbuildings to erect of 9no. dwellings including amenity space, vehicular parking/access roads, garages and landscaping.

Plan Number(s):		
Reference	Name	Received
2446_02	Existing Location & Block Plan	11th June 2021
2446_04F	Proposed House Type A	11th June 2021
2446_05B	House Type B - Plans	11th June 2021
2446_07D	House Type Chalet - Plans	11th June 2021
2446_08D	Proposed Street Elevations	11th June 2021
2446_09C	Proposed Views	11th June 2021
2446_10D	Proposed 3D Aerial View	11th June 2021
TS20-501-1	Topographical Survey	18th December 2020
2446_13	Proposed Roof Plan	7th July 2021
2446_03Q	Proposed Site Layout	11th June 2021
2446_03Q	Proposed Site Layout	11th June 2021
2446_20	Existing Bungalow Elevations; Existing Outbuilding Elevations	6 th August 2021

The application is also accompanied by:

- Air Quality Screening Assessment, ref 15051AQ/T01/RJNT, dated 24 June 2019
- Bat Survey Report by Betts Ecology and Estates, ref 6777/J001179, dated July 2019
- Construction Logistics Plan by Pulsar Transport Planning, December 2020
- Transport Statement by Pulsar Transport Planning, R01-AH-Branksome Avenue Transport Statement 201215, issue 2, dated 15th December 2020
- Technical Note by Pulsar Transport Planning, ref 20097/N01, dated 18th February 2021
- Design And Access Statement, ref 2446 Rev B, dated December 2020
- Ecology Walk Over Survey, Betts Ecology and Estates, ref 6777/HAUD

- Flood Risk Assessment and Surface Water Drainage/SUDS Strategy by Evans Rivers and Coastal, ref: 2396/RE/10-19/01 Rev A, dated December 2020
- Noise & Vibration Impact Assessment by Spectrum Planning, ref MM1314/19098/First Issue, dated 14/12/2020
- Arboricultural Impact Assessment and Preliminary Method Statements by Tree Planning Solutions
- Appendix 1 Tree survey and explanatory notes, by Tree Planning Solutions
- Masterplan Design Evolution (plan no 2446_12C)
- Masterplan Comparison (plan no 11 A)
- Summary of Design changes, titled 'Refused Scheme'

Applicant:

Mr Michael O'Connell
Jaycode Developments Ltd

Validated:

14 January 2021

Date of expiry:

11 March 2021

Extension of Time (as agreed with applicant):

23 August 2021

Recommendation: Approval subject to conditions and s.106 agreement

This planning application is scheduled for determination by the Council's Planning Committee because it has been called in by Councillors Cllr G Collins, Cllr J Halden and by the Chair of Planning, Cllr T Kelly, to consider the matter of infill development (in accordance with Part 3 (b) Section 2 2.1 (a) of the Council's constitution).

1.0 BRIEF SUMMARY

- 1.1 This application is a resubmission of a similar refused application (ref 19/01331/FUL) for the demolition of the existing outbuildings and to erect 8no new dwellings in the rear garden of Windy Ridge, Branksome Avenue. The previous application sought to retain the existing dwelling, whereas the current revised scheme seeks to demolish the existing dwelling/outbuilding and replace with a chalet bungalow in its place fronting Branksome Avenue.

The replacement chalet would be sited further forward of the existing bungalow, but the building line would be consistent with the adjacent dwelling at 249 Branksome Avenue. In total, 9 dwellings are proposed to be erected on the plot at Windy Ridge.

2.0 DESCRIPTION OF PROPOSAL

- 2.1 The table below summarises some of the main points of detail contained within the development proposal:

Site Area (Gross)	0.25 ha						
Height	All Two Storey						
Units (All)	Type (ALL)	1-bed	2-bed	3-bed	4-bed	5-bed	TOTAL
	Houses	-	-	4	5	-	09
Affordable Units	No on site affordable housing requirement						
Car parking	Houses: Total allocated: 2-3 spaces allocated (including some garages) Total Visitor: 2 Total: 23						
Amenity Space	Minimum 85 sq.m Maximum 184 sq.m <u>Garden depths</u> Minimum 6.9 m Maximum 16.27 m						

3.0 SITE DESCRIPTION

- 3.1 The application site is broadly rectangular-shaped and fronts Aldria Road, Struan Avenue and Branksome Avenue. The application site is within the Homesteads Ward in Stanford le Hope and there is residential development surrounding the site. The London to Southend railway line lies to the immediate northwest of the site.

4.0 RELEVANT HISTORY

Application Ref	Description of Proposal	Decision
19/01331/FUL	Demolition of existing outbuildings and erection of 8no. dwellings including amenity space, vehicular parking/access roads, garages and landscaping; access to new properties from to Struan Avenue and Aldria Road.	Refused
71/00469/FUL	Extension	Approved
50/00235/FUL	Bungalow	Approved

5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 PUBLICITY:

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

A total of 23 representation have been received raising the following concerns:

Highways/Parking/Access

- Additional Traffic;
- Access to the site;
- Not sufficient car parking provision;
- Branksome Avenue is a busy road due to speed restrictions on Southend Road and main route for children/students going to school;
- Safety concerns resulting from increased vehicles and parking;
- Access and egress to properties opposite side of Branksome Avenue will be impossible;
- Road not wide enough for parking on each side;
- Increased CO2 emissions from increased amount of cars;
- Road is already used as a cut through;

Loss of Amenity:

- Possible Excessive Noise;
- Environmental Pollution;
- Litter Smells;
- Loss of Amenity;
- Materials(s) unacceptable;
- Out of character/including building heights;
- Overlooking Property;
- Should have less than 9 dwellings proposed/Oversized development/cramped;
- Overbearing development/loss off sunlight;

- Overlooking Property;
- Inconsiderate development considering the approved development at Orchard Close
- Existing building works in progress, additional construction disturbance;
- Concerns with the 'tall trees' along the rear boundary of proposed properties; these will block out light and views of Langdon Hills Countryside, what are the maximum height of the trees, loss of views;
- Trees will damage existing fences and existing/proposed houses;
- Loss of privacy from rear of the properties, proposed looking into rear gardens of Willow Hill;
- Insufficient garden space, better garden spaces will help water drainage in the area, as extra buildings may contribute to flooding;
- Heights of new houses in Aldria Road contradicts the existing houses in Willow Hill and the existing bungalow which is being replaced with a chalet bungalow;
- Proximity of trees to house could damage homes and affect house insurance;
- Potential for properties to be extend create further overlooking;

Impact resulting from development

- Land provides important habitat for wildlife;
- Destroying an important area of Green Infrastructure;
- Contrary to local and national guidelines to resisting infill building and development of residents gardens;
- Gardens are consistently water logged in wet conditions and the flood risk manager has raised concerns;

Non-material considerations

- Loss of a bungalow for older generations;
- Failure of council representative to visit site at weekends
- Added waste would also be a concern due to cut backs;
- Loss of housing price values;
- Covenants on Windy Ridge that restrict what can be built on the land

- A covenant is in place for a reason at the property that only one house can be built on the land and that the frontage of any building shall be closer than 20 feet from the adjoining road/nor trees be cut down or any earth moved;
- Plans should be overturned for same reasons as before;
- Loss of views
- Sale of alcohol causing disturbance;
- Loss of this property at Windy Ridge provides a loss of local history;

5.2 CONSULTATION RESPONSES:

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

ANGLIAN WATER:

No comment made.

ARCHAEOLOGY ADVISOR:

No objection.

CADENT GAS

No objection, advisory comments.

ENVIRONMENTAL HEALTH OFFICER:

No objection, subject to conditions;

FLOOD RISK MANAGER:

No objection, subject to conditions.

PUBLIC RIGHT OF WAY

No comment made.

HIGHWAYS:

No objections, subject to conditions.

NETWORK RAIL:

No objection, subject to conditions.

LANDSCAPE AND ECOLOGY

No objections, subject to conditions and RAMS mitigation.

6.0 POLICY CONTEXT

6.1 National Planning Policy Framework (NPPF)

The revised NPPF was published on 24th July 2021. The NPPF sets out the Governments' planning policies. Paragraph 11 of the Framework expresses a presumption in favour of sustainable development. This paragraph goes on to state that for decision taking this means:

- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date¹, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed²; or*
 - ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

¹ *This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites ...*

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

The assessment of the proposals against the development plan set out below refers to a number of policies, reflecting the nature of the proposals.

As the proposals comprises of a residential development, paragraph 11(d) is relevant to a degree in respect of the five-year supply of deliverable housing. The Councils' most recently published figure for housing land supply (July 2016) refers to a supply of between 2.5 to 2.7 years and it is to be expected that this figure has reduced as completions on large development sites has progressed. Accordingly, as residential development is proposed, the 'tilted balance' in favour of granting permission is engaged (subject to paragraph 11 (d) (i) and (ii)).

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. Promoting sustainable communities;
11. Making effective use of land;
12. Achieving well-designed places;
14. Meeting the challenge of climate change, flooding and coastal change;

6.2 National Planning Practice Guidance (NPPG)

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

- Design
- Determining a planning application
- Effective use of land
- Fees for planning applications
- Flood risk and coastal change
- Healthy and safe communities
- Housing supply and delivery
- Noise
- Renewable and low carbon energy
- Transport evidence bases in plan making and decision taking
- Travel Plans, Transport Assessments and Statements

- Use of planning conditions

6.3 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

- CSSP3: Sustainable Infrastructure

Thematic Policies:

- CSTP1: Strategic Housing Provision
- CSTP18: Green Infrastructure
- CSTP19: Biodiversity
- CSTP20: Open Space
- CSTP21: Productive Land
- 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
- PMD10: Transport Assessments and Travel Plans
- PMD15: Flood Risk Assessment
- PMD16: Developer Contributions

6.4 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.

6.5 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.

7.0 **ASSESSMENT**

7.1 The assessment below covers the following areas:

- I. Principle of the development
- II. Design, Layout and Impact upon the Area
- III. Effect on Neighbouring Properties
- IV. Living Standards and Private Amenity Space
- V. Traffic Impact, Access and Car Parking
- VI. Landscape, Ecology and Visual Impacts
- VII. Flood Risk and Site Drainage
- VIII. Environmental Health, Air Quality and Noise
- IX. Other Matters

7.2 I. PRINCIPLE OF THE DEVELOPMENT

The application site is within a residential area which forms part of The Homesteads and which is identified as a Residential Precinct in the Core Strategy. Policy CSTP23 seeks to protect residential precincts such as The Homesteads, where the original spacious pattern of development has been eroded by significant infilling and backland development.

Policy H11 of the Thurrock Borough Local Plan 1997 is not a saved policy but provides a good background to the situation – that the Homesteads ward was the subject of rapid house building in the 1960-1980s, which dramatically altered the character of the area. Specifically, the Homesteads ward has suffered with extensive infilling and subdivision of large private gardens.

This same policy then refers to Annexe A9, which is saved, and is relevant as it links

to Core Strategy Policy CSTP23. The Annexe restricts development which would harm the character of The Homesteads. This Annexe recognised the importance of retaining the original character of The Homesteads against further infilling and backland development. However, the Annexe also identifies a limited number of sites where development is acceptable.

Land to the rear of Windy Ridge is identified in Annexe 9 as one where development in principle would be considered acceptable, subject to compliance with relevant development management policies. This application seeks to develop the Windy Ridge site in its entirety though and the footprint of Windy Ridge and the front garden are not specifically covered by Annexe 9.

Notwithstanding the above, the development proposed fronting Branksome Avenue does not seek to increase the quantum of residential units within the curtilage of plot one. A replacement dwelling is proposed with a modest garage to the rear of plot 1. Therefore, as a whole, the development is considered acceptable in principle, subject to compliance with the development management policies.

II. DESIGN, LAYOUT AND IMPACT UPON THE AREA

As set out above, this application follows an earlier application submitted in 2019, which was refused. The reasons for refusal are set out below:

1. The proposed development would, by virtue of the significantly reduced rear private garden area depth for Windy Ridge in relation to the siting, height and mass of Plot 1, be likely to result in an unacceptable overbearing impact upon the occupiers of Windy Ridge detrimental to their amenities. The proposal would consequently be contrary to Policy PMD1 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.

2. The proposed development would, by virtue of the siting, mass, detailed design, height, layout and scale of Plots 1 to 4, be likely to result in an incongruous development which would appear at odds with the appearance of Windy Ridge and be likely to be harmful to the character of the area and appearance of the street scene. The proposal would consequently be contrary to Policies CSTP22, CSTP23 and PMD2 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 would, by virtue of the unusually close distance to and the forward building line of Plot 1 to Windy Ridge, the layout, siting, mass, and height of Plots 1 to 4, the lack of adequate refuse storage provision and refuse access

arrangements, cycle storage and off street parking provision within the site, amount to the overdevelopment of the site which would be harmful to the character and appearance of the immediate locality. The proposal would consequently be contrary to Policies CSTP22, CSTP23, PMD2 and PMD8 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 would, by virtue of the awkward access to off-street parking spaces for the four bedroom dwellings, result in an inadequate provision of off-street parking and be likely to result in the on-street parking of cars on the highway to the detriment of the freeflow and safe movement of traffic and pedestrian and highway safety. The proposal would consequently be contrary to Policies PMD2 and PMD8 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.

In order to overcome the 4 reasons for refusal of the 2019 application, the applicant has extended the red line of the application to include the bungalow at Windy Ridge and the current scheme effectively seeks permission for redevelopment of the whole site. By extending the red line boundary of the site, including the Windy Ridge bungalow and redeveloping whole site, addresses the first two reasons for refusal.

Some of the key relevant policies are outlined below:

Chapter 11 of the NPPF refers to making effective use of land and Paragraph 124 (d) talks to the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change. This section is helpful guidance where assessing infill development on garden land.

Additionally, Chapter 12 of the NPPF, Achieving Well-Designed Places, refers specifically to the creation of high-quality buildings, good design and local character. In paragraph 127 of Chapter 12 the NPPF states, 'Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics.'

Paragraph 130 goes on to state that planning decisions should ensure that developments a) will function well and add to the overall quality of the area, not just for the short term but the lifetime of the development; are b) visually attractive as a result of good architecture, layout and appropriate and effective landscaping and c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not prevailing or discouraging appropriate innovation or change (such as increased densities).

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

Policy CSTP23 of the Core Strategy indicates the Council will protect, manage and enhance the character of Thurrock to ensure improved quality and strengthened sense of place.

Policy PMD2 of the Core Strategy requires all design proposals to respond to the sensitivity of the site and its surrounding, to optimise the potential of the site to accommodate development, to fully investigate the magnitude of change that would result from the proposals, and mitigate against negative impacts.

Design

The application proposes 3 house types, which mainly reflect the neighbouring properties to the front, rear and the eastern boundary of the application site. The chalet dwelling proposed to the front of the site effectively takes design references from 249 Branksome Avenue, in that the roof accommodation is proposed with a side facing gable roof with a flat roof dormer on the roofslope. Generally, the properties along the northern side of Branksome Avenue are single storey or chalet types with one and half storeys.

The third reason for refusal from the 2019 application cited the 'forward building line' of plot 1 (effectively plot 2 in the current scheme) to the Windy Ridge property. In the current scheme, the distance from the rear wall of the replacement dwelling, at plot 1, to the flank wall of the single storey rear addition is 8.5m, which is considered to be an appropriate level of separation.

The replacement dwelling of Windy Ridge, fronting Branksome Avenue, would be of similar scale but of heavier massing, particularly in the roof, to accommodate the additional rooms. The overall design and scale of plot 1 (as a one and a half storey, 6.7 metres pitch height 4 bed dwelling) is considered acceptable, even with the building being brought forward of the existing building line at the site. Therefore, the impact of the dwelling at plot 2 to the dwelling at plot 1 is regarded as acceptable and addresses the third reason for refusal.

Plots 2-5 are proposed to front Aldria Road and would all be of consistent design (house type A), which would comprise of a front facing gable end dwelling with two storey side addition that houses a garage which is setback from the front building line. A part single storey addition is proposed to the rear of the site, but overall the side and rear additions are considered subservient which reduces the overall massing of the development. Furthermore, it is evident plots 2-5 have taken design

cues from the property on the opposite side of Aldria Road and seek to respond to the sensitivity of the site and its surrounding.

Towards the rear of the site, Struan Avenue would be extended to create a new access road to accommodate plots 6-9. The development along Struan Avenue would comprise semi-detached properties and the proposed dwellings would take design cues from properties along Struan Avenue, in that 2 semi-detached dwellings would be of similar scale to the adjacent properties. The fenestration to the front would be similar to the adjacent properties at Naticina and Waycliff Pandora, however, the scale of the windows appear smaller to the front and rear of the properties, proposed compared with the neighbouring dwellings, but this is not considered detrimental to the design or to the amenity of potential occupants of the dwellings.

Specific comments have been received from residents regarding the development being out of character and, more specifically, that the heights of the dwellings would not be in keeping with the immediate locality. For the reasons outlined above, Officers consider the development has been sensitively designed with appropriate architectural references. With regard to the height of the proposed buildings, the street elevation plans indicate that each plot is similar in height to the adjacent or nearby dwellings.

Layout

The layout of plots 1-5 are gradually staggered with each property following the shape of the site, which creates a more natural layout on the site. The properties proposed to the rear of the site would follow the building line of the adjacent dwellings along Struan Avenue. The scale of the proposed properties have been reduced, compared with the original submission of the application, to reduce massing, bulk and improve the layout of the detached 4 bed properties. There have been a number of comments from the surrounding residents raising concerns that the proposed development would have a cramped layout and that the number of dwellings proposed on site would be excessive. However, the pattern of development proposed is akin to the development at Willowhill in terms of layout and garden sizes. The distances between plots 2-5 and plots 6-9 average around 3.5 metres. Plot 9 is around 2.5 metres from the adjacent property at Naticina. These distances between the properties are considered sufficient.

Comments have been received regarding the perceived loss of sunlight and overbearing nature of the proposed development. Given the layout of the site, this would potentially mainly arise from plots 2-5 although, given the orientation of these plots, any loss of light to the properties along Willowhill (located to the south-west) is

not considered detrimental, especially as the central plots would be of a similar height to Willowhill.

Therefore, the revised layout, in conjunction with the design revisions, has led to an improved scheme, which is more sensitively designed. However, comments were received maintaining that the proposed development would be 'inconsiderate' with regard to the recent developments along Branksome Avenue. Officers are mindful of these comments, however each case needs to be assessed on its own merits and, as referenced above, the principle of development is deemed acceptable. On this basis, it is considered that the proposal demonstrates design founded on an understanding of, and a positive response to, the local context. The proposal would therefore comply with Policies CSTP22, CSTP23, PMD1 and PMD2 of the Core Strategy and the NPPF.

III. EFFECT ON NEIGHBOURING PROPERTIES

The proposal would provide adequate minimum overlooking distances between private-to-private side windows complying with Council policy with the exception of plot 2. Plot 2 would be approximately 18.6 metres from the rear first floor windows from the property at 2 Willowhill, which is slightly below the 20 metres Council guidelines. However, in this instance this distance is not considered detrimental to the overall development or the amenity of neighbouring properties. Comments have been received from residents along Willowhill and concerns have been raised in relation overlooking and loss of privacy to the dwellings and gardens. However, the pattern of the proposed development is similar to the layout along Willowhill and the garden depths proposed are more generous than the development opposite. Judged on their own merits the rear garden depths of plots 2-5 are acceptable and indeed are more generous than the adjoining neighbours at Willowhill. Any minor shortfall in the guideline for 'back to back' distances is a function of the existing small garden depths along Willowhill.

Plots 6 – 9 would be positioned parallel to the flank wall of the property at Naticina, on Struan Avenue; this neighbouring property has no main living area windows to the flank wall and it is considered there would be limited impact in terms of overlooking, overshadowing or loss of privacy to the neighbouring property, since the semi-detached dwellings would have a similar building line and scale to the adjacent properties. The flank wall of Plot 6 would be approximately 10.5 metres from the nearest properties to the western boundary along Willowhill. The properties to the western boundary are two storey and Plot 6 would also be a two-storey property with only bathroom/toilets proposed on the ground floor of the properties. No habitable windows are proposed on the flank wall and, therefore, the bathroom windows could be obscure glazed to protect the amenity of potential future occupants of the properties.

If recommended for approval, obscure glazed windows will be secured by an appropriately worded planning condition. Notwithstanding this, there would be limited overbearing or overlooking impact resulting from plot 6 to the neighbouring sites along the western boundary.

IV. LIVING STANDARDS AND PRIVATE AMENITY SPACE

Each dwelling would be of a sufficient size to provide a suitable living environment for future occupiers. There would also be suitable levels of privacy for future occupiers.

The proposed garden sizes and depths would be similar to the existing dwellings to the eastern boundary and it is considered the private amenity spaces are consistent with the existing pattern of development and therefore be acceptable. The proposal complies with PMD1 and PMD2 of the Core Strategy.

V. TRAFFIC IMPACT, VEHICLE ACCESS AND PARKING

The proposal would retain the existing access and low-level brick wall fronting Branksome Avenue; there are no changes fronting Windy Ridge in terms of new vehicle accesses and boundary treatment. However, new accesses would be created along Aldria Road to serve plots 2-5. Plots 6-9 would be accessed through the extension of Straun Avenue to create a new access road within the curtilage of the plot.

The current application has undergone two revisions, which were partly to address the highways concerns. In the most recent submissions a travel statement had been submitted and the Highways Officer raised no objections, subject to conditions. The parking provisions were deemed acceptable, but it was considered that there would be an intensification of use access onto Branksome Avenue from Aldria Road. On this basis, the Highways Officer requested s106 agreement to improve the junction. However, Branksome Avenue is not a strategic route and, therefore, there is no policy against the intensification of this road. Therefore, the Local Planning Authority consider there is no justification for an s106 on this basis. Final revisions to the development also amended the design and layout of the properties, but this have not altered the road layouts. Therefore, the updated comments from the Highways Officer from April are deemed relevant to the revised layout.

In terms of the construction, the new access road and associated vehicle crossovers will be required as part of a section 278 agreement, an informative will be added as a reminder. In addition, Highways considered that conditions would be required relating to the creation of vehicle accesses onto the highway, maintenance of sight

splays, retention of the proposed garages and the submission of a Construction Environment Management Plan. The Local Planning Authority deems these conditions to be reasonable, given the works proposed to the highway and the comments received relating to the potential disturbances to the immediate locality. In light of the above, the fourth reason for refusal in the previous refused application has been addressed, given that parking provisions have been revised together with the suggested planning conditions.

A number of comments were received from residents relating to highways matters concerning speed restrictions on Southend Road, Branksome Avenue being a busy Road mainly being used as a cut through road and roads not being wide enough. Highways officers have been consulted. Issues of potential intensification of the use of the access and impact on the highways network have been addressed above, as the principle of development is acceptable.

VI. LANDSCAPE, ECOLOGY AND VISUAL IMPACTS

The Council's Landscape and Ecology advisor has been consulted on the current application and has noted that the site does not contain any features of ecological significance. The Arboricultural Survey submitted with the application indicates that a single Category A Oak tree would require a crown lift and two Category 3 trees would require removal, but the Landscape advisor is of the opinion that these works would not have any significant visual impacts that would warrant refusal of the scheme. A condition is recommended to ensure that the measures proposed for the trees at the site are carried out in strict accordance with the Arboricultural Survey.

The Landscape and Ecology advisor notes that an acoustic fence is proposed along the northern boundary with the railway and this would need to be in close proximity with the adjacent trees, also proposed to be retained. The Landscape and Ecology advisor has asked for an Arboricultural Method Statement to be submitted showing measures of how the impact on the trees will be minimised once the fence is installed. In addition to this, a detailed landscape scheme has been requested, but this could be dealt with by an appropriately worded planning condition, particularly to ensure that the tree planting proposed along the western boundary provides good screening without causing without excessive shading to the rear of the properties along Willowhill or future occupants of the proposed development. Requests were made from neighbouring properties regarding the heights of the proposed trees, as there were concerns that there would be a loss of view resulting from the proposed landscaping. However, the species of tree will be managed by condition to ensure they are appropriate for the size of the plots. The loss of a view would not be considered material in the determination species of trees.

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 is approved, such a contribution could be secured via an appropriate Legal Agreement. The applicant indicated their willingness to make such a contribution and would draft a Legal Agreement if the application is determined favourably.

VII. FLOOD RISK AND SITE DRAINAGE

A Flood Risk Assessment and Surface Water Drainage/Strategy has been submitted with the application. A number of comments have been received from neighbours about the surrounding land being waterlogged and concerns regarding site drainage. The Council's Flood Risk Manager's initial comments raised concern with increase in impermeable area compared to the current rear garden. However, the applicant had submitted further site drainage details to support the application. Subsequently, the Flood Risk Manager has since raised no objection and considered the concerns about potential waterlogged land/site drainage can be addressed by appropriate conditions.

VIII. ENVIRONMENTAL HEALTH, AIR QUALITY AND NOISE

The Council's Environmental Health Officer advises that, due to the proximity of the site to adjacent properties, a condition should be added to restrict the hours of working and to require the submission of a Construction Environmental Management Plan (CEMP).

Plots 6-9 would have habitable rooms facing the railway line to the rear of the application site and as such, a Noise and Vibration Impact Assessment has been submitted with the application. The Environmental Health officer advises:

'To achieve the reasonable internal levels in BS8233:2014 the above submitted document recommends the glazing required in section 5.2.2 of the report. The developer should be required to confirm that this minimum standard of glazing or better has been installed at the relevant facades of the proposed housing particularly with regard to those occupying plots 6 to 9 inclusive.'

'The above report also recommends the installation of a 2m high acoustic barrier along the northwest boundary of the site. The developer should be required to confirm that this has been installed.'

In light of the above, it is considered important that conditions are included on any consent granted to ensure that the necessary standard of glazing and the installation

of the 2m acoustic barrier. Such measures would need to be installed in strict accordance with the details submitted with the Noise Assessment.

The Air Quality Officer has no concern with the operational impact of the development in terms of air quality. Comments have been received from residents regarding the potential for excessive noise, environmental pollution and litter smells that might arise from the development. However, the Environmental Health Officer had not raised these as a concern in terms of air quality or pollution.

IX. OTHER MATTERS

Owing to the number of units proposed it is not possible to secure an affordable housing provision in this instance because the proposal falls short of the Government's threshold of 10 units or more.

Given the scale of the dwellings and the scale of the gardens, permitted development rights will be removed for Classes A to E of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking).

The proposed site plan indicated a shed to be placed in the rear garden of each of the plots, but minimal details have been submitted. A condition will be required to supply details of the sheds and the boundary treatments, in the interest of visual amenity.

A number of comments have been received regarding the parking in the immediate locality and, therefore, a condition will be added to restrict the use of the garages for the parking of vehicles and ensure they are retained as such.

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CONCLUSIONS AND REASONS FOR APPROVAL

The proposed development would result in a more intensive development of a site within the Homesteads Ward. However, the land to the rear of Windy Ridge is identified in Annexe 9 as one where development in principle would be considered acceptable on this site. The inclusion of the property at Windy Ridge within the red line boundary has addressed the reasons for refusal of the previous application at the site. Plot 1 has been sensitively designed into the overall development, which has effectively reduced impact from the neighbouring plots at 2 – 5.

Furthermore, there have been no objections from the consultees regarding this application and appropriate conditions will be added to address matters raised to

ensure compliance. The previous highways reason for refusal has been addressed through revisions of the layout and appropriate conditions.

In policy terms, CSTP23 protects the particular character and overdevelopment of sites within an identified residential precinct. Therefore, even with the backland development proposed, this would not significantly affect the character of the area. The proposal would develop the large open garden space to the rear of Windy Ridge, Branksome Avenue, but it would not have an adverse impact upon the special character of the Homesteads Ward and therefore complies with policies CSTP22, CSTP23 and PMD2.

8.0 RECOMMENDATION

8.1 Approve, subject to the following:

A) The completion and signing of an obligation under s.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:

- Ecology – A financial contribution of £1004.64 towards the Essex Coast RAMS strategy to mitigate the impact of the development upon the Thames Estuary and Marshes SPA.

B) the following planning conditions:

TIME LIMIT

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

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

PLANS

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

Plan Number(s):		
Reference	Name	Received
2446_02	Existing Location & Block Plan	11th June 2021
2446_04F	Proposed House Type A	11th June 2021

2446_05B	House Type B - Plans	11th June 2021
2446_07D	House Type Chalet - Plans	11th June 2021
2446_08D	Proposed Street Elevations	11th June 2021
2446_09C	Proposed Views	11th June 2021
2446_10D	Proposed 3D Aerial View	11th June 2021
TS20-501-1	Topographical Survey	18th December 2020
2446_13	Proposed Roof Plan	7th July 2021
2446_03Q	Proposed Site Layout	11th June 2021
2446_03Q	Proposed Site Layout	11th June 2021
2446_20	Existing Bungalow Elevations; Existing Outbuilding Elevations	6 th August 2021

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

DETAILS OF MATERIALS/SAMPLES TO BE SUBMITTED

- 3 No development shall commence above ground level until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.

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

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN [CEMP]

- 4 No demolition or construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the local planning authority in writing. The CEMP should contain or address the following matters:
 - (a) Hours for the construction of the development
 - (b) Hours and duration of any piling operations,
 - (c) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site,
 - (d) Details of construction any access or temporary access, and details of temporary parking requirements;
 - (e) Location and size of on-site compounds [including the design layout of any proposed temporary artificial lighting systems];

- (f) Details of any temporary hardstandings;
- (g) Details of temporary hoarding;
- (h) Details of the method for the control of noise with reference to BS5228-1:2009+A1:2014 Code of Practice for noise together with a monitoring regime;
- (i) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime ;
- (j) Measures to reduce dust with air quality mitigation and monitoring during construction and demolition,

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

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

BOUNDARY TREATMENTS

- 5 Prior to the first use or operation of the development, details of the design, materials and colour of the fences and other boundary treatments shall be submitted to and approved in writing by the local planning authority. The fences and other boundary treatments as approved shall be completed prior to the first use or operation of the development and shall be retained and maintained as such thereafter.

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

SOFT AND HARD LANDSCAPING SCHEME

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

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any

tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation

Hard Landscape works

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

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

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

ARBORICULTURAL METHOD STATEMENT

- 7 No development shall commence until information has been submitted and approved in writing by the Local Planning Authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:
 - Arboricultural method statement (including measures of how effects on the trees will be minimised once the acoustic fencing is installed).

The protective fencing and ground protection shall be retained until all equipment, machinery and surplus materials have been removed from the site. The tree protection measures shall be carried out in accordance with the approved details.

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

SURFACE WATER DRAINAGE

- 8 No development shall commence until a scheme for the provision and implementation of surface water drainage incorporating sustainable urban drainage schemes (SuDS), which shall include the following;

- (i) Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details;
- (ii) Supporting calculations confirming compliance with, the Non-statutory Standards for Sustainable Drainage, and the agreed discharge rate of 0.969l/s and the attenuation volumes to be provided;
- (iii) Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented;
- (iv) Details of exceedance flow routes;
- (v) Details of agreement with Anglian water showing acceptance of the discharge of 0.969l/s;
- (vi) The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.

The surface water drainage scheme shall be constructed and completed in accordance with the details as approved prior to the occupation of the development hereby permitted.

Reason: To ensure the incorporation of an appropriate drainage scheme and to avoid pollution of the water environment and to minimise flood risk in accordance with policies PMD1 and PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

PARKING PROVISION – AS SHOWN ON THE APPROVED PLANS

- 9 The development hereby permitted shall not be first occupied until such time as the vehicle parking area shown on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out as shown on the approved plans. The vehicle parking areas shall be retained in this form at all times thereafter. The vehicle parking areas shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development.

Reason: In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

SUBMISSION OF HIGHWAYS DETAILS

- 10 No development shall commence until details of the estate roads / footways / visibility splays / accesses / turning spaces have been submitted to and agreed in writing with the local planning authority. The details to be submitted shall include plans and

sections indicating design, layout, levels, gradients, materials and method of construction. The estate roads / footways / retaining walls / visibility splays / access / carriage gradients/ turning spaces shall be constructed and retained in accordance with the agreed details.

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

OBSCURE GLAZING

- 11 Prior to the first occupation of the buildings hereby permitted, the first/ground floor windows in the flank elevations, serving bathrooms/toilets shall be glazed with opaque glass and of a non-openable design with the exception of a top hung fanlight (which shall be at least 1.7m above internal floor level) and shall be retained as such thereafter.

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

REMOVAL OF PD RIGHTS – EXTENSIONS, GARAGES AND OUTBUILDINGS

- 12 Notwithstanding the provisions of Schedule 2, Part 1 Classes A, B, C, D and E of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no extensions or alterations to the dwellings hereby approved shall be undertaken and no outbuildings shall be erected within the site without planning permission having been obtained from the local planning authority.

Reason: In order to safeguard the openness of the Green Belt and the visual amenity of the area in accordance with policies PMD2 and PMD6 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

RESTRICT USE OF GARAGES

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) the garage hereby permitted shall be used only for the parking of vehicles in connection with the residential use of the property.

Reason: In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

DETAILS OF SHEDS

- 14 Prior to the first use or operation of the development, details of the design, materials and dimensions of the sheds as shown on plan no 2446 _03Q shall be submitted to and approved in writing by the local planning authority. The as approved shall be completed prior to the first use or operation of the development and shall be retained and maintained as such thereafter.

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

NOISE IMPACT ASSESSMENT

- 15 The measures contained within the Noise & Vibration Impact Assessment (ref 14/12/2020) which forms part of this planning permission, shall be implemented and in place prior to the first occupation of the development and shall be retained and maintained as such thereafter.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

ARBORICULTURAL IMPACT ASSESSMENTS

- 16 The measures contained within the Arboricultural Impact Assessment (ref TPSarb9920419) and Appendix 1, which forms part of this planning permission, shall be implemented and in place prior to the first occupation of the development and shall be retained and maintained as such thereafter.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Informative(s)

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant/Agent, acceptable amendments to the

proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 2 The amendments to the vehicle access points onto Third Avenue may require authorisation of the Local Highways Authority. Any works which are required within the limits of the highway reserve require the permission of the Highway Authority and must be carried out under the supervision of the Highway Authority's staff. The applicant is, therefore, advised to contact the Authority at the address shown below before undertaking such works.

Highways

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

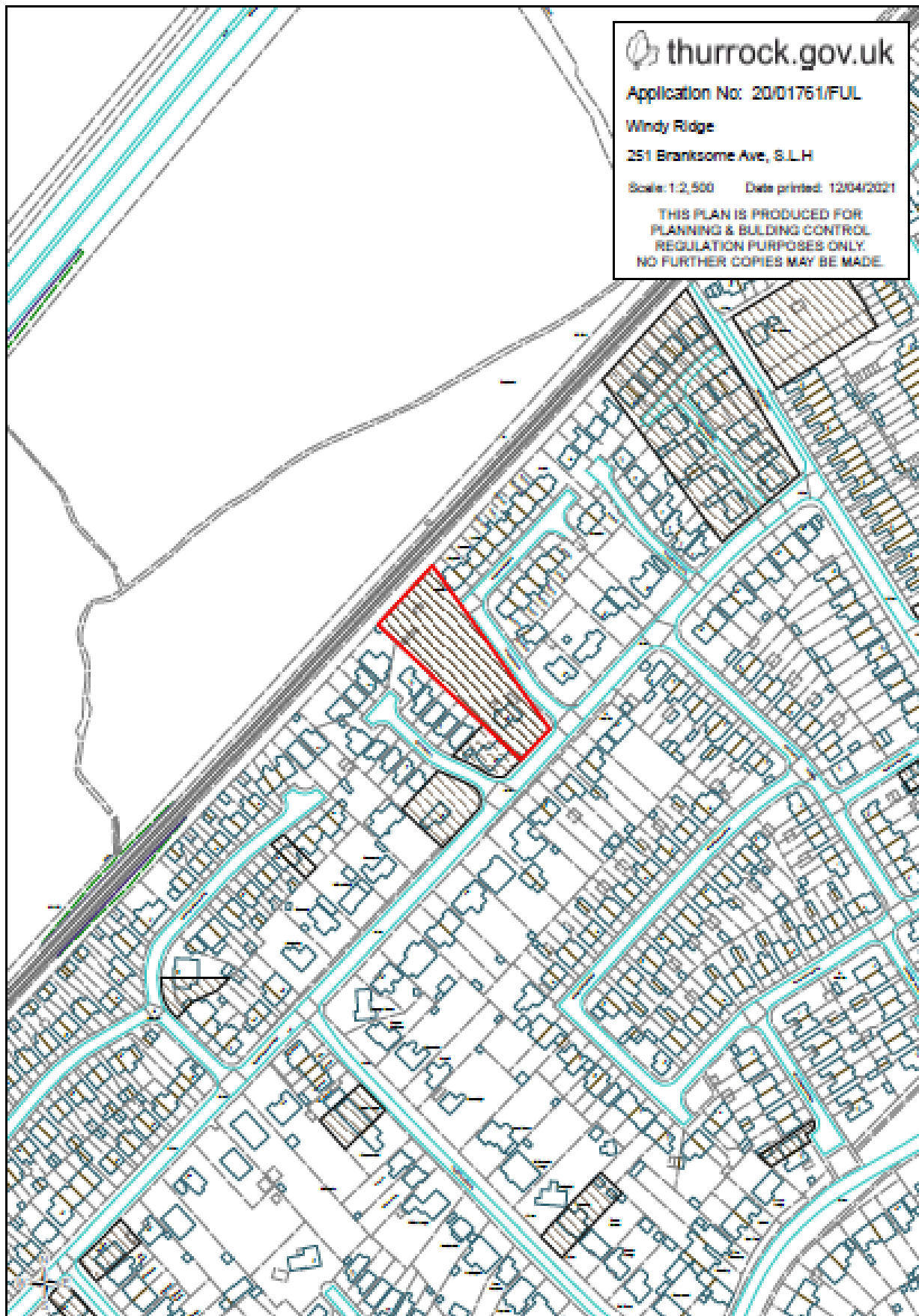
Telephone:- (01375) 366 100

- 3 As the application site is in close proximity to the adjacent railway, the applicant is strongly advised to liaise with Network regarding the proposed works and the construction process. The statutory consultee has specific guidelines on any landscaping proposed and it would be in the applicants' interest to consult with Network Rail prior to the commencement of works.

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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